

23rd January, 2010

Mr Fazlur Rahman
Chief Secretary
Sindh Secretariat # 1
Sharah-e-Kamal Ataturk
Karachi

Dear Sir,

Re: **Restoration of Jehangir Park in Saddar**

May we request you to assist the CDGK in restoring and developing Jehangir Park? We understand from Minister Shazia Marri's statement reported in the press on 29-5-2009 that the provincial and federal governments have earmarked Rs100 million for the purpose.

Attached is a copy of a letter that was written to the DCO about three months ago reminding him that the Hon'ble CJSC Iftikhar Chaudhry had directed the CDGK almost four years ago to "... *restore the status of the public park and develop the same accordingly.*"

This order has not yet been complied with!!

Sincerely,



Mrs. Amber Alibhai
General Secretary
Shehri: CBE

encl: Shehri letter to DCO, CDGK

cc Nazim, CDGK
DCO, CDGK
DG (parks & Horticulture), CDGK
Ardeshir Cowasjee

Daily Times

Tuesday, January 19, 2010

CS takes notice of declared heritage buildings' demolition

KARACHI: Sindh Chief Secretary Fazalur Rehman chaired a meeting of the Sindh Cultural Heritage Committee at his office and decided to ensure action against unauthorised demolition of buildings declared as 'cultural heritage' on Monday. The KBCA was directed to get an FIR registered against the culprits indulging in unauthorised demolition of heritage buildings. The meeting further discussed proposals for the pedestrianisation of the Empress Market area and **preservation of Denso Hall and Jehangir Park to their original status.** The EDO municipal services and works were assigned to ensure cleanliness in and around the premises of buildings declared as cultural heritage. A technical sub-committee was also constituted for resolving technical issues and to coordinate with secretary antiquities. Present on the occasion were eminent architects Arif Hassan and Yasmin Lari, Secretary Culture Shams Jaffrani, Secretary Antiquities Dr Kaleemullah Lashari, DCO Karachi Javed Hanif Khan, Technical Expert Anila Naim; besides KBCA representatives. app/ppi

28th October 2009

Mr. Javed Hanif
District Coordination Officer, CDGK
Civic Centre, Gulshan-e-Iqbal
Karachi.

Re: **Jehangir Park in Saddar**
Judgment of Supreme Court
In Suo Moto Case No.3 of 2006

Dear Sir

We draw your attention to the operative part of the above judgment (copy attached) delivered by the Hon'ble Chief Justice of the Supreme Court on 5th April 2006, “ ... *the City District Government is directed to restore the status of the public park and develop the same accordingly.*”

Over the past 3½ years, the directive has been observed in the breach. The condition of Jehangir Park continues to deteriorate every day as can be seen from the attached photographs.

You are requested to ensure that your Parks Director undertakes development and upgrading of the park for the benefit of the citizens of Karachi in compliance with the order.

Sincerely,

Mrs. Amber Ali bhai
General Secretary
Shehri: CBE

encl: SC order dated 5-4-2006
Photos of Jehangir Park today

c.c. Nazim, CDGK
Director General (Parks), CDGK
Ardeshir Cowasjee

15th January, 2007

**Syed Mustafa Kamal
Nazim, CDGK**

City District Government Karachi
Civic Centre, Gulshan-e-Iqbal
Karachi

Dear Sir,

Re: **Maintenance of Jahangir Park in Saddar**

The citizens are extremely perturbed about the neglect of this solitary open space ("lung") in the centre of the congested Saddar area.

The city and town administration must repair the benches, boundary wall steel grills and pumps. The upkeep of the gardens (hedges, trees, grass, flowers, etc) and the library must be improved. Increasing encroachments on the park space by various mafias must also be stopped.

The issue is of critical importance for residents of the area, and transient visitors passing through.

Can you please ensure that Jahangir Park is placed on your priority list and is this not part of "*Hamara Karachi*".

Sincerely,



Mrs. Amber Ali bhai
General Secretary
Shehri: CBE

cc: Governor of Sindh
Chief Minister of Sindh
CS of Sindh
DCO, CDGK
Ardeshir Cowasjee

DAWN 11-01-2007

Historical park gives a deserted look

By A Reporter

KARACHI, Jan10: The once lush green lawns of Jahangir Park are now giving a look of a deserted place as the plants and grass on a major portion of the two-acre land have dried up due to lack of proper attention.

The historical park in Saddar has become a hub of anti-social activities with the influx of heroin addicts, beggars and vendors. The fixtures from the fountain area have been taken away and there is no supply of water reportedly for about a decade now. There is no electricity and the fancy lights have been stolen.

Most of the cemented benches are broken and those left are used by drug addicts to sleep. The broken iron grill paves way for anti-social elements when the gates are closed at night.

When asked about the deteriorating conditions, the in charge gardener, Pervaiz Lala, said

there were 22 member staff for maintenance of the park in the past, but now there were only eight gardeners, two sweepers and four watchmen in two shifts. "The pumping machines and the grass cutter have been out of order since long," he said.

He said the unarmed staff of the park was not in a position to stop the entry of anti-social elements.

The park also has a reading room without lights and proper furniture. The number of dailies and magazines subscribed for the reading room has been curtailed from 23 to nine. Reading room in charge Imranullah said instead of chairs, cemented benches should be fixed so that maximum people could sit in the one-room building.

