



DECISION

Complaint No. : POS/338/2022/08/KHS

Name and address of the complainant : Mr. Muhammad Ahmed, R/o. Flat No. 31, 4th Floor, Madina Masjid, Sheldon Road, KMC Ground Near, Civil Hospital, Karachi.

Name of the Agency Complained against : Sindh Building Control Authority (SBCA)

Name & Designation of Investigating Officer : Syed Maqsood Haider, Director, Regional Office South Karachi.

Vetted by : Rehana Ghulam Ali Memon, Advisor (H)

Subject :

THE SBCA'S INACTION REGARDING ILLEGAL OCCUPATIONS & UNAUTHORIZED CONSTRUCTIONS IN DISTRICT SOUTH.

THE COMPLAINT:

Mr. Muhammad Ahmed filed an online complaint on 20-01-2022, alleging serious irregularities and misuse of authority by the Director South, Sindh Building Control Authority (SBCA) and other officials of the SBCA. He alleged that these officials are extending undue favour to certain builders for illegal occupation and unauthorized construction on various plots (Plot No.18 OT-1, Plot No.13, BR-1, Bander Quarter, Plot No.36, GK-2, Ghulam Hussain Qasim Quarter, Plot No.5, OT-1, Old Town, Plot No.38, OT-6, Old Town, Plot Nos.40 & 41, OT-1, Old Town, Plot No. 96 & 97, OT-1 Old Town, Plot No. 34, NP-4, Laal Villas, Napier Quarters, Plot No.OT-6/39) situated in District South, Karachi. Despite his numerous representations to the authorities, no corrective measure has so far been taken. He, therefore, solicited intervention of this Institute in this matter.

PROCEEDINGS:

2. The complaint was admitted. The matter was referred to the Agency for comments. In response, the Deputy Director, District South, SBCA, submitted his report on 26-06-2024 regarding plot No.18, OT-1 while stating that the owner had been granted approval for a G+2 building, the 3rd Floor had been withheld for commercial use. However, construction of a raised ground floor, (Shops), mezzanine, sixth floor, and penthouse was carried out unauthorizedly in violation of the approved plan. The entire building is fully occupied. The SBCA assured that lawful action would be taken against the owners / occupants after providing them a fair opportunity for a hearing and a detailed report would follow.

3. On 15-10-2024, the Deputy Director, District South, submitted a follow up report of the other remaining 07 plots mentioned in pre-para, except Plot OT-6/39, a protected heritage under Sindh Culture Heritage (Preservation) Act, 1994. The Deputy Director, District South, SBCA, stated that all the buildings on these plots were constructed without approved plans and are fully occupied. The SBCA has issued notices for the disconnection of utility services and ejection of occupants, but due to the long-term occupancy, these actions have not yet been carried out. The report further revealed that the Registrar has been asked not to execute the sub lease / sale deed of these plots. The Deputy Director has enclosed color photographs of the constructed buildings on all these plots for reference.

4. Both reports received from the SBCA were forwarded to the complainant for his rejoinder, followed by five reminders dated 22-11-2024, 16-12-2024, 13-01-2025, 11-02-2025 and 14-04-2025, however, no response yet received, showing no interest.

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FINDINGS:

5. Upon review of the case, it is clear that:

- (i) The complainant is not personally affected by the unauthorized constructions or illegal occupants in the specified properties. His complaint appears to stem from a sense of civic duty, as a responsible citizen, rather than from any specific harm to himself. Despite several reminders, the complainant has failed to respond, indicating lack of interest.
- (ii) The SBCA has taken necessary steps by issuing notices for the disconnection of Services but since the buildings are fully occupied therefore, the utilities have not been disconnected.
- (iii) The illegal constructions without approved plan have been carried out with the connivance of the SBCA staff, therefore, the Director General, SBCA should launch an investigation and take action against the responsible individuals.

DECISION:

6. In view of the above and in exercise of powers vested in me under Section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended upto date) I hereby direct as under:

- (i) The Director General, SBCA is directed to expedite action against the unauthorized construction as per Karachi Building and Town Planning Regulations 1979 and Sindh Building Control Authority Ordinance 2022 and submit compliance to me inside 90 days.
- (ii) The Director General, SBCA is directed to carryout an inquiry and those responsible for giving undue favour to the builders, should be taken to task and submit compliance to me inside 30 days.
- (iii) The complaint is disposed of accordingly.

Given under my hand and seal of office.



Sd /-
MUHAMMAD SOHAIL RAJPUT
Sitara-e-Imtiaz. PAS
Ombudsman, Sindh

Karachi, dated 30th June, 2025