



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

APRIL - JUNE 1997 Vol. 1/No. 20

## INSIDE

- Environmental Act
- Shehri AGM
- Urban Planning
- Theatre
- Zul Bahao: Profile
- Eco City
- Kot digi Fort

## Environmental Legislation in Pakistan: Reaching a dead end?

*The Pakistan Environmental Protection Ordinance 1997, though carrying certain inherent weaknesses, was still, the culmination of more than a decade of hard work in the field of environmental legislation, incurring much public expenses. It was allowed to lapse on 11th June 1997.*

*Farhan Anwar traces the history of environmental legislation in Pakistan, and pleads for a continuation of the process, vital for stemming the rising tide of environmental degradation in the country.*

The industrial revolution of the 19th century, brought in its wake much progress and prosperity for the human mankind. However, the exploitation of earth's natural resources on such a massive scale, and the resultant waste produced by industries, the vehicles of modern growth and development, also introduced dangerous, and initially little understood threats to human health and the physical environment. Rising global population levels also began to tax the resource base of the world. The first conscious efforts, to stem the growing tide of environmental degradation were made in the field of public health protection. In the United States, now leading the cause of environmental protection, initially it was the sanitation sector which was targeted, with massive investments in the construction of municipal waste water treatment plants, starting in

the 1930's, under the Public Works Programmes of the "New Deal" of President Roosevelt.

However, in the following decades, the great impact of industries, industrial products like automobiles, development activities etc. on the environment was better realized. It was also felt that environmental degradation was, in many ways a global phenomenon, not limited by national boundaries. Thus,



arose the need of developing national environmental legislations and also concluding global treaties on issues of global concern. The landmark conference in this regard was the United Nation's Conference on the Human Environment in Stockholm (1972), in which the international community adopted the "Stockholm Declaration" on the Human Environment. Following up on the Stockholm recommendations, the United Nations Envi-

### PAKISTAN'S NATIONAL ENVIRONMENTAL QUALITY STANDARDS: A CRITICAL ANALYSIS

The National Environmental Quality Standards (NEQS) were issued by the Government of Pakistan on August 29th, 1993. They were applicable with immediate effect to municipalities and vehicles. July 1, 1996 was set as a deadline for the final phase of the NEQS to come into force, mostly applicable to industries. Ever since this announcement, a heated debate has centred around the NEQS. Those opposing the standards term them as anti-development, while for the other side, the NEQS holds the key for sustained growth and development of the country. The implementation of NEQS is likely to have long term effects on the economic growth of our country. So there is a great need for objective assessment.

Any government faced with the job of establishing and enforcing environmental quality standards, must first weigh the cost

C-Pg. 3



**SHEHRI**

206-G, Block 2, P.E.C.H.S.,  
Karachi-75400, Pakistan.  
Tel/Fax: 92-21-453-0646  
e-mail/address: shehri @  
shehri.a.khl.brain.net.pk

**EDITOR**  
Farhan Anwar

**MANAGING COMMITTEE**

*Chairperson* : Qazi Faez Isa  
*Vice Chairperson* : Vicky de'Souza  
*General Secretary* :

Amber Ali Bhai  
*Treasurer* : (Post Vacant)

*Members* : Navaid Husain  
Khatib Ahmed

**SHEHRI STAFF**

*Co-ordinator* :  
Mrs Mansoor  
*Asst. Co-ordinator* :  
Mohammad  
Rehan Ashraf

**SHEHRI SUB-COMMITTEES**

- i) **Anti-Pollution**  
Navaid Husain
- ii) **Conservation & Heritage**  
Danish Azar Zubay  
Humaira Rahman
- iii) **Media & Outreach**  
Farhan Anwar  
Humaira Rahman  
Hassan Jaffery
- iv) **Legal**  
Qazi Faez Isa  
Amber Ali Bhai  
Roland d' Souza  
Victoria d' Souza  
Khatib Ahmed
- v) **Parks & Recreation**  
Khatib Ahmed
- vi) **Fund Raiser**  
All Members

Sub-committee membership is open to all members of SHEHRI-CBE. Reproduction of articles is welcome provided the source is acknowledged. Views expressed herein do not necessarily express the views of the Editor/Editorial Board.

