



"Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has."
Margaret Mead

SHEHRI

CITIZENS FOR A BETTER ENVIRONMENT

JULY - DECEMBER 2014

ROTI, KAPRA AUR DUKAAN: GOVT SCHEMES TO GIVE BUILDERS KATCHI ABADI LAND

Devastating new law empowers private association of developers
By: Mahim Maher

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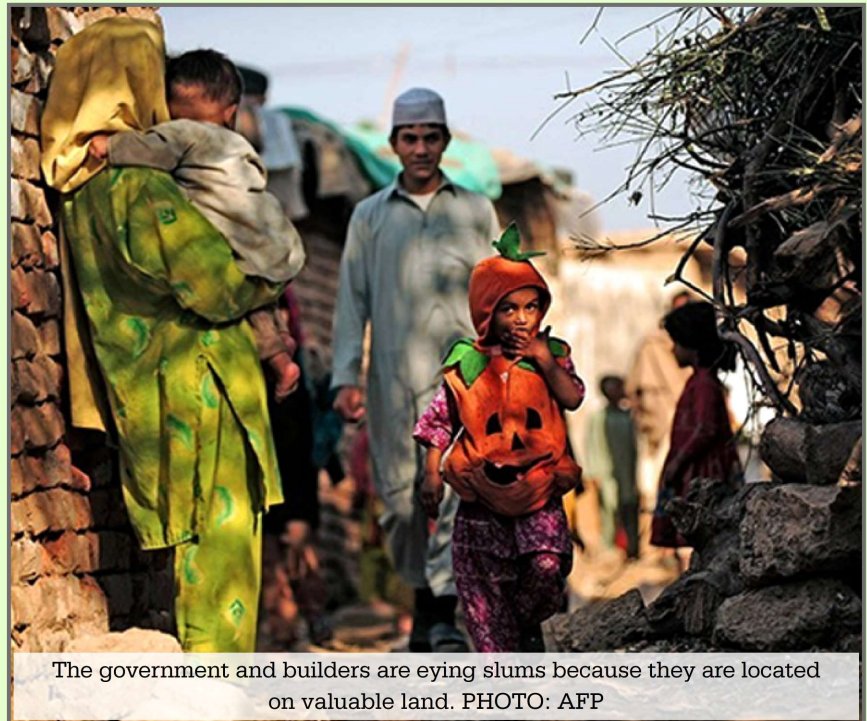
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The government and builders are eyeing slums because they are located on valuable land. PHOTO: AFP

The poor of Karachi's katchi abadis are more wretched than the prostitutes in Ghulam Abbas's 1940 short story Anandi.

In the story, a city decides to throw out its prostitutes and take over their houses

in the red light area because everyone thought their presence was corrupting society. The women are relocated to an abandoned spot outside the city. But when the women build new lives there, an entire city springs up around it. Twenty

years down the line, this new city, Anandi, decides it has to demolish the red light area downtown because it is corrupting society. The city council throws the women out to an abandoned spot outside the city. History repeats itself. Continue Page 3

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*Editorial***ON THE BRINK OF TSUNAMI**

Political leadership in Pakistan is calling out for a Tsunami, it seems Mother Nature has heard and is already preparing for it. 2014 has been declared as one of the hottest years of recorded climate history since 1880. Figures collected by World Meteorological Organization are already suggesting that it could become the hottest year earth has ever seen.

Apparently, fluctuating temperatures of 0.09 Celsius over the past 50 years should not be a big deal but these hundredth of figures are claiming lives of hundreds and thousands. Recent drought in Thar, flood in northern Pakistan, snow storm in western U.S. with record snowing of 8 feet in 3 days equal to a year's average snowfall in the area and a daring 500% increase in precipitation in Turkey are few of the bleak examples that the world saw this year.

In Pakistan, people are more concerned about the change in political climate and even those crying out this change are oblivious to this growing environmental hazard that has the potential to engulf our financial capital in a few decades. For change-makers, this should be alarming. Pakistan should seek emergency assistance from WMO to deal with this lurking crisis. These floods and droughts have not gone away instead they are gaining more catastrophic capacity.

On the other hand, our disaster management authority, in itself is a disaster. It did not even oppose the construction of second nuclear power plant in Karachi. No lessons were learnt from the Fukushima Nuclear Emergency. In 2011, 300,000 people were evacuated by Japan with the help of other developed nations and yet 16,600 people lost their lives. Can we do the same for 24.5 million people of Karachi and Hyderabad in the case of any such emergency? The answer is scary.

In February 2014, Senator Saeed Ghani had submitted a call-attention-notice "to a matter of sufficient public importance regarding building of two new nuclear reactors in Karachi with a new and untested design, which can prove a safety threat" in the parliament. No follow-up was proceeded with. The government continues to construct untested Nuclear power plant Model ACP-1000 which is not even operational in its donor country [China].

There is more to this nightmare. Our government has recently approved the "Sindh Special Development Board Bill 2014" which is a followup to Sindh High Density Development Board Act 2010. Thanks to this act, slum areas will now become commercial areas. The poor will be 'forced by law enforcement' to 'voluntarily' move to a 600-square-foot temporary house till the poor-house [read poor] construction [if constructed] is completed at the site. In return for their services, the rich builders of ABAD will be given 25% of the 'poor yet expensive land' free. 660 elite builders will now determine the fate of thousands and unfortunately our government is supporting this malevolent activity.

Considering all such environmentally degrading activities, we truly need a climate change in our country- the one that benefits its residents instead of putting them in harm's way. Shehri CBE has therefore collected some educational information in this newsletter to inspire masses and policy makers towards a better environment. Together we can create a healthy and prosperous living and built environment in Pakistan.



Expansion 2014, a digital print by Taqi Shaheen. PHOTO: COURTESY THE ARTIST

As an Urdu short story writer Ghulam Abbas was no urban planner but Anandi seems to have eerily foretold something we are seeing in Karachi today: the desire to get rid of settlements that are deemed unsightly, unwanted and a source of iniquity. In this case it is

called the Sindh Special Development Board Bill, 2014.

The new law says: All katchi abadis and slums will be rehabilitated. Each household will be given an alternative space to live in, 600 square feet (one

bedroom and lounge) "preferably" (but not necessarily) in the same area. Meanwhile, the builder will construct free units for them on the land they have vacated and which is going to be bulldozed. In return, the builder gets 25% of the katchi abadi land for free where he can build a commercial project to sell. The Special Development board can pick a member of ABAD to do the work. ABAD is a private association of builders and developers in Pakistan. Its 660 members include the likes of Bahria Town Pvt. Ltd, Saima Real Estate and Chapal Builders.

This all may sound very noble but why has the government decided to pursue this new law? This has not made sense to Tasneem Siddiqui, an expert on low-income housing for Hyderabad's Khuda ki Basti scheme that won the Aga Khan Award for Architecture in 1995. "I don't understand the rationale or justification," he tells The Express Tribune. We already have laws and institutions that do low-income housing. If they were not doing it, then either those laws needed changes or the institutions needed hauling up.

Is the Sindh Katchi Abadi

Authority (SKAA) with its Act of 1987 deficient? It did at least four sasti bastis, to name a few. The Malir Development Authority balloted hundreds of thousands of plots during Pervez Musharraf's tenure. What about the Sindh Gothabad (Housing Scheme) Act, 1987 under which Karachi's 2,173 settlements have been documented (by the Orangi Pilot Project)? Did it fall short somewhere? And what about the Shaheed Benazir Bhutto Housing Cell? When the Pakistan Peoples Party came to power in 2008, Chief Minister Qaim Ali Shah formed the cell and said it would give shelter to the poor in all district headquarters. Since then it has helped people build 6,000 units and has entered a second phase of building 6,000 more. "It is at the chief minister's discretion," said an officer at the cell. So, technically, if he wanted to put more money into it he

BIG GAP

7m

Units is the housing shortage in Pakistan and a majority of demand is for low-income

could. So why is the CM heading this new board?

EXTRAORDINARY

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KARACHI TUESDAY NOVEMBER 11, 2014

PART-IV

PROVINCIAL ASSEMBLY OF SINDH
NOTIFICATION
KARACHI, THE 13TH NOVEMBER, 2014.

NO.PAS/Legis-B-32/2014- The Sindh Special Development Board Bill, 2014 having been passed by the Provincial Assembly of Sindh on 24th October, 2014 and assented to by the Governor of Sindh on 11th November, 2014 is hereby published as an Act of the Legislature of Sindh.

THE SINDH SPECIAL DEVELOPMENT BOARD ACT, 2014.

SINDH ACT NO. XXI OF 2014.

