



*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

OCTOBER - DECEMBER 1997 Vol. 1/No. 22

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## Local Bodies Elections: Issues and Challenges

*As the government announces April 18th 1998, as the date for holding countrywide local bodies polls, Farhan Anwar analyses the issues that would confront the new city managers, highlights the enormity of the coming challenges and suggests some guidelines for change.*

The year 1997, began with a change at the top level of the country's administrative tier. The thundering mandate restored by the electorate upon Nawaz Sharif and his Pakistan Muslim League was an explicit pronouncement of their earnest desire for change. Assemblies, both at the National and provincial levels were formed. The nation awaited with mixed feelings of hope and apprehension, as a new batch of ministers, advisors and administrators took over to manage the affairs of the state. However, it was a matter of some concern that the local councils and metropolitan bodies of the state, accepted the world over as the basic tools of change, continued to be maladministered by unelected appointees in the absence of elected local bodies. This tier of government, arguably the most important, has always been the most neglected in our country.

Now there is some good news. It has been announced that polls to the local bodies are to be held

throughout the country, though on a non-party basis, on the 18th of April 1998. Though this news can only be greeted with a sigh of relief, there are enormous challenges that await the new managers of our cities and towns, particularly in the larger urban centres, which would require from them radical initiatives, selfless



devotion and courage to reverse the tide of continuous degradation in the civic affairs of our country. Can we expect the newly elected managers of our cities to deliver? One can only hope for the best and help them in their coming hour of trial.

The performance of local councils is reflected in the conditions of the

cities and towns they represent. If the fortunes or rather misfortunes of our urban centres are anything to go by, than their metropolitan bodies appear to exist only in name. The urban water and sewerage networks, outlived their usefulness long ago, and are presently in a state of continuous breakdown. Garbage cannot be disposed, for the simple reason that we are still in the process of figuring out, how to collect it! The devising of appropriate disposal techniques are probably being left for our future generation of urban planners. The efforts we undertake to solve our transportation crisis can at best be termed as medieval, when compared with the path being followed by some other nations of comparable resources and manpower.

The process of Karachi's degeneration, from being the cleanest city of Asia, to its present miserable state, probably being the filthiest city in the region, reads as a sorry tale of official mismanagement, systematic corruption,



**SHEHRI**  
206-G, Block 2, P.E.C.H.S.,  
Karachi-75400, Pakistan.  
Tel/Fax: 92-21-453-0646  
e-mail/address:

shehri@onkhira.com  
(web site) URL: http://  
www.onkhiram/shehri

**EDITOR**  
Fartun Anwar

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**EDITORIAL**

*A prayer for the suffering citizens of Karachi*

The pace of life in large cities is hectic and although the residents derive many benefits an urban centre has to offer, they are also subject to the accompanying stresses and strains. That is why, urban planners, the world over, take special care in providing the residents with a variety of recreational facilities in order to help ease the burdens of the daily rigours of city life. We, in Karachi, are not that fortunate. A few pathetically ill-equipped "developed" open spaces are offered in the way of parks and playgrounds. The undeveloped open spaces are fast giving way to hideous highrises. Indoor sporting facilities of international standards are non-existent. Access to arts and theatrical pursuits are limited to the elite few. It is a shameful fact that despite being blessed with a long coastline, exhibiting rich ecological treasures, we are least bothered to develop a proper coastal recreational infrastructure. Need one go on! It is too painful. Given the present state of paralysis of thought and action, afflicting our urban planners and managers, it seems that apart from contributing positively in our own spheres of lives, one can only pray to God Almighty for a better fate for the beleaguered citizens. May God have mercy on us (Amen).

inefficiency and criminal neglect towards duty and responsibility. This unfortunate chronology of mishaps holds many warnings for our other growing urban centers.

All the three phases of the project cycle i.e. planning, development and management have suffered, and the combined effect of these successive failures has been disastrous. Some good plans were made in the early years, which could not be properly implemented, mainly due to an absence of political will and excessive red-tapism. Lack of consistency in policy planning, in the face of an exponential rise in population levels, led to a steady and continuous decline in the condition of infrastructure facilities, which are now in a state of almost complete paralysis.

The evils of corruption and inefficiency, seeped into the functioning of the local bodies on massive scale, ironically, with the onset of democracy in the country, as appointments began to be made, mostly on political grounds, rather than on merit. This unfortunate trend has continued to date.