Despite repeated attempts, the official of gardens and parks in Saddar Town could not be contacted.

The deplorable state of Jehangir Park in Saddar

In blatant violation of the directives dated 5th April 2006 of the Hon'ble Chief Justice of the Supreme Court of Pakistan to develop this public park, over the past three-and-a-half-years the CDGK has abandoned this sole amenity plot and open space in the congested centre of Saddar.

Note the deteriorated and dying state of the trees, grass and hedges, broken pathways, damaged light-poles, etc. Many corners are being used as garbage dumping grounds. The state of the central pool speaks volumes about the attitude of the Parks Department, despite their frequent self advertisements in the press.





P L D 2006 Supreme Court 514

*Present: Iftikhar Muhammad Chaudhary, C.J.,
Mian Shakiurullah Jan and Syed Jamshed Ali, JJ*

SUO MOTU CASE NO.3 OF 2006—Cutting down
of Trees in Jahangir Park, Saddar,
Karachi: In the matter of

Suo Motu Case No.3 of 2006, decided on 5th April, 2006.

Constitution of Pakistan (1973)---

----Art.184---Suo motu action by Supreme Court in the matter of cutting down of trees in a public park---Park in question was being utilized since 1893 as a public place and reportedly City District Government had earmarked the same for the purpose of construction of multistoreyed car parking plaza---Supreme Court, in circumstances, directed the City District Government that although the project had been abandoned for the reasons mentioned in the statement but City District Government was restrained to convert the park in future to any other use save in accordance with law---City District Government was also directed to restore the status of public park and develop the same accordingly. [p. 516] A

Naeemur-Rehman, Advocate Supreme Court for Applicant.

Mrs. Naheeda Mehboob Elahi, Dy. A.-G. and Manzoor Ahmed, EDO (Law), City Government Karachi (On Court's Notice).

Date of hearing: 5th April, 2006.

ORDER

In pursuance of notice dated 27th March, 2006, Manzoor Ahmed, E.D.O. (Law) City Government, Karachi appeared and filed following statement on behalf of City District Government, Karachi:

"The City District Government has already written letter to the Chief Secretary, Government of Sindh. Copy of the same produced herewith annexure "A". However, CDGK has dropped the project for construction of Parking facility on a portion of Jahangir Park due to serious reservations from the NGOs."

2. The above statement is accompanied by another letter (copy of which has been endorsed to the Chief Secretary Sindh by the City District Government, Karachi). Contents thereof are also reproduced hereinbelow:--

"SUBJECT:--CONSTRUCTION OF MULTISTOREYED CAR

PARKING PLAZAS ON VARIOUS POTENTIAL SITES OF KARACHI CITY.

The City District Government had planned for development of multistoreyed car parking plazas at various potential locations in the city, in view of the serious traffic congestions being observed in the CBD area and other arterials experiencing commercial activities resulting from the on-street parking. Under the first phase of the overall strategy the CDGK had planned for development of parking plazas at following five (05) locations:--

1. Lines area near Saddar Dawakhana
2. Clifton near Schon Underpass.
3. Faizi Rehman Gallery near Arts Council
4. Muhammad Community (Old Burial Ground) near Boulton Market Tonga Stand.
5. Portion of Jehangir Park (Machenzie Pavilion Ground) Saddar.

Since the parking problem is very severe in Saddar Area the City Government has already planned for development of parking facility in Lines Area Re-development project. Since this facility is not sufficient to cater for complete demand of parking, it was, therefore, planned to utilize a portion of Jehangir Park for development of multistoreyed parking facility.

In view of the serious reservations from NGOs and the order passed by the Hon'ble Supreme Court of Pakistan on Suo Motu Case No.3 of 2006, the City District Government Karachi has dropped the project for construction of parking facility on a portion of Jehangir Park."

3. The representative of the City District Government explained that a portion of the Jehangir Park was ear-marked for the purpose of construction of multi-storeyed car parking plaza. However, in view of the order of this Court and the objections raised by other Non-Governmental Organizations, the City District Government had decided to drop the project for construction of car parking plaza. Mr. Naeem-ur-Rehman appeared and stated that the park is being utilized since 1893 as a public place, therefore, the City District Government had no lawful authority to convert the same for commercial purposes. Reliance was placed by him on a judgment of this Court in (C.P. No.36 of 2005) Moulvi Iqbal Hadier v. Capital Development Authority etc. He further

stated that the directions be issued to the City District Government for restoring the status of the park to its original position and it should be developed because the same is meant for the public welfare as the general public uses the same from time to time.

4. After having gone through the judgment relied upon by him and on pursuing the statement filed on behalf of the City District Government, we direct that although the project has been abandoned for the reasons mentioned in the statement but City District Government is restrained to convert the same in future to any other use save in accordance with the law. However, in terms of the judgment which has been relied, the City District Government is directed to restore the status of the public park and develop the same accordingly.

5. Petition stands disposed of.

M.B.A./S-32/S

Order accordingly.

P L D 2006 Supreme Court 516

*Present: Iftikhar Muhammad Chaudhry, C.J.,
Mian Shakirullah Jan and M. Javed Buttar, JJ*

SHAUKAT KHAN and others---Petitioners

versus