AN ACT

to provide for establishment of a Board to be known as the Sindh Special Development Board;

WHEREAS it is expedient to establish a Board to be known as the Sindh Special Development Board, to facilitate and undertake low cost housing schemes, rehabilitation of katchi abadis, slums areas, gothabad schemes, multi-stories and high rise buildings in the Province of Sindh, and to provide for matters connected therewith or ancillary thereto;

It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh Special Development Board Act, 2014. **Short title, extent and commencement.**
(2) It shall extend to the whole of Province of Sindh.

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Ext -IV-27

(231)

Price Rs. 70.00

Barely any debate has taken place on why this board is needed given the institutions that already exist. On October 24, the bill was passed with the opposition protesting that they had not been given a draft. It effectively created an

entirely new government body in the shape of the Sindh Special Development Board. But, "planning is not something boards can do," points out Karachi's most eminent historian, planner and architect Arif Hasan. That is the job of a master

plan department as it is the overarching city planning agency. Technically, the master plan department sits on top of the Sindh Building Control Authority (SBCA) and decides these policies. The only problem is that last year, the SBCA was given control of the Master Plan department. This has been challenged in court, possibly affecting how the Sindh government can empower the SBCA on this new board. It is in light of this that Prof. Noman Ahmed of NED University says: "I do not think that the insertion [of the SBCA] in its proposed role as per proviso of this [new] law shall hold good legally and administratively."

These legal nuances aside, Prof. Noman also sees this law as the outcome of an ongoing rift between the two major parties in the Sindh Assembly. By pushing it through, the government has taken more power away from local government. "Many functions and operational privileges that have been lawfully enjoyed by the local bodies, are now vested in a provincially constituted institutional arrangement," he says. The Sindh Solid Waste Management Board Bill, passed some months ago, is also a case in point. It sets up a centralized

provincial authority to run solid waste management in major urban centres while taking these powers back from the municipal bodies. In the Sindh Special Development Board's case the government seems to be saying: forget the Karachi Municipal Corporation, the Sindh government wants a new board to do this work.

Only, that instead of the Sindh government acting as a watchdog for builders and developers, it is handing them half of the city.

"With investment money banging on the door, no self-serving government would care to create hurdles for it by establishing building by-laws and master plans," explains architect Arif Belgaumi, who teaches architectural design at the Indus Valley School of Art and Architecture. "This is a classic trinity of free market economics, privatization, deregulation and cuts to social spending. The State only acts as a facilitating agent."

The irony is that this piece of legislation was put forward by the left-leaning Pakistan Peoples Party, which was supposed to be a pro-poor party. This is a shame because it was

Zulfikar Ali Bhutto in the 1970s who changed government policy on katchi abadis by saying they should be regularized and its people be given a right to the land at affordable prices. He was responsible for an improvement in institutional thinking that just considered the dwellers of katchi abadis a nuisance.

One of the clearest indications that this is not a pro-poor piece of legislation is the simple fact that no one representing the poor is on the board that decides the fate of katchi abadis, slums and goths. It is full of government functionaries and members of statutory bodies. But to give the impression that it has the welfare of the people of the katchi abadis at heart, the bill says that the builder will provide them health insurance and education up to graduation. (One developer is already making these charitable promises on television).

Arif Belgaumi sees this as an absence of governance. "Over the years, so much of the State's responsibility—utilities, housing, education, health, security—has been assumed by the private sector and NGOs that the State has given up the pretense of providing them."

So the developers are in fact, the de facto government of Karachi. This is a neoliberal shift, in a way, that it gives the private sector more of a role. But the private sector makes decisions based on commercial interests and not necessarily for the welfare of the citizen no matter how rich or poor they are-as the state should be doing. In this case, the private sector is making a push to get a valuable asset: land.

Arif Hasan has seen this kind of neoliberal thinking inform decision-making for the Karachi Development Authority and politicians. "You have people, developers and officials saying that these people are sitting on extremely valuable land," he says. And people like Khuda ki Basti's Tasneem Siddiqui and the late Parween Rahman of the Orangi Pilot Project have been accused of encouraging katchi abadis by advocating regularisation (giving people lease papers). Just as with the red light area in Anandi, people in Karachi blame social ills on katchi abadis because they are home to the poor. People say that they should not exist. "This is middle-class thinking," says Siddiqui. Poor people are criminals. ABAD's chief Junaid Taloo demonstrates this

philosophy amply by saying: "There is major crime there because the law enforcers can't enter." He adds that ABAD wants to help address Karachi's law and order problem by rehabilitating slums.

And so slums should be demolished. It was this policy outlook that prompted the government to start the Lines Area Redevelopment Project in the early 1980s. The residents were relocated to places like Korangi. They were given parchis [receipts] for their housing units with the promise that they would be called back when the new housing was built. Frustrated by delays many people eventually sold their parchis [receipts] to middlemen or developers. They sunk further into poverty. In the meantime, the land was encroached on by commercial interests and even the police. "So it's a garbage dump, that scheme," argues Siddiqui. "That's why I am against removing people." But what about giving them cash for their land? The problem is that they will still remain shelterless. You have to regularise them where they live.

This is a model that works.

Tasneem Siddiqui suggests first holding a survey. Check how the land is being used, how many people live in one unit and what it consists of (ground +1 or +2). You tell people what the cost of the land is and how much they have to pay for it to become an owner. In the case of katchi abadis the law says they needed to pay Rs. 25,000 in 1987. (This rate may have been revised upwards). There is a law that for incremental housing that says government land can be sold for 25% of the market price. This is how you make it affordable for low-income groups.

Siddiqui recommends dividing that payment into three parts. One-third goes to the government to pay for the subsidized land so the katchi abadi dweller gets a lease. One-third goes into paying for an office to do all this paperwork. And one-third goes into improving the katchi abadi's services such as sanitation. In this model no one is uprooted and the living conditions in the katchi abadi are gradually improved. The government also brings into its net the katchi abadi.

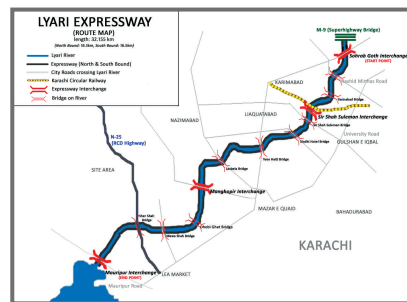
Siddiqui argues that this was an affordable model whose success the Sindh Katchi

Abadi Authority demonstrated from 1991 to 2005. It regularized many katchi abadis. "For 15 years this work went on and was internationally recognised. It was self-financed," he says. "There was no ADB or World Bank or even the Government of Sindh."

Upgrading an informal settlement is one of the solutions. But ABAD's Junaid Taloo and the people behind this law seem to think the 'demolish and build high-rise' model is a better fix. Arif Hasan worked on evaluating the possibility of this model in Ho Chi Minh city. They found that the governments can't afford it and neither could the people. Shifting slum dwellers out to rebuild cost \$5,500 per unit but upgrading slums cost the more reasonable \$325 per unit.

Bombay was not successful in trying the 'demolish and rebuild' model in its biggest slum, Dharavi. The Maharashtra government had to give in to the National Slum Dwellers Association protests. In Turkey, though, the government body TOK was able to push this experiment through. It demolished the slums where land was valuable and relocated people to 15-story flats on the outskirts. But in

the end Turkey was accused of human rights violations. "They are nicely designed blocks, with all the facilities you can think of, but the people are angry," says Hasan. They can't supervise their children so they form gangs and they take drugs. Schools and hospitals are too far away. Women can't get work near their residence where they used to before.



Any policy for a katchi abadi needs to consider the cultural, social and economic fabric of that neighbourhood. One major reality to factor in is that working class people need to live close to their work-especially if the city doesn't have a mass transit system. Architect Adnan Asdar, who has designed low-income housing, saw what happened to people who were evicted to make way for the Lyari Expressway. They were sent to Musharraf Colony near Hawkesbay. "It is two hours away from the city centre," he says. People spend Rs100 a day on transport to work which comes to Rs3,000 a

month. "People shouldn't have to pay more than 5% of their income on transport," he says. You make them poorer by relocating them.

Economics also comes into play if you consider the model of moving people in katchi abadis into high-rise buildings. A walk through any of these neighbourhoods will prove that they use their plots for small business as well. What will a mechanic do if you put him on the sixth floor?

And unless the new low-cost flats you build for katchi abadi dwellers are handed over free, you will make them poorer if you expect them to pay for them. "This happened with the Landhi-Korangi, General Azam scheme, based on the Doxiadis plan in the 1960s," says Arif Hasan. He is referring to 1958 when Ayub Khan decided to create enclaves for the working poor to relieve the pressure on the centre of Karachi. These people were mostly refugees from India. Lt. Gen. Azam Khan was the minister for rehabilitation at the time. The regime enlisted the help of Greek architect CA Doxiadis who proposed to send them to Korangi. The people were supposed to pay monthly installments on the new housing but when they didn't the project came

to a standstill "because the revolving fund didn't revolve". A time came when the project was spending more on paying the staff meant to recover the dues than the dues themselves.