**Contributions are welcome**  
Interested contributors should contact the SHEHRI office for writers guidelines. SHEHRI newsletter readership is from lower, middle and upper income groups, students, professionals, environmentalists, policy makers, NGOs and other organizations.

**Composed by :**  
GRAPHISENSE PAKISTAN  
Tel : 62 80 72

**Printed by :**  
Gaziani Printing Press  
Tel : 2638908  
For the printing of this newsletter SHEHRI-CBE acknowledges the support of The Friedrich-Naumann Foundation

**SHEHRI-CBE**  
acknowledges the support of  
The Friedrich-Naumann  
Foundation

Member of  
**IUCN**  
The World Conservation Union

**EDITORIAL**

*Another World Summit*

The five day (June 23-27) UN General Assembly's Special Session on Environment and Development is being held in New York, amidst reports that leaders of most developing nation's, including virtually all of the South Asian and South East Asian countries are to be represented only at the ministerial level. In contrast, the developed world is according great importance to this session, with the United States to be represented both by President Bill Clinton and Vice President Al Gore! This glaring dissimilarity in priorities may be indicative of the developing nations growing frustration at being forced to link their economic growth with the observance of strict environmental standards, while the developed world, responsible for much of the environmental damage, and enjoying record growth and booming economies, fails to meet its financial commitments towards the global environmental challenge. Pollution control is an expensive undertaking, offering hard choices for struggling economies. The affluence of the developed world allows them the luxury of investing ever more in their grandiose environmental protection schemes. However, the approach towards the struggling majority of this world should be more pragmatic, both in financial and technological terms, and instead of roping them into high sounding treaties and pacts, which promise much but deliver little, emphasis should be more on seeking area specific solutions which offer a fair reflection of the harsh socio-economic ground realities prevailing in major portions of our world.

ronment Programme (UNEP) was created. The United States took the lead in environmental legislation by enacting its "Clean Air" and "Clean Water" acts, tackling the so-called "first generation" environmental problems. European countries and Japan soon followed suit.

Pakistan was slow to realize the importance of this issue, and even when realization did come, it was not accompanied with the desired policy initiatives and political will. The first serious efforts, materialized in the form of the Pakistan Environmental Protection Act of 1983. However, the Pakistan Environmental Protection Council, formed in 1983, could not meet till 1993, when its first meeting was held under the Chairmanship of the former caretaker Prime Minister, Mir Balakh Sher Mazari. Pakistan's subsequent environmental policy was shaped by the National Conservation Strategy (NCS), the ownership of which, was a complex mix of institutions and individuals, both within the government and outside. Research institutes, University departments

and NGO's also participated (see box). In the meantime, outside pressures also began to build on the Pakistani government to prepare and enforce proper environmental legislation.

**The Pakistan Environmental Protection Council, formed in 1983, could not meet till 1993, when its first meeting was held under the Chairmanship of the former caretaker Prime Minister, Mir Balakh Sher Mazari.**

This was because most of our major development projects are, in one way or another funded by foreign donors, such as the World Bank, and it is mandatory for such projects to follow strict environmental guidelines. The efforts of the NCS culminated in the preparation of the National Environmental Quality Standards (NEQS) in 1993 (see box), and subsequently on January 20th 1997, the Federal Cabinet (caretaker) approved the Pakistan Environmental Protection Act, 1997. The Act was finalized during the tenure of the previous government. Although, reservations were raised from various sectors, including NGO's, industrialists and independent experts about various provisions of the Act and the methodology behind the formulation of the NEQS, it was widely acknowledged that more important was the approval of the Pakistan Environmental Protection Act 1997, by the State



### NEQS (Continued)

of controlling pollution, against the costs of other goals such as education, housing, economic growth and so forth. So, it must decide not only whether pollution should be controlled, but how much pollution and what kind should be controlled and where.

It is here that one feels that the NEQS do not adequately address our priorities. It seems that the industrial sector has been identified as the major polluter and most of the efforts are aimed at forcing the industries to adhere to the prescribed standards. This is strange, as the country does not possess a broad industrial base in terms of large process industries, and the effect of industrial pollution is limited.

