



DECISION

Complaint No. : POS/3879/ROJ-156(JBD)/2023

Name and address of the complainant : Mr. Ghulam Rasool s/o Noor Muhammad Sarki, r/o Gharibabad Mohalla, near Roshan Ali Shah, Jacobabad.

Name of the Agency Complained against : Revenue Department

Name & Designation of Investigating Officer : Mr. Zahid Hussain Buriro
Director Regional Office Jacobabad

Vetted by : Mir Hussain Ali Advisor-M

Subject : COMPLAINT REGARDING LAND REVENUE RECORD NOT BEING ISSUED

Complaint:

Mr. Ghulam Rasool Sarki has filed his complaint dated 15.5.2023 against the revenue authorities of Jacobabad alleging that they were not providing copies of the land revenue record of the property (house) belonging to his deceased sister Mst. Hanifa, which has allegedly been occupied by Naimatullah Abro on the basis of fake documents in connivance with the revenue officials. Hence he has prayed for intervention by this Institution.

Proceedings:

2. The complaint admitted under Section 10 of The Establishment of the Office of Ombudsman for the Province of Sindh Act 1991, was referred to the Mukhtiarkar (Revenue), Jacobabad, who vide his office letter No. MUKH/REV/JCD/SM/2023/417 dated 13.7.2023 reported that the record of this property, which was destroyed during law and order disturbances, has not been reconstructed, and according to law can be effected on production of original sale deed or copy of extract, supported by statements of two witnesses, and after verification of possession by the City Surveyor, Jacobabad. This report was provided to the complainant vide this office letter dated 13.7.2023, who initially disagreed with the same, but later on 23.8.2023 submitted his statement before the Investigating Officer that he is now satisfied with the report of the Mukhtiarkar (Revenue), Jacobabad and also withdrew his complaint.

3. However, due to nature of complaint it was decided to carry out further investigation in the matter and notices were issued to the Deputy Commissioner, Jacobabad, and other officials. The complainant Mr. Ghulam Rasool Sarki was also advised to produce death certificate, heirship certificate, sale deed, and two witnesses for reconstruction of record of the property. The complainant stated that the relevant record may be called from Larkana or Hyderabad as the City Survey Office, Jacobabad does not have any record of the disputed property. The Mukhtiarkar (Revenue), Jacobabad repeated his earlier stance.

4. Meanwhile, Mr. Naimatullah Abro appeared before the Investigating Officer and submitted his application alongwith relevant papers with the request to make him a party in this matter, as he also had allegations against the complainant Mr. Ghulam Rasool Sarki. The Investigating Officer, in order to ascertain the factual position, asked for details from the Agency. In response, the Mukhtiarkar / CSO, Jacobabad vide office letter dated 5.6.2024 informed that he alongwith City Surveyor, Jacobabad visited the site in order to verify the record and on ground situation. It was found that Mr. Ghulam Rasool Sarki had no documentary proof nor

he had possession of the site. He further reported that after this site visit and enquiry through various sources, it was established that the said property is in the name of Naimatullah Abro, who had purchased the same from Haneefa Begum during her life time. He produced the photostat copy of Extract issued in the year 2003 and also enclosed statements of two Nek Mards regarding possession, alongwith report of City Surveyor Jacobabad and photographs.

5. This report dated 5.6.2024 alongwith its enclosures was sent to the complainant on his address for rejoinder, who did not agree with the same, and reiterated his earlier stance and also requested for a site visit. Accordingly, a site visit was conducted by the Investigating Officer on 12.9.2024 in presence of the complainant. It was observed that the report of the Mukhtiarkar and the City Surveyor Officer, Jacobabad submitted vide office letter dated 5.6.2024 is correct. During this visit, statements of neighbors were also recorded, which reveal that Naimatullah nephew of Mst. Haneefa was living with her since 40 years as she had no children, and that she died in 2006. Naimatullah Abro also produced documents / witnesses and was also in possession of that house. Further, Mst. Haneefa died in 2006 while the mutation in the record of rights was effected in 2003 when she was alive. The Investigating Officer also observed that the complainant did not submit any proof or witnesses in respect of his claim, and had filed his application after 18 years of the death of Mst. Haneefa. The Investigating Officer was of the opinion that the complaint may be rejected as no documentary proof or evidence is available with the complainant.

Findings:

6. In view of the site visit and the enquiries made through report of the Mukhtiarkar & CSO, Jacobabad dated 5.6.2024, it is clear that the complainant has no evidence to prove his contention.

Decision:

7. I therefore, in exercise of power vested in me under Section 11 of Establishment of the Office of Ombudsman for the Province of Sindh Act 1991, hereby direct that further action on this complaint be stopped as the allegations made by the complainant have not been established.

“Given under my hand and seal of office”



Sd /-

(Muhammad Sohail Rajput)

Sitara-e-Imtiaz, PAS

OMBUDSMAN SINDH

Karachi, dated 7th March, 2025