If the Sindh government does not want more slums to develop they should first study how they develop in the first place. There is no shortage of expert studies on this topic. Most of this history is linked to the influx of people for various reasons over the decades.

Originally though, according to Roland DeSouza of the non-profit Shehri, aside from Mithadar and Kharadar, all the rest of the areas in Karachi, such as the quarters, were planned by and large by the British. It was on the empty spaces that the newly arrived Muslims from India started to take up. They 'squatted' on nullahs, parks, amenity plots and plots vacated by the Hindus before the evacuee trust could get to them. Subsequently, though, a low-income housing backlog started to develop over the decades. "That is why katchi abadis developed, because they were affordable," says Arif Hasan. "No poor person

would live in a katchi abadi if they could afford a plot in a pukki abadi. The real KDA in Karachi were the informal developers [who made this possible]."

When the government did build low-cost housing, though, it sometimes did not factor in that the poor simply cannot wait. The Khuda ki Basti model works because it allows the poor to live close to the site and hands over the house in three months. "When KDA developed schemes for 60 sq yd plots they'd take the money and not develop it for another 10 years," says DeSouza. "The builders don't like the KKB model because there is no money to be made."

There was more money in developing middle-income housing. Today there is no shortage of two-room flats that the builders make for Rs1.2 million on 600 square feet, says Tasneem Siddiqui. "There is a glut of them," he says, pegging an estimated 50,000 of them empty in Karachi. "Ask ABAD, why they are empty?"

They are empty because many times builders fail to fulfill promises to the client who has been keeping his end of the bargain by paying monthly installments. "They

announce flats with no utility connections," says Siddiqui. The builders delay the projects, escalate the price and blame government agencies for a lack of infrastructure—all of which they should have planned for in the first place. Sometimes the partners on the project fall out and the work is left incomplete. Sometimes the land is disputed in court.

People who make, say Rs10,000 a month can't afford to make down payments for a Rs1.2 million flat. They need low-income housing which has a different financial model. The government takes a reasonable price for the land. It was fixed at Rs25,000 per acre in 1987 but would have been revised since. In the end, the poor would pay Rs8,000 in total (if you took Rs100 per square yard) for an 80 square yard plot.

But then your government should want to make its land available. Siddiqui estimates that there could be up to 10,000 acres that could be



freed up. His logic is unassailable. 20,000 people live in Khuda ki Basti; people who would have otherwise been in a slum. "Why can't you make 10 such schemes?"

He suspects that ABAD's members feel that now that government planned flat sites have dried up and they have to buy the land at expensive market rates, they have turned their sights to katchi abadies. "Now all the schemes are full by allotment and they want more plots," he explains. In fact, Belgaumi questions why the bill has specifically restricted its beneficiaries to the membership of ABAD. "One could argue that the bill creates a monopolistic, unfair commercial relationship, in violation of the rules of the Sindh Public Procurement Authority by creating a law which awards work on the basis of a membership to a trade organisation."

Arif Hasan foresees that builders will try to cross-subsidise if they attempt this model. It means that they will take over a katchi abadi, build expensive apartments by the street and use them to pay for the low-income ones behind. He is still scratching his head over the math, though. "At best they will do one settlement," he

says. It costs roughly Rs500,000 today to make one unit. He doesn't see how it can be paid back even if you phase it out for 10 years. "This will not work, in my opinion. Not because these are wrong or institutional arrangements or objectives," says Arif Hasan. "It will not work simply because the people involved do not have the capacity, technical or financial to uproot the settlements and replace them by high-rise buildings for the poor." If you demolish homes that have utility connections, businesses, factories in them, then you're going to have an explosion you aren't going to be able to manage.

The truth is that this bill is linked to a grandiose plan. When he first read the bill, Roland DeSouza realised that it answered a question he had when the Sindh High Density Development Board Bill came out in 2010. In it the government earmarked 11 neighbourhoods as high-density zones. "Most of them were katchi abadies," he says. "At the time we wondered, how they were going to put high density zones in katchi abadis?" With this new law, it suddenly became crystal clear. The 2014 bill was making the 2010 bill possible.

Even Belgaumi sees the two bills as inter-related. "I will not be surprised if at some point in the near future the stipulations of the two bills are merged into one," he says. Here is how it will work: The Sindh High Density Development Board act established a body which was willing to sell off the city for the right price. The Sindh Special Development Board act simply identifies the buyer in this transaction as ABAD. "In both bills the areas of the city to be transacted are the katchi abadis." He says it is simply masquerading as the magic bullet - public-private partnership - which will solve the acute housing shortage in the city. "But it is a pretext to open up large tracts of inner city land to the whims of unscrupulous real estate developers."

No matter what the model, the experts are skeptical anything will be achieved simply because of the political fallout. ABAD's Junaid Taloo insisted, however, that they will construct one example in a bid to win other people over. People like Arif Hasan have heard those kinds of promises before though. People who have lease papers won't move easily. That is why the bill says

SINDH BUILDING CONTROL AUTHORITY

No.SBCA/Director General/SBCA 2013/65

Karachi the 27th 03- 2013

NO.SO(L&C)/HTP/ /2013:- In exercise of the powers conferred by Section 4 of The Sindh High Density Development Board Act, 2010. The Sindh High Density Development Board is pleased to declare following areas as high density zones of the City Karachi as per location plan annexed in the first phase:-

- (a) I.I. Chundrigar Road
- (b) Railway / KPT Marshalling Yard
- (c) Mai Kolachi Express Way
- (d) M.T, Khan Road
- (e) Areas of Civil Lines
- (f) Khayaban-e-Jami
- (g) Clifton Water Front
- (h) Maripur Water Front
- (i) Machar Colony
- (j) Shirin Jinnah Colony
- (k) Sultan Abad

ARCH. MANZOOR QADIR
SECRETARY / MEMBER
THE SINDH HIGH DENSITY
DEVELOPMENT BOARD

that the law enforcers will help. "They will send their goons in there," says DeSouza.

Belgaumi also saw the element of force by the need to include article 8.(13) "The law enforcement agencies shall provide maximum support to the board for removal of katchi abadies, slum structures and encroachments. The developer shall also be provided protection and a safe working environment to carry out their business activities."

Regularized katchi abadis are legally as good as the planned and leased neighbourhoods. Prof. Noman Ahmed feels that the underlying objective of

this law seems to accord unjust powers to decide, plan, and execute on the land that they neither own nor possess the jurisdiction to operate upon. No one has even asked the poor if they want to live in a 600 sq feet space in a high-rise. And the people who live in joint family systems by adding a floor to their house are unlikely to be able to afford or want to live in a small flat.

Just to be clear. These urban planners are not against densification. Tasneem Siddiqui and Arif Hasan both back vertical growth. "I feel there is a great need for the densification of the more elite areas of the city," says Hasan.

"Karachi's low-income settlement densities can go up to 6,000 persons plus per hectare but DHA is 200." The high densities are creating conditions of overcrowding and the expansion of high-income settlements is also unsustainable.

Siddiqui espouses the low-rise high density formula in the heart of Karachi. He gives the example of Martin Quarters near Guru Mandir where houses are mostly ground floor only. "If you replanned, you could add 10,000 families actually," he argues. All you need to do is add one more floor and a staircase. In places such as the military barracks opposite Lines Area he proposes going ground plus 4 for flats.

Ultimately, though, if the government really wants to tackle the housing crisis, it will have to raise densities to 850 persons per hectare whether high or low income. This means you can't make a plot of over 400 square yards. This means you stop allowing 2,000 square yard mansions where only five people live as you see in DHA.

A shorter version of this story was published in The Express Tribune, November 10th, 2014.

SHEHRI ACTIVITIES

SEMINAR ON SINDH HIGH DENSITY DEVELOPMENT BOARD ACT 2010

SHEHRI REPORT

A seminar was held on July 5, 2014 at IEP Auditorium concerning how laws relating to high-density areas and high-rise buildings were mostly being misused and abused in favour of a select few and thus should be abolished or thoroughly reviewed.

Senator Taj Haider said that there were big flaws in the Sindh High density Development Board Act 2010. He suggested that the representation of the professionals should be increased on the board, since the number of top politicians and government officials are outnumbering them. This will enable satisfaction of the civil society as the policy is revised.

He said that vested interests had played havoc with the city's built environment and that rules and regulations had been violated. He also mentioned that politicians lacked the required knowledge to make reasonable decisions so it was necessary that policies were made with the advice of experts in related fields.

Mr. Shoaib Ahmed Siddiqui,



the Commissioner of Karachi suggested that infrastructure development charges being collected when the status of land was changed from residential to commercial be enhanced so that the funds generated are enough to be used to upgrade the infrastructure.