Karachi's most recent exercise in major level urban planning is a classic example of gross mismanagement. The newest urban master plan, dubbed as the "Master Plan 2000", was prepared jointly under the auspices of

**The evils of corruption and inefficiency, seeped into the functioning of the local bodies on massive scale ironically, with the onset of democracy in the country**

the World Bank about ten years ago by the provincial department of Planning and Development and the Karachi Development Authority. This plan became obsolete even before it could be implemented and still awaits final approval. Considerable expenses were incurred while preparing this plan. A major portion of the budget was spent on preparing computer models and on staff training programmes. Ten years down the road, the computer models have never been used, as the data needed to run the models is not available!

Development works suffer from corruption and inefficiency. Since the contractor has to grease the palms of a number of officials, he makes his money by compromising on the quality of work. As a result, contractors and consultants of sound reputation usually stay away from important devel-



opment works. Politicization of these bodies kills what little progress that is achieved, as a project opened with much fanfare by one administration is deemed unnecessary by another and dumped unceremoniously. So in the absence of any real planning or development, our local officials usually busy themselves with the mismanagement of what little exists on ground.

It is argued that elections of the local bodies will solve all the problems. There is no doubt that local bodies elections are the need of the hour, but they are not the only answer to the ongoing crisis.

What is needed is the initiation of policy based wide ranging reforms within the local civic institutions.

The Karachi Metropolitan Corporation (KMC) needs to be decentralized in its functioning with greater powers and responsibilities transferred at the council level. The help of the private sector and local NGO's/CBO's could be sought in the management of the city. Greater involvement of citizen bodies, independent development experts, engineers, academics etc. should be ensured at all levels in the major development projects of the city.

This role should not be optional, but needs to be formalized. This could be done, by introducing the concept of "Steering Committee" which could monitor the progress of major urban projects, and could comprise of citizen representatives and government officials. Such a process would ensure public participation and transparency.

It is the view of some experts, that since the various phases of a project are shared by a number of

bodies, some involved in planning, while the others in implementation, the lack of coordination amongst themselves is a serious inhibiting factor in smooth development. It is therefore desirable that there should be a single "Metropolitan Body", entrusted with the task of planning and developing the city. Merit should form the sole criteria for selection, appointments, and transfers of local officials.

It is also felt that a special status of our growing urban centres, commensurate with their special needs and requirements, should be acknowledged, and additional incentives and attractions should be offered to the officials in charge, so as to attract a qualified

work force capable of meeting this serious challenge.

We can make as many grandiose plans at the national level as we may like, but if the fruits of such plans do not filter down to the common man, then we are undertaking an exercise in futility. A strong local body set up can ensure grass root change.

Let us not let it come to a point where some later day archaeologist rummaging through the ruins of present day Karachi, finds a city not buried under stone and ash but instead, a city under piles of garbage! □

(Farhan Anwar is Editor Shehri)

## MANAGING OUR SOLID WASTE: NEED FOR URGENT ACTION

**T**he city of Karachi generates 6000-8000 tons / day of municipal solid waste. Both the formal and informal sectors are involved in the collection, processing and disposal of solid waste at different levels.

### Formal Sector

Karachi city is divided into 10 collection districts : 7 are served by the Karachi Metropolitan Corporation (KMC), the remaining by the airport authority, cantonments and Karachi Development Authority (KDA). KMC spends 40% of the municipal budgetary allocation on solid waste disposal. Only 30% of the solid waste is collected and disposed off by KMC, the remaining is dumped in storm drains, nallahs, nearby rivers and empty plots. Of the solid waste that is collected, much is taken to unauthorized sites all over the city and burnt, dumped into the rivers or seas and used to fill depressed land. KMC does not under take the recovery of reusable and recyclable material and there is no separation of waste. The KMC, which utilizes the conservancy / sewerage charges collected from residential, commercial and industrial units for solid waste management

says the tax is inadequate to cover the expenses incurred. It has to subsidise 75-100% of solid waste management expenditure from other budgets.