Some experts insist that the NEQS must properly establish the priority to protect public health and natural resources of the nation. Available surveys and news reports identify other sources of pollution as posing higher risks compared to the industries. These sources include refuse management, polluted drinking water, drainage of raw sewage, accelerated desertification due to loss of forest cover, ground vegetation, and water logging/salinity. Non-point sources of pollution such as run-off from agricultural fields (fertilisers, pesticides, herbicides) and the discharge of SCARP are damaging the quality of the nation's waters.

Over the years, no efforts have been made to determine the state of the country's resources. Can anybody say with any certainty about the exact pollution levels in the Indus, and which sources are causing how much damage to our waters? How can we hope to apply any realistic standards in the absence of such vital data. Also, the standards should always be area specific. The NEQS establishes unified national effluent/emission standards, whereas Pakistan possesses extremely diversified ecological setups which require a set of NEQS, i.e. regional standards versus uniform standards.

One reason for this irregularity, according to experts, could be that the standard setting process has been done without properly defining the level of available technology, manpower, economic conditions and ecological/environmental characteristics of the country. The contention being that environmental quality standards are always established taking into account the level of locally existing technology and Research & Development experience.

Legislature, which could always be updated. In fact certain amendments in the Act had already been made to make it more acceptable to public concerns.

It was the job of the present government to convert this 'Act' into

a law, which, owing to the massive two thirds majority it enjoys in the National Assembly, was certainly not beyond its powers. However, it has been noted with deep concern that the Pakistan Environmental Protection Act has been allowed to lapse on 11th June 1997, without being convert-

ed into a law. As development of pollution control technology, has not been encouraged in Pakistan even if it is available, people do not have confidence in it. So, this technology will be imported. Import of such expensive equipment would not be cost-effective, for in many cases the same amount of money could be utilised to set up a new industry!

These are hard decisions to take for a country which desperately seeks to broaden its industrial base and that too in double quick time in order to compete in an increasingly competitive world market. It is for this very reason that nations frame their environmental laws with an eye on the level of advancement and sophistication of the locally available technology.

In our country local technology could easily have evolved and can still be developed if sufficient investment were made to strengthen R & D institutions, universities, and other technical institutions. In the absence of cheap and affordable indigenous technology the local industry is likely to suffer, while multinationals will have no problems in meeting our environmental quality requirements.

The general public will be the ultimate losers as industries would raise the cost of their products to meet the additional cost. Has such a scenario been fully taken into account by our policy makers?

Another area of concern is the monitoring process. It is the belief of most experts that our local regulatory bodies, such as provincial EPAs and R & D institutions do not possess the technical wherewithal to effectively enforce the regulations. It is feared that unless, first these institutions are strengthened, both technically and financially, they will always be prone to manipulation from outside forces, thus seriously reducing their effectiveness.

There is no doubt that industrial pollution should also be monitored and controlled. However, should we not readjust our priorities. Should not the provision of safe drinking water, housing, proper collection and disposal of garbage/sewage and education take precedence or atleast be given equal importance in our environmental priorities, rather than just targetting our already vulnerable industrial base. (our industrial sector registered a - 1.4% growth rate last year). Our nation's future growth and prosperity depends on the decisions we take now.

— Farhan Anwar

ed into a law.

Over the last 10-15 years, much hard work of many individuals and institutions and common citizens money has gone into the framing of the environmental standards and the environmental Act. Due to constant changes at top levels of the government,



countless frustrations and hardships have been faced and endured with great patience. These legislations have various shortcomings, but can always be improved upon. At present it is a matter of survival. Pakistan is faced with massive environmental problems. Less than 20% of Pakistan's land can be intensively farmed, nearly all of which is already cultivated, only half the human wastes in cities are disposed of in sewers, and most of that is then not treated. Almost 70% of the irrigation water is lost during application, while pollution of some waterways has

reached such a point that fish production in the Ravi River below Lahore has been cut by 5000 tonnes a year! In view of these alarming facts and figures, we must not let the environmental legislation process die a cruel death.