Architect Arif Hassan said that while making plans for buildings under the high density regulations in old areas of the city, special attention should be given to the old buildings that represented the heritage of the city. He said that Karachi, Mumbai and Dhaka were among some of most densely populated cities in the world and they also faced similar problems but since Karachi

had a unique problem of poor governance the situation was worse here.

Mr. Roland deSouza said that one of the mandatory requirements of high-rise buildings under the high density laws was the Environmental Impact Assessment approval/NOC for the project from the Sindh Environmental Protection Agency, but the Agency did not use its authority even-handedly. Citing an example, he said that a high-rise building on Khayaban-i-Saadi was rejected while another high-rise building on the same road, with similar objections raised by the citizens and NGOs, was given the approval.

Mr. deSouza said that the Sindh High Density Development Board Act will only benefit a few select people who are continuously in the process of destroying whatever infrastructure we have. It will adversely affect all of us. He further said that the arrival of the disastrous Karachi Building & Town Planning Regulations, 2002, contradicted plot lease conditions, changed zoning regulations, plot ratios and the rules for parking space allowances. It did not pay any attention to any existing infrastructure such as water connections.

Mr. Roland deSouza further said that "The Sindh High Density Development Board has the potential to convert large areas at the stroke of a pen. A glaring stupidity was that the new law didn't even define what a high-rise was. This board does not have any independent planners on it. It was headed by the governor as chairman, chief minister as co-chairman and it had members like the chief secretary, nazims and chief controller of buildings." "There were 5% of the upper income folks planning at the expense of 95% of the poor," commented deSouza. "None of these bureaucrats were qualified town planners." He said that the Sindh

government has removed height-related setbacks or restrictions that protect the environment around a building. "Buildings that are high cast a shadow and close off sunlight. It allows unlimited amalgamation or joining of plots. Previously you could only amalgamate plots of a certain size. So now you could buy up three plots and put up a 60-floor building regardless of its surrounding environment. "It's a hit-and-run situation," said deSouza. "We will live with the effects of this for years." Moreover, the people in the katchi abadies are the first ones to be moved out in these cases.

Architect Arif Belgaumi said that the board members had been given too many discretionary powers. He said that politicians and government officials - both of whom had limited technical knowledge - were in a majority on the board while the experts were in fewer numbers so they had little weight in decisions. He said that unqualified government officials were deciding the shape of the city.

Mr. Belgaumi also said that the new law removed the plot ratios and increased the size of the buildings from 1:5.5 to 1.8 for 3,000 to 5,000 sq yard

plots and to 1:12 for plots larger than 5,000 sq yards. In New York City, the plot ratio is 1:15 but for this they make sure there is water, electricity, parks, parking spots. In Karachi, no consideration has been made for the infrastructure or environment that goes with it.

If you look at the map of areas marked out for high-density zones you will see that most of them are areas that don't look like they need any further densification. All of these areas would require serious master planning to convert them. The new law also allows the board to commercialise residential plots but without allowing the public to be able to object. This means, effectively, that a high-rise shopping mall could go up right next to your house and you wouldn't be able to say anything about it. But worst of all, architects realized how useless it was to work with the government. Their input just gave this new law "unwarranted legitimacy".

Former environment secretary Mir Hussain Ali, Nooruddin Ahmed, Derrick Dean, Zahid Farooq, Masood Alam, Munawar Baloch, Saquib Aijaz, Dr. Raza Gardezi and others also spoke.

VIOLATION OF COMMERCIALIZATION POLICY

(Change of Land use and Master Planning Bye Laws – 2003)

Shehri-CBE along with residents of Karachi has challenged the unlawful and ad-hoc process of commercialization being perpetuated by the Master Plan Department/KMC in respect of individual plots situated on non-commercial, non declared and less than 40-ft wide roads.

That in terms of Section 40-A of the since defunct Sindh Local Government Ordinance, 2001 ("SLGO 2001"), the approval of Master Plans, Zoning Land Use Plans including Classification and Reclassification of Land, Environmental Control, Urban Designing, Urban Renewal and maintaining Ecological Balances were all stated to be functions of the City District Council. As per Section 192 of the SLGO 2001, it was stated that a Zila Council, Taluka Council, Town Council and Union Council may, in their ambit of responsibilities, make bye-laws to carry out the purposes of the SLGO 2001, including all or any of the matters specified in Part-II of the Fifth Schedule

thereof. Pursuant to Section 192 of the SLGO, read with Item No. 3 (i.e. Zoning, master planning, and buildings) of Schedule V Part II of the SLGO Ordinance, 2001, the Change of Land Use and Master Planning Bye-Laws 2003 (the "Bye-Laws") were approved by the City District Council vide Resolution No.383 dated 06.01.2004 and published by the City District Government, Karachi ("CDGK") (since defunct) in the Sindh Government Gazette on 12.02.2004. The objective of this approved change of land use Policy was to ensure the planned, orderly and coordinated development by provision of appropriate commercial sites to meet the city's commercial needs along major roads at least 100 feet wide. In the preamble it is mentioned that the change of land use is not allowed

PUBLIC NOTICE

CHANGE OF LAND USE OF PLOT NO. 157-M, BLOCK-2, P.E.C.H.S., KARACHI

We, (1) Mr. Mohammad Imran (2) Mr. Shaukat Karim Noorani (3) Mr. Sohail Rehman (Owners) of Plot No. 157-M, Block-2, P.E.C.H.S., Karachi, have applied for change of land use of above plot from Residential to Commercial (Flats, Shops, Offices & Bank) in Union Council 07, Jamshed Town and MPO. The Union Council No. 07, Jamshed Town and MPO, are in examining the proposed conversion and its implication on the amenities and infrastructure. Due to this conversion the following changes to the currently applicable lease condition and Zoning Regulations will occur.

CONDITION	CURRENT	CONVERTED
Total Floor area	9000 Sq. ft.	49,500 Sq. ft.
Height of Building and No. of Floors	Open Plot	As per Law/Rules
Compulsory Open Space	As per Law/Rules	Front 8 ft. Arcade Sides L/R 7ft Rear 10 ft.
Parking Requirement	As per Law/Rules	As per Law/Rules
Usage of Building	Residential	Commercial (Flats, Shops, Offices & Bank)

Any one having objection / comments should file in writing the same within 15 days from the date of Publication of this Notice to Union Council No. 07, Jamshed Town, together with a copy the same to the Master Plan Group of Offices, 9th Floor, Civic Centre, University Road, Gulshan-e-Iqbal, Karachi. Public hearing will be held at Union Council No. 07, Jamshed Town, within 5 days, after expiry of above mentioned 15 days period of extension thereof, which will be attended by the dealing Officer of Master Plan Group of Offices. Those who have filed objection will be called to the public hearing for explaining their point of view.

LOCATION PLAN:

Daily Times: Saturday, December 3, 2011

on roads below 100 feet width as reproduced below".

منظور شدہ تجارتی علاقہ جات کے علاوہ 100 فٹ سے کم چوڑائی والی سڑکوں پر تبدیلی استعمال اراضی کی اجازت نہ ہوگی۔

"Article 1 - 5 of the Policy" (Except for the declared commercial areas, change of land use on roads less than 100 feet width will not be permissible)

The subsequent to the promulgation of the Bye-Laws

the SLGO 2001 was repealed and contemporaneously the Sindh Local Government Ordinance 1979 (the "**SLGO 1979**") was revived. Upon the repeal of the SLGO 2001 the CDGK ceased to exist and the KMC was reconstituted and assumed the functions of the CDGK, as part of which it arrogated unto itself the functions of the Master Plan Group of Offices ("**MPGO**"), including reclassification of land, albeit that the SLGO 1979 did not vest power and authority in the Respondent No.1 of the same quality as was vested in the CDGK under the SLGO 2001. The prevailing Sindh Local Government Act, 2013 (the "**SLGO 2013**") also does not vest such power in the KMC. As such, the KMC lacks the fundamental statutory power and authority to implement any policy for change of land use, whether pursuant to the Bye-Laws or otherwise. That, even otherwise, it merits particular consideration that the procedure for change of land use from residential to commercial as per the Bye-Laws requires that "**a residential road must first be properly surveyed and planned before being considered for commercialization**". Public hearings with full justification and rationalization of public objections ought to be held

before proposing any change in a zonal master planning of an area, inclusive but not limited to commercialization and change of land-use of individual roads and plots. Such public hearing necessarily have to properly address all public objections with full justification in writing, inclusive but not limited to upgrading of infrastructure, utilities, amenities and other concerns associated with the change of land use, primarily increased densification of population. The obvious purpose of this exercise is that an objective and reasoned determination can be made as to whether it would be fit and proper for the particular road to be opened up for commercialization. That apart from the requirements of the SLGO and the Bye-Laws, it is also incumbent that the dictate of the Pakistan Environmental Protection Act 1997 ("**PEPA**") be adhered to and that an Environmental Impact Assessment ("**EIA**") be conducted in compliance with Section 12 read with sub-section (xxxv) of Section 2 thereof. If, after all factors having been properly considered and the necessary environmental approval being forthcoming, the reasoned finding of the competent authority is in the affirmative,

the road may then be declared to be a commercial road open for change of land use.