### Informal Sector

A thriving recycling industry has taken roots at the non-formal level, which is responsible for collecting and than recycling about 15% - 20% of Karachi's solid waste. An invaluable contribution is being made by this informal sector in the overall solid waste management system of Karachi. However, the practice of exploitation of young illiterate boys (mostly of Afghani origin), who are forced to collect the recyclable components of the city garbage while exposing themselves to extreme health hazards is a highly objectionable component of this business and needs to be addressed. Another concern is that the formal and informal sectors presently function in isolation. A coordinated effort could yield better results. Several NGO's / CBO's are also carrying out solid waste management programs at the neighborhood level. □

- Farhan Anwar



## SHEHRI ACTIVITIES

# Workshop on the state of Karachi's municipal services sector

A day workshop was held on the 6th of December 1997, at Hotel Metropole, Karachi, by Shehri - CBE in collaboration with the Friedrich Naumann Foundation. The theme of the workshop was *'The State of Karachi's Municipal Services Sector, Analysing the Past: Planning for the future'*.

### Need of the Workshop

Pakistan, in its 50th year of independence is facing a serious crisis of governance at all levels i.e. local, provincial and federal. This crisis of governance is manifested in the chronic breakdown of various important institutions of the state.

Among the long list of issues that bedevil the decision making organs of the state, is the issue of rapid urbanization and the number of complex problems that accompany this phenomenon. It is a problem, the significance and impact of which will magnify enormously in the near future. Among the institutions which bear the major brunt of the expanding cities, are the municipal organizations, particularly the sanitation sector. Karachi, the largest city of the country is a case in point. Karachi's sanitation sector is faced

with issues like financial constraints, technical and administrative inefficiency of the staff, corruption and above all a lack of political will.

### Aims and Objectives of the Workshop

The main aim of the workshop was to analyze the causes of the crisis and come up with practical and workable solutions. Among the various functions of the sanitation services, the solid waste management sector was the main focus. Spotlight was also on the important and often unnoticed role of the informal sector and on strategies for increasing and enhancing the role of citizens in solving the civic problems of the city.

### Proceedings of the Workshop

The day workshop was split into three separate sessions. The inaugural session was followed by two working sessions. **Dr. Akhtar Hameed Khan**, the noted social worker and founder of the Orangi



(L-R) Dr. Akhtar Hameed Khan (Chief Guest) and Qazi Faez Isa (Chairman, Shehri-CBE)

Pilot Project, was the Chief Guest and chaired the Inaugural Session.

### Inaugural Session

In his welcome address, **Mr. Qazi Faez Isa**, Chairman Shehri - CBE stressed the need for developing plans and strategies relevant to our socio-economic and environmental setup, based on the ground realities existing in our society. Mr. Isa read out extracts from the *Muqadimah* of Ibn-e-Khaldun, the renowned muslim social scientist of the 14th century (see box) which dealt with the importance of establishing a clean environment, and asked the citizens to seek knowledge from our rich past and traditions and to strengthen this vital linkage.



(L-R) Farhan Anwar, Anzar Zaidi and Bahan Ahmed

Workshop participants



Mr. Isa, also lauded the services of Dr. Akhtar Hameed Khan in the field of infrastructure and services development on a self help basis at community level and said that Khan Sahib was the type of person we should look towards for inspiration and guidance.

**Mr. Farhan Anwar**, member, Shehri - CBE, who acted as Workshop Moderator, outlined the basic objectives of the workshop and also put forward some suggestions for improvement in the system (see box) prepared by Shehri-CBE.

**Dr. Akhtar Hameed Khan**, in his inaugural address, lamented the fact that in our society, there is a tendency to look towards others for the solutions to our own problems. This tendency, has over the years resulted in a growing dependency on foreign donations and foreign aid. Khan Sahib quoted verses from the Quran to establish the fact that God does not help those nations and communities which do not believe in the value of hard work and struggle for improvement in their conditions and quality of living. He warned that due to our own failings and desires for easy living, the situation could only worsen.

Khan Sahib, also talked about his experiences with the Orangi Pilot Project and felt that many planning and development guidelines can be set for improving our sys-

tem, if the example of OPP is given close consideration.

### Morning Session

**Mr. Anzar Zaidi**, Administrator KMC was the first speaker in the morning session.

He informed the audience about the launch of a new project in the solid waste management sector by KMC. In this project, nine (9) *Garbage Transfer Stations* (GTS) will be built in various parts of the city. Garbage would be transported from the neighborhoods to the GTS's, where waste would be segregated (recyclable/non-recyclable) and compacted. From the GTS's the waste would be transported to the final disposal sites. Mr. Zaidi also talked about the importance of increasing the role of citizens in civic affairs. He also informed, that in the GTS scheme, active role of local residents would be ensured.

