



DECISION

Complaint No. : POS/181/KE-25

Name and Address of the Complainant : Mr. Azmat Awan, R/o. A-24, Block-E, Gulshan-e-Jamal, Karachi.

Name of the Agency Complained against : Excise and Taxation Department / Moto Registering Authority

Name & Designation of Investigation Officer : Syed Farrukh Habib
Director, Regional Office, Karachi (East)

Subject :- **COMPLAINT OF ALLEGED ILLEGAL TRANSFER OF COMPLAINANT'S CAR NO. BHF-347 WITHOUT HIS CONSENT.**

THE COMPLAINT

Mr. Azmat Awan in his complaint dated 25.02.2025 stated that he is resident of House No. A-24, Block-E, Gulshan-e-Jamal, Karachi. Due to some domestic issues, he left his home on 05.12.2024. Later on, he left Karachi for his hometown (Haripur) on 12.12.2024 and he handed over his car Toyota Passo Model 2013 to his family. Car was used for pick & drop of his daughters from School and Bahria University, as well as by his wife herself. Before his arrival at Karachi, car was hidden by his wife. When he enquired about car, she said that the car was under repair/ maintenance, while name of the mechanic and workshop location was not shared. After four days, his wife told him that the car will not be given to him and she also refused to tell the whereabouts of his car. The complainant stated that when he checked status of his car from Excise & Taxation Website, he was astonished to see that his car registration has been transferred in the name of his daughter Zainab Azmat while he did not gift the same or sold to her. Whereupon, he approached the Excise & Taxation Office and filed written complaint against such illegal transfer of car registration. He alleged that the Excise & Taxation Office failed to carry out mandatory check under the law to confirm whether he gifted his car or sold out to anyone. He stated that smart card of vehicle and number plates in original were also in his possession, without which such transfer is not permissible. He stated that he also approached CPLC for illegal transfer of car registration but no action was taken. He, therefore, solicited intervention of this office in the matter.

PROCEEDINGS

2. After admission of complaint under Section 10 of the Establishment of the office of Ombudsman for the Province of Sindh Act, 1991, (amended up to date), as well as after receiving mandatory Affidavit on Form "A" and other relevant documents, report was called from the Agency. In response Excise and Taxation Officer (OR-B), Motor Registering Authority, Karachi vide letter dated 24.03.2025 stated that on receiving of original file, original registration card and payment of Government Fee/taxes, the ownership of vehicle Registration No. BHF-347, was processed in the name of Mst. Zainab Azmat d/o. Azmat, though the case of transfer of ownership has been finalized, but the original file has not been returned to its new owner. On 31.01.2025, an application had been received from Mr. Azmat, wherein he mentioned that the original papers were in his house, his estranged wife attempted to get the ownership of his vehicle transferred in the name of his daughter Ms. Zainab. The AEO further

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stated that when Mr. Azmat appeared in person, he was advised to lodge report in the concerned Police Station regarding the misplacement of original documents and vehicle, but he failed. The report further mentioned that file of the said vehicle has still not been returned to the newly registered owner.

3. The complainant in his rejoinder dated 08.04.2025 stated that original registration card is still with him and the same would be produced on demand. Moreover, original number plates of the vehicles are also in his possession. He didn't sign any transfer letter.

4. In order to investigate the case the Investigating Officer fixed the case for hearing on 13.05.2025 when the complainant and Mr. Abdul Sami Lanjar, Assistant Excise and Taxation Officer, Motor Registering Authority appeared and stated that the transfer procedure though completed on the basis of documents produced, however, as the matter had become subjudiced on account of being adjudicated before this office, the file has not been handed over to the transferee. He was asked as to how the transfer took place without production of actual smart card and original number plates, he stated that due to this reason the transaction has been stalled, but as far as smart card was concerned, he stated, that the same was provided with file. He was advised to go through the file again and furnish detailed report as to how this transfer got processed without card and number plates.

5. Another hearing was held on 16.06.2025 which was attended by the complainant and Mr. Abdul Sami Lanjar, AETO. The Agency furnished report that transfer was made on an earlier issued smart card (which stood cancelled on account of issue of corrected smart card on 15.01.2021). The transfer of vehicle, he stated, was stalled and further instructions were solicited.

FINDING

6. I have examined the case file and perused correspondence, reports and rejoinders etc., and observed that:

- i. The smart card of vehicle No. BHF-347 bears name of owner as Azmat s/o. Allahdad. It confirms that the complainant is the lawful owner of the subject vehicle.
- ii. The Motor Registering Authority took up transfer of ownership of the vehicle in the name of Ms. Zainab Azmat without observing codal informalities. Thus mal-administration on part of the Agency is established

DECISION

7. In view of the above and in exercise of powers conferred upon me vide section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (as amended upon to date) I hereby direct the Deputy Director, Motor Registering Authority, Karachi to ensure that ownership of the vehicle is not transferred without observing the rules and codal formalities as well as consent of complainant being the owner of vehicle BHF-347.

8. Compliance required to be reported inside 30 days hereof.

Given under my hand and seal of the office



Sd /-
(Muhammad Sohail Rajput)
Sitara-e-Imtiaz, PAS
Ombudsman Sindh

Karachi, dated

04-08-2025