As per the Bye-Laws the entire process is subject to an overriding condition that only a road that is more than 100 feet in width can be considered for reclassification as commercial. (Within the boundaries of City District Government, rest of the roads of more than 100 feet width will be commercialized only after necessary surveys and planning, and with the approval from the "Commencement of Change of Land Use Committee" and the "Council". This will be done in phases, from 1st July 2004 onwards.)



Under these Change of Land-use Bye-Laws, 17 major roads in Karachi had been declared open for change of land use (Commercialization)

with the approval of City Council / KMC council. The detail is given below.



- 1) Shahrah-e-Faisal (Metropole Hotel to Malir Bridge)
- 2) Tariq Road, Allah Wali Chowrangi to Commercial area of Bahadurabad) and from Sindhi Muslim Society to Shahrah-e-Faisal (Capt. Fareed Bokhari Road)
- 3) Rashid Minhas Road, Sch.# 16, 24 and 36 (Drive-in Cinema to Shafiq Mor)
- 4) University Road, Sch. # 24 and Sch. # 36 (Civic Centre to Safoora Chowrangi)
- 5) Shahrah-e-Pakistan, Scheme No.16 (Teen Hatti Bridge to Sohrab Goth)
- 6) Nazimabad 'A' Road (Lasbella Bridge to Circular Railway Line, left side)
- 7) North Nazimabad 300 feet wide Shahrah-e-Sher Shah Suri (Board office Chowrangi to Sakhi Hassan Chowrangi both side)
- 8) North Nazimabad Shahrah-e-Jehangir
- 9) Khyaban-e-Iqbal Clifton Road bridge to Two Talwar (2-Talwar)
- 10) Khyaban-e-Jami (Plot No.ST-10 to ST-13 opp ST-12 to ST-13)
- 11) Khalid Bin Waleed Road (Plot No.107-K to 168-G up to Church)
- 12) Jamaluddin Afghani Road (TV Station to Plot No.1 both side up to Shaheed-e-Millat Road)
- 13) Allama Iqbal Road PECHS (Kashmir Road to Jheel Park both sides)
- 14) Sir Syed Ahmed Road PECHS (Tariq Road to Khalid-bin-Waleed Road both sides)
- 15) Shaheed-e-Millat Road PECHS (Haider Ali Road to Jail Chowrangi)
- 16) Chaudhry Khaliq-uz-Zaman Road Block 8 & 9 (Askari Market to Chaudhry Khaliq-uz-Zaman colony)
- 17) Beach Avenue Road (Darakshan Police Station to Casino Chowrangi)

Once these roads had been validly classified and declared to be commercial roads open for change of land use, a property owner desiring to avail the benefit of such reclassification has to then follow the process prescribed in Article 3 of the Bye-Laws. However, in practice, a process of unbridled and unregulated

commercialization took place under the CDGK, where individual plots situated on non-commercial roads (i.e. roads that had not been declared to be open for commercialization) and in certain cases plots that are situated on roads of less than 100 feet in width, even to the extent of 40 feet width, were nonetheless randomly picked up for commercialization. This selective commercialization occurred repeatedly despite the process being challenged before the Honourable Court in several cases, and continues to be followed by the Respondent No.1, which has proceeded with commercialization of roads and plots despite having no power or authority in that regard and without adhering to the Bye-Laws or the PEPA. As per the Bye-Laws, any further road will be considered for change of land use if it is more than 100 feet wide, and that too after a proper survey, planning exercise and EIA has been carried out. This survey and planning would undertake a study of the infrastructure overload and the capacity to deal with the increased pedestrian and vehicular traffic. The purpose of these Bye-Laws was to institutionalize the commercialization process

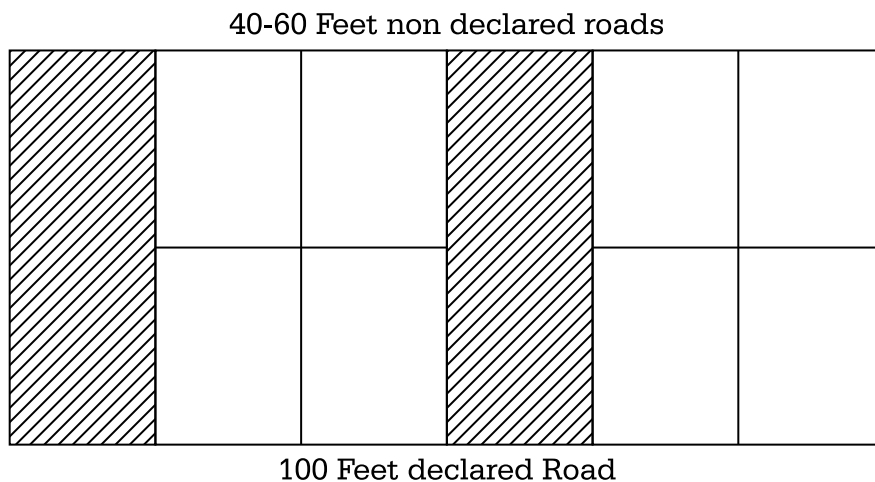
and to put an end to the discretionary powers of any government functionary or political figure to pressurize for ad hoc commercialization. However, it has been observed that these approved Bye-laws are being misused in that not only non-declared commercial roads are being commercialized without undertaking the due process of law, but so much so that not only plots located on smaller roads (below 100 feet width/non declared roads are being accepted for change of land use, but are also being approved.

The misuse of these approved Bye-Laws have adversely affected the residential areas/neighborhoods with

regard to overloading of the infra-structure, traffic congestion and damaging residential environment and encroaching on the easement rights of the residents. This misuse can be divided in the following five (05) categories:

- a) Change of non-commercial roads into commercial roads without undertaking the due process of the law as enshrined in these Bye-Laws. These include;
 1. **Khayaban-e-Saadi**
 2. **Khayaban-e-Roomi**
 3. **Nishtar Road** (Dhoraji Road)
 4. **Alamgir Road**
 5. **Shahrah-e-Noor-Jehan**
 6. **Sir Syed Ahmed Road** PECHS (Khalid-bin-Waleed Road to Kashmir Road both

- sides)
- 7. **Tipu Sultan Road** (Shahrah-e-Faisal to Shaheed-e-Millat signal)
- 8. **Main North Karachi Road** Western Side (Nagan Chowrangi to Power House Chowrangi)
- 9. **Stadium Road** Sothern Side (Plot No.F-14 to F-17 and Plot No.F-18 to F-22 Dawood CHS KDA Scheme-7)
- b) Change of land use of residential plots located on 40-60 feet wide road.
- c) Change of land use of residential plot located on declared commercial roads, but amalgamated with a residential plot located on 40-60 feet (below 100-feet non-declared road).



The above sketch shows how the residential plots located on small width road below 100 feet (non-declared

roads) are being commercialized in gross violation of the approved policy, principles and

guidelines given in the "Change of Land use and Master Planning bye-laws-2003. Once the residential

plot located on 40-60 feet wide road is amalgamated with the plot located on a declared commercial road, the commercialization is allowed on the rear plot for Basement + Ground + one floor only, plus upper floors for parking. However, the remaining permissible FAR of rear plot from (1:5.5) is added to the front plot located at declared commercial road, hence its permissible FAR (Floor Area Ratio) is increased from 1:5.5 to 1:9.5 normally. In this case not only is the rear neighbourhood destroyed by commercializing a plot on a 40-60ft wide road, but the front declared commercial road is also destroyed by giving the front plot an FAR of 1:9.5 (double) as against the regulation 1:5.5. Hence a concrete monster is raised at front side commercial plot. The glaring example is front and back amalgamated plot No.159-R Block-3, PECHS located at corner of Shaheed-e-Millat Road and Kashmir Road.

- d) Change of land use of residential plots located above 100-feet width but non-declared road.
- e) Allowing the entrance of a plot located on a declared commercial road from either the 40-ft wide road the 20 ft wide

service lane, or the 100 ft wide undeclared non-commercial road. This misuse of opening on 40-ft wide and more undeclared non-commercial road is an exploitation of the policy as by allowing the opening, the entire area at the rear & sides of the plot is ruined by commercial activity, and by allowing the entrance on the 20 ft wide service lane especially in the P.E.C.H.S. area, where this lane houses the water line, sewage line, gas and telephone, as the vehicular traffic damages the infrastructure lines which cannot be properly repaired because of parking of cars. Furthermore, 20 ft wide service lanes are not meant for vehicular traffic as per the Karachi Building & Town Planning Regulations 2002. They are only meant for pedestrian traffic and for provision of utilities. The builder gets away by using a public road/space for his financial benefit.