**Mr. Rehan Ahmed**, a senior sanitary and environmental engineer was the second speaker. He gave a detailed overview of the solid waste management sector in Karachi. He stressed the need for improving the system and also emphasized the importance of citizen's involvement, particularly



The Shehri management team (L-R) Mrs. Mansoor, Younus Bhatti and Mohammad Fehan Ashraf.

at the primary level of services. He deplored the fact that although as individuals we seem to take great pains to keep our houses clean, but as a community we fail to exhibit good civic sense. The speeches were followed by a question and answer session. Mr. Khalid Javed, Director Solid Waste Management KMC, Mr Omar Khan, Financial Advisor, KMC, and Mr. Rehan Ahmed, answered questions of the workshop participants.

### Afternoon Session

**Mr. Arif Hasan**, Chairman Urban Resource Centre was the first speaker in the afternoon session. Mr. Hasan emphasized the need to take a close look at the existing state of affairs and devise plans and solutions which do not run counter to the ground realities. He felt that our dependence on imported solutions suggested by foreign consultants was making the task of improving and properly developing our infrastructure



(L-R) Arif Hasan, Parveen Rehman and Qadeer Baig.



and facilities even more difficult, as our planning efforts were failing due to their incompatibility with existing system and realities. He felt that the system could be rehabilitated at a very low cost, if we reshape our priorities and look more inwards rather than outwards.

**Ms. Perveen Rehman** of the Orangi Pilot Project, shared with the participants the results of her study in the Baldia Area of Karachi, which looked into the disastrous after effects of KW & SB's trunk sewer laying project in the area. She explained with the help of slides, how the project, which did not take into account the existing sewerage system of the area, failed completely, polluted the environment and resulted in complete waste of the taxpayer money. She also highlighted the need to first properly analyse the existing sanitation system of the city before launching multimillion dollar projects, otherwise we would end up with more fiascos like Baldia.

**Mr. Qadeer Baig**, Programme Coordinator NGORC, spoke on the need to properly assess the role of NGO's in the development sector and strive for greater coordination among the various NGO's / CBO's. He felt that the NGO's needed to think of new approaches to make their role more effective.

The speeches were followed by a lively question and answer session.

Mr. Farhan Anwar, then gave a summation of the workshop proceedings and thanked the speakers and participants for their valuable inputs. □

## Suggestions for Improvement

**S**hehri suggests that the following steps be undertaken to improve the municipal services of Karachi.

### Solid Waste Management

- Reactivate 'Garbage Train Project', as considerable funds have been spent on it and no alternative project for garbage disposal has been put forward.
- As about 40% of Karachi's garbage is organic in nature, its processing and reuse in the form of manure, through composting offers exciting possibilities, both economic and environmental. So, it is suggested that KMC starts an integrated composting project and also offers positive help and proper incentives to the private sector to make its contributions in this regard.

### Parks and Recreation

- All public open spaces and amenity plots must be identified in one publication, which should be properly disseminated among the general public.
- All parks/amenity plots should be clearly demarcated, preferably by planting trees around their periphery.
- A 'Parks Zoning, Development and Management Strategy' should be formulated and implemented for City,

District and Neighborhood level parks.

- Parks should be run on sustainable basis. In this regard, for the irrigation of parks, use of manure prepared from composting and use of recycled sewage water is recommended.

### Transportation

- Prepare and implement a comprehensive and integrated 'Transport Master Plan'.
- Build strategically located small under passes and overpasses to reduce the growing traffic congestion on an immediate basis.
- Introduce Cycle Paths. (20 feet wide)
- Introduce pavements providing unhindered access to pedestrians in all new commercial developments and provide conveniences such as ramps for the handicapped.

### Incentives for Metropolitan Employees

- To attract qualified personnel, pay scales higher than those for town or district council officials be set for Metropolitan employees working in large cities.