However, some good news is that Ms Abida Hussain, who is the Minister for environment, in addition to various other ministries she heads, has recently held out an assurance to the heads of a number of NGO's operating in Pakistan (including Shehri) that the Presidential Ordi-

nance on environmental Protection, already drafted in the form of a Bill, will be introduced in the Parliament after the ongoing budget session, where it will be subjected to the proper legislative process. Not much is known about the fate of the Freedom of Information Act, another act which has not yet been converted into a law. We hope that better fate awaits the Pakistan Environmental Protection Ordinance 1997. □

(Farhan Anwar is Editor, Shehri Newsletter)

## PAKISTAN'S NATIONAL CONSERVATION STRATEGY

On March 1, 1992, The Cabinet of Pakistan approved the National Conservation Strategy. This 406-page document was prepared by a team of experts over a three-year period under the supervision of the Deputy Chairman of the Planning Commission of Pakistan. It involved more than 3,000 people through workshops, comments on drafts and other consultations.

It describes the stark reality of the country's deteriorating resource base and its implications for what is still largely a natural resource-based economy. It sets forth the beginnings of a plan to integrate environmental concerns into virtually every aspect of Pakistani economic life.

The Strategy has three overriding objectives: conservation of natural resources, sustainable development, and improved efficiency in the use and management of resources. Reaching these goals depends in turn on three operating principles:

- Achieving greater public partnership in development and management
- Merging environment and economics in decision making
- Focusing on durable improvements in the quality of life of Pakistanis

Part I of the report surveys the state of Pakistan's environment in the broadest sense by examining the quality of its land, water and air, its energy use, the health of its people, and the institutions and policies that deal with these concerns.

Part II contains detailed recommendations for various sectors of the economy. It makes a strong statement about the urgency of merging economics and the environ-

ment in decision making and the use of economic instruments rather than regulation to control pollution. It also identifies a series of cross-cutting intersectoral programmes for population, education, communications, research and the role of women.

Part III contains 68 different programmes which would boost the government's spending on projects broadly related to natural resource management and the efficiency with which resources are used from about 4% of national investment to 8% by the year 2000. Perhaps most important, it lays out a wide ranging set of recommendations to reform the way in which economic decisions are made.

Fourteen core areas are set out for priority implementation:

- Maintaining soils in croplands
- Increasing irrigation efficiency
- Protecting watersheds
- Supporting forestry and plantations
- Restoring rangelands and improving livestock
- Protecting waterbodies and sustaining fisheries
- Conserving biodiversity
- Increasing energy efficiency
- Developing and deploying renewables
- Preventing and abating pollution
- Managing urban wastes
- Supporting institutions for common resources
- Integrating population and environment programmes
- Preserving the cultural heritage



Ms. Abida Marikot Kabraji, the driving force behind Pakistan's NCS

(Courtesy: The Story of Pakistan's NCS, IUCN Pakistan)



## SHEHRI ACTIVITIES

### Seventh Annual General Meeting

(April 12th, 1997, Shehri Office)

The agenda of the Seventh Annual General Meeting of Shehri, included -

1. General Secretary's report of Shehri activities in 1996.
2. To adopt the audited accounts for the year ended on 31st Dec. 1996.
3. To appoint and fix remuneration of auditors for the year 1997.
4. Elections for the post of Chairperson, Vice Chairperson, General Secretary, Treasurer and three other Managing Committee Members was also due.

Qazi Faez Isa, Chairman of Shehri - CBE conducted the meeting. He read out the report of Shehri's Activities in 1996. The participants were informed about the activities of various sub-committees of Shehri. The performance of the Media and Outreach Sub-Committee was highlighted. It was regretted, that the Sindhi Newsletter had to be discontinued due to financial constraints. It was also observed that the newsletters of Shehri were gaining in popularity and were attracting a large readership. Shehri's Legal Sub-committee, it was told had remained in constant contact with KBCA and other concerned sectors, and due to the efforts of Shehri, the former caretaker Minister for Housing and Town Planning, Mr. Maqbool Rahimtoola and the (former) Director General KDA, Mr. Wajid Rana, had formed an "Oversee Committee", on the workings of the KBCA, having representation from citizens representatives (Shehri) professional bodies, academics etc. The gathering was also informed about the achievements of seminars on the issues of vehicular pollution and power plants, organized by the Anti Pollution Sub-committee of Shehri. The aims, objectives and achievements of the seminar on the Citizen's Role in the Governance of Karachi were also highlighted.