This is how the city's approved commercialization policy ("Change of Land use and Master Planning Bye-

Laws 2003") is being misused in gross violation of its guiding principles and the basic norms and the principles of any Town Planning. Hence un-planned, non-coordinated growth of discretionary permitted commercial buildings are seen mushrooming in different parts of the city residential areas.

Shehri-CBE and the concerned citizens are interested in ensuring that master planning of the city, and any change of land use or reclassification that takes place, is in accordance with law and is pursuant to transparent and systematic process in the interests of the public at large.

The plea that Shehri has made before the Hon'ble court are:

- Declare that the KMC/Master Plan department lacks the power/authority to undertake any process of commercialization or entertain any applications for change of land use, which is not in compliance with the commercialization policy Gazetted on 12-02-2004.
- Declare that in terms of the Bye-Laws a road can only be considered to be

declared for commercial use if it is more than 100 feet in width, and after following the laid down procedure for declaring a road as commercial.

- Declare that in terms of the Bye-Laws change of land use of a plot from residential to commercial can only be considered if the road on which the plot in question is situated is more than 100 feet in width and has first been declared to be commercial.
- Declare that allowing Change of Land use of residential plots located on declared commercial road but amalgamated with rear plot located on 40-60 feet (below 100 feet) is illegal. Only the original plot located on declare commercial roads can be considered for Change of Land use.
- Declare that car-ramps / car-openings and arcade shops, commercial opening cannot be allowed on 20-40 or 100 feet residential side-lanes as they not only play havoc with the residential nature of the road but also damage the utility lines, and extend the commercial activities deep into the residential

side roads.

- Declare that prior to a residential road being declared to be commercial or open for commercialization the same must first be properly and comprehensively surveyed and that an EIA also be conducted in compliance with Section 12 of the PEPA.
- Declare that it is only once a road has validly been reclassified and declared to be a commercial road open for change of land use that a property owner desiring to avail the benefit of such reclassification may avail the process prescribed in Article 3 of the Bye-Laws.
- Declare that the provision in advance of the necessary utilities and social/physical infrastructure are prerequisite for a residential road to be designated as commercial.
- Declare that public hearings with full justification and rationalization of public objections be held before proposing any change in a zonal master planning of a area, inclusive but

not limited to commercialization and change of land-use of individual roads and plots. Such public hearing will have to properly address all public objections with full justification in writing, inclusive but not limited to upgrading of infrastructure, utilities and other concerns associated with the change of land use, primarily increased densification of population.

- Permanently restrain the KMC/Master Plan from undertaking or entertaining any change of land use, which is not in compliance with the commercialization policy.
- All the funds collected as per section 4 & 6 shall be disbursed only as per the disbursement ratio as given in section 8-4 of the policy.

The Hon'ble High Court of Sindh in CP No.4485/2014 in its order dated 3rd September 2014 has directed the Master Plan and Sindh Building Control Authority to "allow commercialization strictly in accordance of bye laws 2003".

SHEHRI ACTIVITIES

'CHARGED PARKING' IS A MATTER OF DEFENCE OF PAKISTAN?

SHEHRI REPORT

In Pakistan, most arguments or conflicts can be judged according to one overarching concept - the defense of the nation. Police won't lodge an FIR for you? You might be threatening the delicate defence system of the country. No water in your taps? It might be serving the higher purpose of defending the nation instead. Sometimes, the connections between seemingly unrelated actions can be explained and at other times it remains a far stretch of the imagination.

Earlier in the year, Shehri-CBE wrote to the

Cantonment Executive Officer of the Karachi Cantonment Board enquiring under the Federal Freedom of Information Ordinance 2002, about the notified rates and areas for Karachi Cantonment Board Charged Parking, a copy of their rules governing Charged Parking and relevant person dealing with Charged Parking. Receiving no response within requisite 21-days, Shehri lodged a complaint as per FOI law with Federal Ombudsman for non-provision of information by the Cantonment Executive Officer, then we waited

patiently. Reply was received, but it was the reply that astonished us. We were told that the Federal Ombudsman cannot take cognizance of our complaint as the matter was related to the Defence of Pakistan. And that was that!

Can you see the correlation between Charged Parking and the Defence of Pakistan? If you do see one - please get in touch with us on [facebook.com/shehri.citizens](https://www.facebook.com/shehri.citizens) or twitter.com/shehricbe

In this case, the failure is not limited to the application of the FOI laws or the fact that the Ombudsman took no cognizance of the complaint. It is a failure of the entire system, so called check-and-balance mechanisms provided by the law seems to be a sham. Public organizations do not care to follow the rules and when they are questioned, everything can be dismissed with a wave of 'Defence of Pakistan', "sorry cannot tell."

Shehri-CBE
Karachi



NISAR BALOCH, HOURS BEFORE DEATH

Navaid Husain

In the mid-1990s, there was an advertisement in the national newspapers that a big park in the rundown area of Karachi was to be sold at just a few rupees per square yard. It also said that this would be done within three days. Like our readers, I own this country with a true conscience, which grew even more when I looked at myself as an architect. I wanted to do something for my city. Furthermore, my designation as the chairperson of a non-profit turned this care into duty. I drove to Trans Lyari Park [Gutter Baghicha in Urdu and Sindhi] which housed two sewerage plants.

As I walked around the park, I met Nisar Baloch, a local resident who felt that this park belonged to his community. They had inhabited the area since many generations. Nisar ran a primary school, did community service and was involved in local politics. We talked about how we could save the Park. I thought of sending a telegram to the High Court asking for a 'stay order' to stop its sale to the local government. Time was limited and we had no lawyer to help us, however, Sindh High Court granted us the

'stay order' and asked us to get a lawyer soon. Which is exactly what we did and the row began.

As the years went by, a lot of land was illegally sold, grabbed and built upon. Nisar and the local community could do nothing about this, as there were powerful people behind all this. He would often visit my office with bits of news update while the local newspapers turned a blind eye towards this growing illegal activity.

Meanwhile, Nisar slowly established a good local profile in Lyari. He would collect news on labor union workers, government officials and small industry owners who were building illegally on this park. These crooks gobbled up land worth billions of rupees. Considering the power of this mafia, I suggested him to take measures for his personal safety. Following my advice, he contacted the Human Rights Commission of Pakistan where Iqbal Haider promised support to him and his cause.

In 1990s, there was a call for local by-election in Karachi to which Nisar volunteered as a



presiding officer. He wanted to observe how local elections were held. On the day of the elections, just a handful of voters came to cast their votes. A provincial minister drove by to see what had happened. Nisar told him that only a few votes were cast. The minister foulmouthed voters and the administration in unprintable words. A while later, four people appeared out of nowhere and started to cast illegal votes. Nisar objected to this rigging, but power prevailed.

Several years later in 2008, a TV documentary film producer covering the issue of Trans Lyari Park took Nisar to examine the surroundings. There were some areas where he warned her that they will be shot mercilessly if she drove through. He was referring to an incident that took place a few months ago. Nazir of High Court came to

see the park and was threatened by a group of men armed with Kalashnikov AK47. They intimidated him to leave.

Soon after, a local government plan was announced reducing the park size further. It authorized development of around two hundred and fifty acres and the rest was to be converted into residential and small industrial plots. Nisar Baloch and his community were now losing hope over this. Despite the stay order by High Court, hundreds of acres of the park were disappearing into the hands of land grabbers. Yet he kept on following the case and with the gap of a week he would arrive at Shehri's office with some documents to update us about the issue.

Towards the end of October 2009, he came to me and discussed that he wanted to involve media to help tackle this issue. After all, the state was incurring losses of billions due to this commotion. I was unsure since we lacked resources but he was determined and replied that with the assistance of helpful friends like me he could manage something. He booked Karachi Press Club for a press conference on the 6th of November 2009.

15 journalists covered our press conference. Nisar sat in the center, as he was the

person who lived in Trans Lyari and knew the history of the park. I sat on his right. He took out photocopies of documents listing people who built on this park regardless of the High Court stay order. He revealed that these offenders were government officials, labor-union leaders, small industry owners, and others. The copies were distributed among the journalists. Unfortunately, it was nothing new to them. They were already witnesses to the massively scaled corruption throughout Pakistan and knew the scenario very well. After the conference, we had tea in the press club lawn and I left the facility at around five in the evening. Nisar was still there talking to all the journalists.