Local Bodies Elections must be held immediately



## 'Sustainable Development: Views of a great social scientist

"To protect towns against harmful atmospheric phenomena, one should see to it that the air is wholesome, in order to be safe from illness. When the air is stagnant and bad, or close to corrupt waters or putrid pools or swamps, it is speedily affected by putrescence and it is unavoidable that all living beings who are there will speedily be affected by illness. This fact is confirmed by direct observation. Towns where no attention is paid to good air have, as a rule, much illness.

The principal reason for plagues is the corruption of the air by overpopulation, putrefaction and the many evil moistures with which the air has contact in a densely populated region. The reason for the growth of putrefaction and evil moistures is invariably a dense and abundant civilization. Therefore, science has made it clear that it is necessary to have empty spaces and waste regions interspersed between urban areas. This makes circulation of the air possible. It removes the corruption and putrefaction affecting the air after contact with living beings, and brings healthy air. This also is the reason why pestilence occurs much more frequently in densely populated cities than else-

where, as for instance, in Cairo in the East and Fez in the Maghrib.

In the East, the tradition of scientific instruction has not ceased to be cultivated. The inhabitants of the East are, in general, more firmly rooted in the craft of scientific instruction and, indeed, in all the other crafts (than Maghribis). Good habits in scientific instruction, in the crafts, and in all the other customary activities, add insight to the intellect of a man and enlightenment to his thinking, since the soul thus obtains a great number of habits. We have stated before that the soul grows under the influence of the perceptions it receives and the habits accruing to it. Thus, (the people of the East) become more clever, because their souls are influenced by scientific activity. The common people then suppose that it is a difference in the reality of humanity. This is not so."

*Extracts from Ibn-e-Khaldun's Muqadimah (c. 1377), described by Professor Arnold Toynbee as "undoubtedly the greatest work of its kind that has ever been created by any mind in any time or place".*

## Second workshop on the KBCA Overseas Committee

The second workshop, to evaluate the performance of the KBCA Overseas Committee was held on the 15th of November 1997, at Hotel Metropole Karachi, in collaboration with the Friedrich Naumann Foundation.

Members of the KBCA Overseas Committee/Sub Committees, NGO's, concerned citizens, experts and media representatives were invited to take part in the workshop. Mr. Khatib Ahmed of Shehri-CBE acted as Workshop Moderator.

### Aims and Objectives of the Workshop .

- To increase the efficiency of the Overseas Committee.
- To pinpoint constraints, problems, and find ways to solve them.
- To make workings of Overseas Committee more transparent by exposure to the citizens.

### Workshop Proceedings

Mr. Khatib Ahmed, delivered the introductory speech outlining the

main reasons for holding the workshop and its objectives. He then invited Mr. Roland d'Souza to deliver his paper.

Mr. Roland d'Souza, member sub-committee on Public Participation and Transparency in the working of KBCA, informed the workshop participants about the performance of the sub-committee.

Mr. d'Souza said that since most of the people were not aware of the building bye-laws, rules/regulations a *Public Information Counter*, was opened to raise public awareness on the issue. He regretted the



fact that only four out of the nineteen members of the Overseas Committee turned up for the opening ceremony of the Public Information Counter.

Mr. d'Souza felt that public awareness can reduce chances of maladministration. He felt dissatisfaction with the efforts of KBCA to involve itself with the public information counter.

**Prof. Mohammad Nauman**, member Sub-committee on recommending immediate changes, measures required for improving performance of KBCA, was the second speaker. Prof. Nauman informed the participants about the functions of the sub committee and some of the objectives achieved. Among the issues that have been taken up by the committee include performance of legal section, suspension of architects, engineers licenses, parking bye-laws and public sale projects.

Prof. Nauman said that only about 20% of the total assignment objectives have been tackled. He was highly critical of the non-cooperative role of the KBCA. He lamented the fact that hardly any of the recommendations of the oversee committee and sub-committees have been incorporated by KBCA in their rules/regulations.

Prof. Nauman felt that there was an urgent need to improve the workings of the KBCA Overseas Committee and it was upto the government to show some political will for improvement.

After Prof. Nauman's speech, the floor was opened for general discussion by Mr. Khatib Ahmed.

Workshop participants were of the view that there was a need of doc-

umenting and disseminating information about amenity plots and Mr. Qazi Faez Isa suggested the putting of information plates on each such plot.

Unnecessary and unproductive political interference was regretted. It was felt that the rotation of KBCA officials should be on a two yearly basis as the practice of constant changing of officials after every two or three months causes massive confusion and harms the efficient working of the system.

