



DECISION

Complaint No. : POS/618/2022/HYD/75

Name and address of the complainant : Mr. Shakir Ahmed Ansari
R/o Shopkeeper, Shahi Bazar, Bhit Shah Taluka Hala
District Matiari.

Name of the Agency Complained against : i. Assistant Commissioner, Hala, District Matiari.
ii. Chairman, Town Committee, Bhitshah.

Name & Designation of Investigating Officer : Abdul Wahab Memon, Consultant / Regional Director,
Regional Office, Hyderabad.

Vetted by : Muhammad Naseer Jamali, Advisor-N

Subject : COMPLAINT AGAINST NON-REMOVAL OF
ILLEGAL ENCROACHMENTS AND PUSH CARTS
FROM MAIN BAZAR OF BHIT SHAH TOWN

Complaint

Mr. Shakir Ahmed Ansari filed a complaint dated 17.03.2020 received through Wafaqi Mohtasib (Ombudsman)'s Secretariat, Hyderabad vide letter dated 16.07.2020 wherein he alleged illegal encroachment in Shahi Bazar Bhitshah by the shopkeepers and hand push cart operators causing problems to the visitors of Shrine of Shah Abdul Latif Bhittai. He approached the Chairman, Town Committee, Bhitshah for removal of encroachments but to no avail. Aggrieved by that, he solicited intervention of this Institution.

Proceedings

2. The complaint was admitted for investigation u/s 10 (3) of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) after receiving mandatory affidavit on Form "A" and other relevant documents and by condoning the delay.
3. This office issued notice dated 12.10.2020 to the Deputy Commissioner, Matiari who forwarded the same to the Assistant Commissioner, Hala and Town Officer, Town Committee, Bhitshah, for report. In response, the agencies issued notices to illegal encroachers and encroachments were partially removed.
4. The case was heard on 24.01.2023, attended by Additional Director, Local Government Matiari and his team. The dates were fixed for removal of encroachments in coordination with Assistant Commissioner, Hala. Subsequently, the Town Officer, Town Committee, Bhitshah informed vide letter dated 21.02.2023 that handcarts and thellas were shifted to a nearby place and other encroachments were removed on 20.02.2023 under the supervision of Assistant Commissioner Hala/Administrator and enclosed the photographs as an evidence.

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Site Visit of Investigation Officer, Hyderabad

5. The Investigating Officer visited the site on 26.09.2024 in the presence of Assistant Commissioner Hala, Town officer, Town Committee, Bhitshah, SHO/SO Traffic Bhitshah, the complainant, notables of the area and President, Shahi Bazar Bhitshah town. During the site visit, it was found that street/market was clear and no hard/permanent encroachment was seen at site. However, few stalls and handcarts were seen around the shrine of Shah Abdul Latif Bhittai (R.A). The Assistant Commissioner Hala and Town Officer, Town Committee Bhitshah assured that the removal of encroachments is being carried out on regular basis. The agency informed that the complainant has filed a Criminal Misc App No: 01/2024 in the court of Civil Judge/Judicial Magistrate, Hala for removal of encroachments. During the site visit, the complainant showed his satisfaction on the removal of encroachments. Subsequently, the complainant withdrew his complaint from the court of Civil Judge vide order dated 03.10.2024.

Findings

6. On the intervention of this Institution, the grievance of complainant has been redressed by the Agency.

Decision

7. In view of the above and in exercise of powers vested in me under section 11 of Establishment of the office of the Ombudsman for the Province of Sindh Act, 1991 (amended upto date), the complaint is disposed of as redressed.

Given under my hand and seal of the office



(MUHAMMAD SOHAIL RAJPUT)
Sitara-e-Imtiaz, PAS
Ombudsman Sindh

Karachi, dated 20th November, 2024