Next morning, on the 7th of November of 2009, I was reading the newspaper when I got a call from my office asking me if I was alright. I said, "Of course, what is the matter?", "Nisar Baloch has been shot dead," replied the man on the other end. I just could not believe. I was with him a few hours back. It was later revealed that Nisar being an early riser had got up in the morning and was driving on his bike to get the newspaper when he was gunned down. Two motorcyclists got close to him and shot him four times while he was crossing the Lyari Bridge. He tried to drive on to

the hospital but collapsed at a short distance.

Within the next three weeks 41 more people were killed over this park. For those readers who are interested in details, they can look up these incidents in the newspapers dating 8th November 2009 onwards. In a nut shell, illegal business of land grabbing amounting to losses of many billions of rupees got together all criminal elements including the corridors of power. Different political parties were extending support to these people. No one fighting for this cause was safe.

It is sad that when a person fighting for his/her cause is killed for that very reason, no one cares to report it with the depth it holds, especially when powerful forces are at play behind the scene. Contrastingly when these powerful dons with awfully flawed and corrupt personal records die, the media cries out about their artificial achievements and contributions to the society and people like Nisar Baloch are completely forgotten to the history. If this continues, people like Nisar will be born in a century and then none of us will be safe. To ensure that this does not happen and good prevails, we should all take up Nisar's cause and not let his death go in vain. A finger can be easily broken but a fist is tough to break.

SHEHRI ACTIVITIES

WORKSHOP ON BUILDING SMART AND ENERGY EFFICIENT CITIES IN PAKISTAN

SHEHRI REPORT

A two-day workshop on Building Smart and Energy Efficient Cities was organized by Friedrich Naumann Foundation (FNF) in collaboration with Shehri-(CBE) Citizens for a Better Environment from 10th to 11th October, 2014, at a local hotel in Karachi.

The aim of this workshop was to raise awareness on the need for energy efficiency and promotion of renewable energy uses, as well as, increasing capacity of relevant stakeholders to better understand related topics such as 'green buildings', 'smart and green architecture' etc. that contribute to making an energy efficient city.

Ms. Amber Ali Bhai, General Secretary of Shehri-CBE in her welcome speech, stated that legislations like the commercialization of road policy by the KMC, under which twenty nine roads of Karachi have been commercialized, and the Sindh High Density Building Act 2010, under which the CM Sindh has passed 42 stories structures on the Club Road are having and will have a detrimental effect on our city. She encouraged the masses for planting more and more



trees and protecting the existing trees. "If you find someone cutting the trees, go after them, as the cooling of your city take place just by the trees", she further added.

Muhammad Anwar, Head of Administration, Friedrich Naumann Foundation (FNF) stated that with the support of the German Federal Ministry for Economic Cooperation and Development (BMZ) the Friedrich Naumann Foundation (FNF) works in Pakistan to strengthen civil society, establish human and civil rights, settle conflicts peacefully, facilitate a liberal democracy with democratic parties and enable equal citizens to earn their living with dignity. The FNF strengthens their associates by training, consulting and interlinking. He further added that this sort of workshop on building smart and efficient

cities would be organized in other major cities of the country including Hyderabad, Lahore, Quetta, Islamabad and Multan, before the end of this calendar year.

Moderator, Farhan Anwar, Director of Sustainable Initiatives, was of the view that, "All the options of renewable energy resources are available in Karachi". He further said that only twenty-five percent of New Yorkers have their own car. The city has most advanced public transport system of the world which includes roads, rails, sea and air. The authorities use various ways to discourage people to buy their own car including levying heavy taxes on vehicles, increasing car parking charges etc. and encourage the citizens to use bicycle or walk for short distances".

VIP - VULTURE CULTURE

Danish Azar Zubay



The objective of this article is to highlight the symptomatic crises of the VIP-ism rather than present a socio-historical perspective. There is a general agreement now that the menace of VIP, acronym for 'very important person', has taken the form of a syndrome, like a sick mental condition. And for any disease that afflicts someone, there are two fundamental questions one may ask. What is it? And what it does to us and what can be done to overcome it? The first question is basic, of a diagnostic nature,

looking at the symptoms and how it hurts. The second question is an important one, because the investigation goes deeper, as to what are the causes, how it affects us, what will be the results and its long term consequences.

Although VIP is a universal phenomenon but it has developed into a bizarre, narcissistic and a self aggrandizement malady in our country, which appears to have its roots in our colonial past. It is ironic that VIP-ism is taken for granted and fully accepted at various levels without appreciating

its degeneration from petty corruption into a 'culture' that has serious social consequences. VIP-ism is also contagious because of its tremendous 'visual' appeal of superiority over others and 'ease of way'. The 'very important' look is so alluring that people like to emulate it without realizing its long term detrimental effects on the society. There is nothing like preferential treatment at every hurdle, which anybody would desire especially in an environment of failed systems and extremely poor governance.

Unfortunately it is not just the rich and powerful at the top but VIP-ism spreads on every level with varying degrees. We, the ordinary citizens do not mind if we can jump the queue of patients at a doctor's clinic or long painful queues at government offices and bypass the systems despite the realization that it is inherently wrong to take away the right of a person who is ahead of you. It's becoming 'cool' to accept yourselves to be above the law. From as trivial as jumping the traffic signal, which endangers the lives of many to blocking off the entire population for a single VIP's transit, it is becoming ingrained into our consciousness.

Generally speaking it has a trickle-down effect from the top. The junior staff observes the sahib with pride rather than remorse jumping the



Danish Azar Zubay

signal, traveling with convoys, blocking roads, enjoying separate lanes and separate counters in every situation. VIPs cordon off their palatial mansions and cut off public thoroughfares causing inconvenience by creating concrete barriers. They use visual marks displaying their status, misuse their position and misappropriate funds, misbehave in public and manipulate the institutions. The drivers, relatives and

friends of the VIPs feel more 'royal' than the sahib himself. He saves them from any offense that they may commit in public. The most bizarre turn of our VIP-ism is that the armed guards of a VIP can kill an ordinary citizen for blocking the way and get away with it.

This brings us to the second question, as to how does the VIP culture actually poison our society. In brief, it breeds inequality, elitism and destroys empathy from within. It creates an atmosphere whereby a certain class of people thrives on trampling the basic rights of ordinary citizens. Interfering and altering accepted systems, rules and norms become a right for the VIPs. It encourages lawlessness, it promotes corruption, and it emboldens the criminal elements. It weakens the institutions and governance and it leads to anarchy. It stands diametrically on the opposite side of the very concept of justice for any civilized society. It creates resentment and chaos leading to unrest, anger and crime. Furthermore leading to people forgetting the sense of justice and becoming violent with every demand. They do not care if they get their needs fulfilled through hook or crook.



At the official level misuse of authority and position becomes a common routine. The institutions and systems are corrupted to obtain unfair advantage and undue privileges, licenses, waivers and free trips. Some believe that we have become a lawless society not because we are inherently base and corrupt but our VIP leadership has pushed us to the wall. I dare to call the menace of VIP culture evil as it seeks to demolish the very foundations of human society based on justice and equality.

All genuine democracies, pseudo-democracies, and even monarchies rely on a single universal tool for graceful survival in the present world and that is 'Rule of Law'. We all know that when our VIPs land in Dubai they immediately learn to respect the law but as soon as they return home the first causality is the law. We continue to allow two sets of laws, one for the VIPs and one for the ordinary citizens. The biggest dilemma that we face is lack of uniform accountability and the collapse of judicial systems, the VIPs being the biggest threat to the 'Rule of Law'.

There are no easy answers to get rid of this menace. It



cannot be legislated away; a major reawakening is required for all and sundry. A new wave of awareness did crop up in Karachi after the recent Rehman-Arjumand plane delay episode, which triggered many other events and episodes to show resentment against VIP-ism.

The following is an extract of what a group of Karachi citizens have developed as a charter of demands for elimination of VIP culture.

- One queue for all. Equal treatment for all citizens.
- Eliminate VIP / Parliamentarian counters, lounges and parking spaces in airports and public offices
- VIPs be given the same security checks at airports as all other citizens
- Catering to VIPs by delaying aircraft or

causing any other inconvenience to public be declared a crime.

- Discontinue guards, police mobiles and security provided to VIPs
- Remove all barriers and road blocks built around the VIP residences
- Traffic laws should be for all. VIPs violating traffic laws must be prosecuted
- Carriage and display of weapons by VIPs and other citizens be declared illegal
- Threatening of citizens by speeding VIP caravans be made a cognizable offense
- All citizens including VIPs must travel in cars with proper registration plates
- Display of flags and emblems such as MPA, MNA, HC, DC must be prohibited

We have yet to see how the authorities will react to this.