Mr. Roland d'Souza suggested that the mandate and scope of the oversee committee needed to be enlarged. The issue of insufficient staffing also came up.

After an extremely lively and interactive general discussion session, Mr. Khatib Ahmed gave his analysis of the proceedings and thanked the speakers and general participants for their valuable inputs. □



The rapidly changing face (for the worse?) of Karachi

## KBCA Overseas Sub-Committees

a) **Sub-Committee on Developing Regulations and By-laws, setting up process of Monitoring.**

Mr. Farhat Adil

Mr. Aftab Mohammad

b) **Sub-Committee on Public Participation and Transparency in the Working of KBCA.**

Mr. Roland de'Souza

Mr. Qazi Faez Isa

c) **Sub-Committee on recommending immediate changes, measures required for improving performance of KBCA.**

Prof. Mohammad Nauman

Mr. Farhat Adil

Mr. Zaidul Wasti - nominee of S.M. Misbah, D.G. KDA

d) **Sub-Committee on immediate improvements in KBCA performance.**

Mr. Farhatullah Qureshi - nominee of Misbah Najmi

Mr. Aftab Mohammad

Mr. Roland de'Souza

Mr. Farhat Adil





## Shehri publications

*Apart from the English and Urdu Newsletters, which Shehri regularly brings out on a quarterly basis, a few research projects were also undertaken this year, documentation and compilation of whom has been completed.*

### **Citizen's Guidebook for Better Governance of the City of Karachi.**

In this guide book, the rights and responsibilities of both the ordinary citizen and the administrative agencies of the city are established and discussed in detail. A profile of the city, providing information about the various districts of the city such as population figures, population growth rate, location, economic statistics etc. has been prepared.

The scope and functions of civic agencies (KDA, KW&SB, KMC, KBCA etc.) are also discussed, with the relevant data and statistics. After laying the proper framework for this study, the causes of the failure of governance in the city of Karachi are highlighted and certain solutions are put forward.

A special case study is done of the Karachi Building Control Authority, (KBCA) and Shehri's own experiences in this regard, to set some guidelines for the advisable methods and approach of citizen - civic agencies interaction.

### **Environmental Assessment of Residential Land Use Conversion P.E.C.H.S Block-2: A Case Study**

Urban development is a fascinating phenomenon. Large urban concentrations are the power centres which regulate a nation's growth, and their constantly evolving dynamics act as a barometer to a country's strengths, weaknesses, hopes and aspirations. To regulate the sustainable growth of the cities themselves, the various functions and services, unique to a large city are designated land allocations known as land use regions, commensurate to the needs and requirements of the function.

It is a common practice in many cities of the developing world to change the land use status to meet the rising demands of a greater population load. Low density settlements are converted into high density regions and open spaces are encroached upon. Often, existing rules and regulations governing land use change are bypassed in the process.

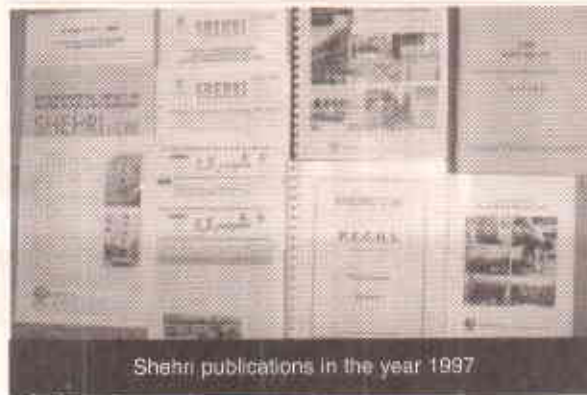
It is felt by many, that as a consequence to this practice, public utility services already under great strain are pressed even harder and more frequent system breakdowns lead to a higher level of environmental degradation.

In Karachi, land use conversion practices have registered a marked increase in the last few years. There is much debate in the city on how to tackle this problem, and NGO's, govt. officials, builders, political representatives,

have all been expressing their views on the subject.

However, not much effort has been made to gauge the mood of the general public and to find out what the common man thinks about the rapidly evolving face of the city. In this project, an effort has been made to document public opinion with particular reference to the impact, this practice of residential land use conversion is having on the environmental, social, cultural and economic lifestyles of the residents.

