



## DECISION

Complaint No. : (i) POS/6744/2023/KC/F-187  
(ii) POS/7870/2023/KC/F-188

Name and address of the complainant : Mr. Malik Muhammad Umar, House No. B-259, Block-C, North Nazimabad, Karachi.

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

Name & Designation of Investigating Officer : Syed Ali Mumtaz Zaidi, (PAS), Advisor-F

Vetted by : --

Subject : **INACTION ON THE COMPLAINTS REGARDING ALLEGED ILLEGAL CONSTRUCTIONS ON PLOT NOS. B-256 AND B-258, BLOCK-C, NORTH NAZIMABAD.**

### **THE COMPLAINT:**

Mr. Malik Muhammad Umar in his complaints stated that illegal constructions has been carried out on two adjacent houses viz. Nos.B-256 and B-258, Block-C, North Nazimabad, Karachi. He alleged that the owners have not left the Compulsory Open Spaces and despite the fact that in North Nazimabad only Ground+1 construction is permitted on 400 square yards plots, additional construction is also being carried out. On plot No.B-258 the owner/builder has constructed two illegal rooms and on Plot No.B-256 the owner/builder has constructed commercial portions on this residential plot. He further stated that several applications have been submitted to the Sindh Building Control Authority (SBCA) against the illegal construction but no action has been taken so far. Due to the non-provision of compulsory open spaces, the ventilation of the complainant's house has been completely blocked resulting in extreme heat and suffocation causing severe discomfort and distress to his family. He therefore, solicited intervention of this Institution for relief.

### **PROCEEDINGS:**

2. The complaint was admitted under Section 10 of the Establishment of the Office of Ombudsman for the Province of Sindh Act, 1991 (amended up to date) and the matter was taken up with the Director Central, Sindh Building Control Authority and Assistant Commissioner, North Nazimabad, Karachi.

3. The Deputy Director vide letter dated 31.10.2022 regarding Plot No. B-258 reported that site has been inspected by field staff, who observed that a G+1<sup>st</sup> floor Bungalow is existing at site and is currently occupied. The owner was directed to provide approved building plan. After service of Final Show Cause Notice to the owner he submitted that he had purchased the bungalow 10 years back and no any construction work has been done by him till date. The owner also provided approved building plan of G+1<sup>st</sup> Floor with his reply.



4. The Assistant Commissioner, North Nazimabad vide letter dated 05.08.2024 regarding Plot No. B-256 reported that the ejectment notice issued by the SBICA entailed ejectment and disconnection of utility services, which has not taken place. He further stated that reminder letter has also been issued to Deputy Director SBICA for execution of required action.

5. The Deputy Director SBICA vide letter dated 13.08.2024 reported that the ejectment letters to the owners/attorney of plot No.B-256 have been issued and after expiry of ejectment date the authority shall conduct its actions as per laws.

6. Hearings were fixed by issuing notices to Complainant and Respondents.

7. On the date fixed for hearing, the Complainant and Director, District Central, SBICA appeared in person. The Director undertook to visit both sites and to take necessary action in the matter as per SBICA's laws/rules/regulations.

**FINDINGS:**

8. The complaint relates to alleged illegal constructions on Plots No. B-256 and B-258, including the non-provision of Compulsory Open Spaces. Upon inspection, SBICA found that on Plot No.B-258 a Ground + 1<sup>st</sup> Floor bungalow was already constructed and occupied and no fresh construction was observed. The owner has approved building plan of Ground+1.

9. Regarding Plot No. B-256, SBICA has issued ejectment notices due to violations; however, enforcement action (e.g., disconnection of utilities or physical removal) is still pending.

10. The Director Central SBICA committed to visiting both sites and assured action under relevant laws.

**DECISION:**

11. I, in exercise of the powers vested in me under Section 11 of the Establishment of the Office of Ombudsman for the Province of Sindh, Act 1991 (amended up to date), hereby direct the Director General, Sindh Building Control Authority, Karachi to take the legal action as per law, rules and regulations in both cases **within 45 days** without fail.

12. Compliance should be reported within 45 days positively.

*Given under my hand and seal of office*



**Sd /-**  
**(MUHAMMAD SOHAIL RAJPUT)**  
**Sitara-e-Imtiaz. PAS**  
Ombudsman Sindh

Karachi, dated 30<sup>th</sup> July, 2025