The audited accounts for the year 1996 were read out. Copies of the same were also distributed among the participants. The issue of remuneration of auditors for the year 1997 was also decided.

Elections for the post of Chairperson, Vice Chairperson, General Secretary and three other Managing Committee members were held. Following are the results:



The newly elected (L-R) Qazi Faez Isa (Chairperson) Victoria de Souza (Vice-Chairperson) Amber Ali Bhal (General Secretary)

Mr. Qazi Faez Isa	Chairperson
Ms. Victoria de Souza	Vice Chairperson
Ms. Amber Alibhai	General Secretary
Mr. Navaid Hussain	Executive Member
Mr. Khatib Ahmed	Executive Member

(Post of treasurer to be filled at a later date)

Questions from the participants, about the workings and future plans of Shehri were also entertained. □

### NEW SHEHRI MEMBERS

Ms. Azra Akil	Principal, Karachi Cambridge School
Mr. Altaf Hussain	Business
Mr. Iltekhar Yqoob	Chief Executive
Mr. Abdul Hadi Khan	Planning Engineer
Mr. Syed S. Haider	Private Job
Mr. Farrokh Captain	Private Job
Mr. Mohammad Salim Habib	Marketing
Mr. Irfan Aziz	Professor
Mr. S. M. Laigir Maharaj	Shri Mahant (Religious head)
Mr. Laique Ali Shah Kazmi	Advocate
Mr. Farrukh Salim Khan	Private Job
Mr. Joseph Eugene	Private Job
Mr. Sikander Khan	Self Employed
Mr. Mohammad Bachal	Govt. Employee
Mr. Naeem Ansari	Banker
Ms. Amra Javed	President, Active Parents Association
Dr. Sajid Mahmood	Doctor
Mr. Asadullah Shafi	Marine Engineer
Mr. Imran Javed	Business
Mr. Tanveer Nasir	Business
Mr. Ghulam Rasool Pervana	G. S., Kheer Thar Khuzdar Welf Soc.
Mr. Mubashir Maqbool	Assistant Executive Engineer
Mr. Miraj Ahmed Khan	Electronic Engineer
Mr. Amin Haroon	Business
Mr. Mahboob Ali Haider	Systems Manager
Ms. Raheela Majeed	Business
Ms. Mumtaz Wasi	House Wife



## Seminar on the KBCA Overseas Committee

(May 31st, 1997, Hotel Metropole, Karachi)

Shehri, in collaboration with the Friedrich Naumann Foundation, held a seminar on the workings of the Karachi Building Control Authority (KBCA), with the following aims and objectives:

- To review codes, acts, aims and objectives of PCATP, PEC and ABAD with a view to bringing them in conformity with Karachi's / Pakistan's Town Planning and building by-laws and KBCA's procedures.
- An update of Overseas Committee's performance.
- Composition of Overseas Committee and problems if any as a result of it.
- Problems faced by members of Committee in carrying out their activities with solutions that would facilitate transparency, professionalism and co-ordination to ensure a fair deal for all concerned, which in turn would result in a better environment.
- Shehri's experiences over the last nine years in dealing with illegal construction, problems citizens are facing as a result of it, and a long term view of Karachi.

### Speakers:

Mr. Maqbool Rahimtoola	Ex-Minister, Housing & Town Planning, Govt. of Sindh
Mr. Shah Mohammad Misbah	Chief Controller of Buildings, KBCA
Dr. Jamil Ahmed	Chairman PEC
Mr. Misbah Najmi	Chairman PCATP
Mr. Roland de'Souza	Electrical Engineer, FND, Shehri Nominee.