Various different aspects of land use conversion have been identified and the evolving trends, in both the land use status and public opinion on the issue have been determined. It is hoped that the findings of this project offer valuable guidelines to urban planners, citizen groups and other concerned groups / agencies over this important urban development concern. After all, the prime object of any urban planning exercise is the protection of public interest.



Shehri publications in the year 1997



**Legal Data Bank  
(Authorized and Unauthorized Land Use  
Status in the city of Karachi)**

A major obstacle in the future planning of Karachi, is that nobody exactly knows about the existing land use status of various parts of the city. Open spaces have been encroached upon, low density residential areas have been converted into high density districts and the once pure residential localities now exhibit commercial characteristics.

Shehri has taken the lead in this important issue also. A detailed, comprehensive 'Data Bank' for the city has been prepared which documents the existing land use status, plot by plot. All types of land use violations have been clearly identified and separate listings of the various uses of land have been prepared. The most important achievement of this project is, that it provides a model for similar more extensive studies in the future. The data bank is also available on magnetic disc.

**A Citizen's Guide to Solid Waste  
Management.**

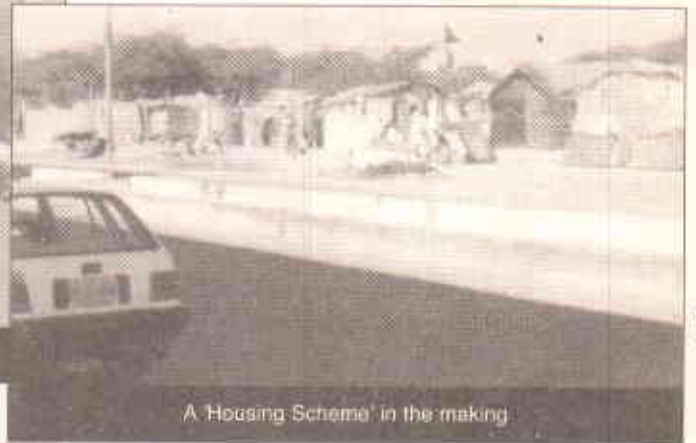
As the fight against environmental degradation continues worldwide, it is being realized by all concerned, that much benefits can be achieved by mobilizing the general public, whose role is now considered of vital importance. However, only an aware and educated populous can play its due role in environmental preservation programmes and initiatives.

Unfortunately, in our country, few steps have been initiated to raise such awareness among all sectors of the society. This document is an effort to raise public awareness on the important issue of solid waste management. It is an issue, which if not properly addressed, adversely affects the quality of living, health and mental well being of each and every section of a society. It is hoped that this document will help a citizen better understand the issue and its implications. □

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## SHEHRI FACT SHEET

### Blatant misuse of court orders: Contempt of court?

On 27-10-97, the Hon'ble Justice Rashid Rizvi of the High Court of Sindh vacated 15 status-quo/restraining orders that have been misused over the past 1-2 years by the builders' mafia to allegedly "prevent" the KBCA from taking statutory

action against 12 blatantly illegal buildings being constructed in broad daylight and in full view of all the concerned law-enforcement agencies.

from the Civil Courts and in violation of these orders of status-quo". The Judge ruled that the "allottees" who had filed the cases did not have a good prima facie case, the balance of convenience did not lie in their favour, and that as far as the question of irreparable loss and injury was concerned, the purchasers were entitled to recovery of their invested money and damages/compensation from the builders and/or KBCA.

Plot No.	Building	CMA	Suit No.
GRE 217, Garden East	Asma Arcade	5708/95	772/95
106-A/2, PECHS	Mumtaz Arcade	1275/96	177/96
JM 190, Jamshed Qtrs.	Madni Heights	2131/96	314/96
JM 665, Jamshed Qtrs.	Poonawalla Homes	2133/96	315/96
GRW 66/3, Garden West	Bilal Garden	4373/96	818/96
GRW 66/3, Garden West	Bilal Garden	4374/96	819/96
GRW 93/, Garden West	Saleem Terrace	4578/96	832/96
GRW 81, Garden West	Ana Castle	4579/96	833/96
GRW 258, Garden West	Lakhani Towers	4588/96	862/96
GRW 17, Garden West	Sana Arcade	4599/96	865/96
GRW 17, Garden West	Sana Arcade	4725/96	911/96
Sector 12, KDA No. 33	Chapal Gardens	4937/96	934/96
GRW 570, Garden West	Iqbal Arcade	5042/96	949/96
GRW 258, Garden West	Lakhani Towers	6383/96	1139/96
GRE 216, Garden East	Metro Garden	6432/96	1158/96

The Court also deplored the trend in the Civil Courts to entertain suits when prima facie valuation of the suits appears to be above Rs. 5 lacs, and directed the MIT to issue guidelines to the Civil Judges in this regard.