OUR NETWORK OF COALITION PARTNERS FOR TRANSPARENCY AND ACCESS TO INFORMATION (ARTICLE 19-A OF THE CONSTITUTION OF PAKISTAN)

SHEHRI REPORT

The aim of all Civil Society Organisations is to bring good governance, transparency and accountability to the working of the government. To this effect, access to information laws can play a strong enabling and empowering role in achieving this objective, so much so, that even the United Nation has acknowledged their importance by making Access to Information one of the features of 'Sustainable Development Goal' for the next 30 years.

Shehri has also made FOI one of its goals in its quest for good governance, transparency and Right of Law. Fortunately Balochistan, KPK and Punjab have established very strong, effective and enforceable laws known as 'KP RTI Act' and the 'Punjab Transparency and RTI Act'. Even the federal RTI Bill is an improvement on the previous federal FOI 2002 Ordinance, which is an exact replica of the Sindh FOI 2006. It is time that the Sindh Government also comes up with with a much improved and effective access to information legislation on par with KP and Punjab.

For this, we believe that Civil Society can play an enabling role in enacting a new and better piece of legislation. The principle shortcoming of this

Coalition for Transparency and Access to Information (C-TAI)

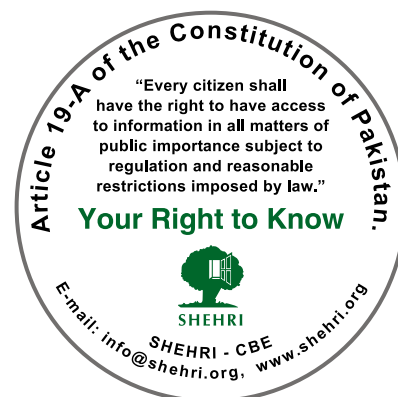


law is the ineffectiveness of the enforcement mechanism for non-provision of the information by the government departments. To achieve this objective, all the Civil Society Organisations (CSOs) need to come together on a coalition platform and merge their collective efforts and strength to raise the demand for a new law.

This coalition would tentatively be called "Coalition for

Transparency and Access to Information", subject to the approval of other partners, and its strategy would be two pronged.

- i) To increase the awareness and usage of this law by filing FOI requests under the present law so as to put pressure on the government functionaries to become responsive to the law.
- ii) To use the collective resources of the coalition to interact with the legislators and impress upon them the need to move for the enactment of a new access to information law.



SHEHRI-CBE CAMPAIGN 2014

In response to this request, following civil society organizations have agreed to be a part of this coalition "Coalition for Transparency and

Access to Information (C-TAI)"

(1) Urban Resource Centre (2) The Helpline Trust (3) SCOPE (4) PILER (5) SPO (6) Aurat Foundation (7) Shirkatgah (8) BaanhnBeli (9) HISAAR Foundation (10) Bolobhi (11) War Against Rape (WAR) (12) Transparency International Pakistan (13) Social Police and Development Centre (SPDC) (14) Sustainable Initiatives (15) Pakistan Press Foundation (PPF) (16) Indus Earth Trust (17) SAIBAN - Action Research for Shelter(18) Shehri-CBE (19) NOW Communities (20) SAFWCO - Hyderabad (21) Sindh Community Foundation - Hyderabad (22) District Hindu Panchayat Committee - Hyderabad

The first consultative workshop of coalition partners was held on October 23, 2014 at Movenpick Hotel Karachi.

The main purpose of the session was to get to know one another, discuss strategies for the way forward and initiate writing of FOI applications. The first session was devoted to the introduction, the second session involved a brief presentation on FOI laws and its usage, and finally the third session gave everyone a hands-on experience of writing an actual FOI request.

Coalition partners were asked to send at least two members of their organizations to the workshop, one of whom would later on act as the focal person

SHEHRI-CBE CAMPAIGN 2014

YOUR RIGHT TO KNOW

What is the process to get a driving licence, passport?

How can I get the annual budget of the medicines for a hospital?

What are the specifications & budget of the road repair?

What is the sanitation strength of my area?

What is the salary budget of the school in my neighborhood?

YES! YOU TOO CAN GET ANSWERS TO THESE AND OTHER SUCH QUESTIONS

ARTICLE 19-A OF THE CONSTITUTION OF THE ISLAMIC REPUBLIC OF PAKISTAN GIVES YOU THIS RIGHT.
"Every citizen shall have the right to have access to information in all matter of public importance subject to regulation and reasonable restrictions imposed by law".

"Write to know"
 Five steps for obtaining information / records.

Step 1 Applicant determines the information / record that is required. The request should be in a question form.

Step 2 Identify the correct public body which must be approached for obtaining the required information.

Step 3 Applicant fills the Application Form and attaches a copy of National Identity Card.

Step 4 Applicant deposits a Challan of Rs. 50/= (Rupees Fifty) in any branch of National Bank of Pakistan.

Step 5 Applicant submits the application (along with Challan and CNIC) to the concerned Public Body.

A/c No. - 1391221

SHEHRI - CITIZENS FOR A BETTER ENVIRONMENT
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Financial support for the printing of flyer provided by Open Society Institute

of their organizations for follow up and writing additional FOI applications. Participants were also requested to come prepared with at least one question that they seriously consider asking under FOI, so that it could form the basis of their actual FOI request.

Shehri's FOI Help Desk would assist them in writing up the actual FOI request, making sure it gets posted, and to follow up

according to the time-line of the application. The Help Desk would also assist them in the appeal process, if the need arises.

Moreover, representatives from partner organizations will join us at the Shehri Help Desk to facilitate the process. Thus the workshop did not only act as a learning session but also helped culminate in writing and follow-up of actual FOI requests.

CITIZENS FOR A BETTER ENVIRONMENT



INTRODUCTION

Shehri- CBE is a Karachi-based voluntary advocacy group established by concerned citizens in 1988 to project their apprehensions about the deterioration of the environment.

Shehri focuses on issues relating to the built and natural environment. There is a special emphasis on tackling illegal construction and zoning violations, and their related symptoms, e.g., drainage, encroachments, parking and infrastructure. Shehri monitors the regulatory bodies and government agencies and encourages civil society to do the same.

SUCSESSES

Demolition of Glass Towers illegal encroachment on the notified road-widening of Clifton Road.

Saving of 480-acre Gutter Baghicha Park on Manghopir Road. This is the largest open recreational space in a low income congested area of Lyari-inhabited by approximately one million people.

Saving of 62-acre Kidney hill Park in Karachi Cooperative Housing Society Union inclusive of 18-acre notified KWSB installations.

Establishment of the Oversee Committee of the KBCA and a

Public Information Counter.

Halting commercialization and sale of 11 KTC and 15 SRTC bus-depot plots in Karachi and Sindh. Today these plots are to be used by the CDGK for intercity bus terminals and other related transportation activity.

Saving (Makro) webb Ground playfield in Lines Area, Karachi.

Demolition of apartment structure Costa Linina in amenity Bagh-e-Ibne-Qasim, Clifton. CDGK has now developed it as a park.

Preventing commercialization of Doongi Ground park / playfield in Lahore.

Reducing, as part of Lahore Bachhao Tehrik, the amount of damage from Canal Bank Widening Project.

Reaffirmation of seismic building code in Quetta.

Training 1400 (Approx) police officers all over Pakistan on participatory citizen-police interaction, human rights violations and police reforms.

Over the years, Shehri's expertise has been recognized by superior courts and it has been called as amicus curiae (friend of the court) in cases dealing with built environment violations.

OBJECTIVES

Establishment of an aware and pro-active civil society, good governance, transparency and rule of law.

Promotion of research, documentation, dialogue with and influence of public policies.

Setting up an effective and representative local government system.

Preparation of a representative Master Plan / Zoning plan for Karachi city and effective implementation of the same.

Observance of basic human rights in society.

HOW IS SHEHRI RUN?

A volunteer Managing Committee, duly elected by the General Body for a term of two years, thereby functioning in an open and democratic manner. Membership is open to all who subscribe to its objectives and memorandum.

SHEHRI

needs

Volunteers

to work in the following areas:

- Legal
- Media & Outreach
- Anti-Pollution
- Parks & Recreation
- Gun Free Society
- Conservation & Heritage
- Fund Raising

Name: _____

Tel. (Res) : _____

Tel. (Off) : _____

Address: _____

Occupation: _____

JOIN SHEHRI

To Create a Better Environment

With a cross cheque of
Rs. 1000/-
(Annual Membership Fee)
in the name of Shehri-CBE
with passport size photograph

Address: 88-R, Block 2,
P.E.C.H.S., Karachi-75400,
Pakistan. Tel/Fax : 3453-0646

SHEHRI MEMBERSHIP

Don't forget to renew your membership for 2015 (Rs. 1000)

Join Shehri and play your role as a good citizen to make this city a clean, healthy and environmentally friendly place to live in!