It is a cause of serious concern that such court orders are being used as a "shield" by the builders while continuing with their illegal activities.

These illegal constructions have been essentially completed during the last 2 years, and partially illegally occupied (without the KBCA Occupation/Completion Certificate mandated by the SBCO '79). The KBCA now has to act promptly under law to evict the illegal occupants and demolish the illegal buildings!

The Court held that "all buildings involved in these suits were raised in glaring violation of the approved building plans; that such buildings were raised, in many cases, after obtaining the order of "status-quo"

The citizens are confident that with the new sense of awareness in the Courts, their strengthened resolve to uphold their authority and dignity, and their renewed desire to provide justice to all citizens, there will be a

sharp decrease in this contemptuous and elaborate "noora kushti" game that is played by the builders' mafia and their partners in the KDA/KBCA, the Divisional/District Administrations, the Police - and many others who cannot be named! □



Despite legal constraints the builders are making merry

(Prepared by Roland d'Souza, Member Legal Sub-committee, Shehri-CBE)



## ANALYSIS

### Performance of the sub-committee on recommending immediate changes / measures required for improving the performance of KBCA (Sub-Committee C)

*Mohammad Nauman, analyses the performance of the KBCA Overseer Committee in general and the Sub-Committee "C" in particular, expresses dissatisfaction with the prevailing state of affairs, and calls for immediate action to redress the situation.*

Interim Government's decision to form the Overseer Committee was based on reports of illegal regularization of unauthorized constructions, illegal commercialization and conversion of amenity plots, massive violations of building regulations and corruption in the Building Control Department. The Committee was formed under section 4-B of the Sindh Building Control Ordinance, 1979 to oversee the functioning of KBCA. Various Sub-Committees were formed later.

#### Sub Committee C

The Sub Committee C was formed with the objective to propose immediate changes in regulations and immediate measures required for improving performance of KBCA. The functions included:

- Reviewing Parking Bye-laws.
- Identifying some areas for construction of High Rise buildings.
- Identifying roads for commercialization based on some criteria and procedure.
- Suggesting improvements in the Legal Section of KBCA and measures to vacate status quo orders and the court cases.
- Reviewing amount and method of security deposit by the builders.

- Reviewing and improving existing environmental regulations in regard to seepage/leakage, fire, emergency exits, internal and external aspects including safe disposal of waste.
- Suggesting improvements in the routine procedures of KBCA.

#### Objectives achieved

The Committee proposed suitable changes and measures in the following areas:

- Performance of Legal Section.
- Plinth Verification Certificate.
- Maintenance of Field Books.
- Suspension of Architect /Engineers Licences.
- Verification of particulars of Owners.
- Parking Bye-Laws.
- Public Sale Projects.
- Security Deposit.

The above recommendations constitute hardly 20% of the total assignment envisaged in the short term objectives, for which one month period was allowed for the working of this sub committee. It is interesting to note that not all of the recommendations have been placed in the meetings of the Overseer Committee and even the recommendations which have been put in practice, have not been incorporated in the relevant regulations and procedures.

#### Constraints observed in fulfilling the objectives

- a) Although the objectives of the Sub Committee C demand maximum input from KBCA but the department responded with apathy and reluctance. It did not put forward any proposal for better working of KBCA, for example, policy of promotion, transfer, posting, external interference, coordination with other departments, staff facilities and simplification of routine procedures.
- b) General lack of interest and initiative on the part of other members of the Sub Committee.
- c) No effort on the part of KBCA officials to incorporate these recommendations in the procedures and regulations.
- d) Some of the objectives, like identification of some areas for permitting High Rise buildings and commercializing additional roads, require input from Committee A (on zoning regulations and bye-laws). In the absence of progress in proceedings of Sub Committee A, the same could not be taken up by Sub Committee C.