(Mr. Abdul Karim Tai, Chairman ABAD, was also invited as a Speaker, however, he expressed his unwillingness to attend, and speak at the Seminar, citing differences of opinion with Shehri - CBE)

Mr. Navaid Husain of Shehri, in his opening remarks, stressed the need of formulating a long term urban Housing and Town Planning policy, which addresses the issue of *katchi abadi's* (60% of the urban population) and the exponential growth in population levels (6% per annum). Mr. Husain called for reviewing the Master Plan, which at present is non-operative. He urged the need of self accountability on the part of ABAD, PCATP PEC,



Speakers (L-R) Roland de Souza, Farhat Adil, Maqbool Rahimtoola, Navaid Husain, Misbah Najmi, Shah Muhammad Misbah

KBCA and all the concerned parties, for the common good of the city. He also demanded review of certain obsolete laws and regulations of these agencies.

Mr. Maqbool Rahimtoola gave a background of the Overseas Committee, and the circumstances and

rules under which it was set up. He also discussed his own experiences in dealing with the issue of illegal construction.

Mr. Shah Mohammad Misbah, lauded the role played by the members of the Overseas Committee in tackling the issue of illegal construction. He cited various reasons for this uncontrolled growth, including the tremendous rise in population levels, increase in property value and vertical rather than linear expansion of the city. He stressed the need of reviewing the laws and rules of KBCA and demanded judicial powers for KBCA. He also criticised the role of District Administration, Police and Judiciary. He deplored the harassment of KBCA officers by ABAD, through the filing of contempt applications. Mr. Misbah felt that greater awareness/education on the rules and procedures of the KBCA among the users/purchasers, could also go a long way in improving the situation. He also put forward various recommendations (see box).



Mr. Misbah Najmi, lamented the fact that the workings of the Oversee Committee, of which he himself is a member have not always been very smooth. Particularly, there is constant confrontation between the departments and the rest, and the recommendation of the Committee members were not being given due consideration by the concerned authorities. Mr. Najmi proposed, that since money is the controlling factor in this business, the fines and penalties imposed on those who break the law should be very stiff in the monetary terms. This would ensure compliance, as money is the language, the law breakers understand best.

Mr. Farhat Adil, represented Dr. Jameel Ahmed. Mr. Adil felt that the reasons of KBCA's failure were unrealistically harsh building regulations, outside pressures, misuse of authority, corruption, inefficiency, lack of co-ordination with District Administration and unbecoming attitude of law enforcement agencies. He suggested updating of zoning regulations and upholding of the rule of law in KBCA. Mr. Adil regretted that much time was consumed in the Oversee Committee meetings on discussing the sealed buildings issue, rather than undertaking debate on broader issues.

A question and answer session followed the speeches, and the seminar ended with a vote of thanks by Mr. Navaid Hussain. Ms. Sadia Munir represented the Friedrich Naumann Foundation in the seminar. □



Shah Mohammad Misbah, Chief Controller of Buildings, Karachi Building Control Authority, delivering his paper at the seminar.

### KBCA OVERSEE COMMITTEE ACHIEVEMENTS & SETBACKS: SHEHRI'S VIEWPOINT



Shehri's representative on the KBCA Oversee Committee, Mr. Roland de'Souza provided the following assessment of the performance of the Committee, in the seminar:

- A Sub-Committee has been formed to look into the issue of upgrading of building by-laws and regulations. However the performance of this committee has not been very satisfactory.
- A Sub-Committee has been formed to look into the Sindh Building Control Ordinance (SBCO).
- It has been observed that government officers have not proven to be very willing members of the committee.
- Shehri and ABAD are probably the only really interested participants.
- Regular assessment of the workings of the committee has not taken place, and often irrelevant issues have dominated the committee's proceedings.
- It has been acutely felt that the Oversee Committee has no authority.
- Most of the members of the committee consider the meetings a mere formality and are hence not fully prepared for them.
- A public information counter has been set up, which does not function properly.
- It was decided that a media campaign would be started for public awareness. However not a single ad has been published in the last two months.
- N.E.D. Engineering University and Indus Valley School of Arts & Architecture have been incorporated to undertake a study of 35 roads, earmarked for widening. Also, for the checking of violations around the Quaid's Mazar.

Mr. de'Souza asked the citizens of Karachi to be more vigilant and seek constant accountability of the government servants.



## Some Recommendations

- |  |   |
|--|---|
| <p>(a) Determined political will to tackle illegal construction, without any interference of higher-ups (political or bureaucratic) for granting illegal permission.</p> <p>(b) Mis-use of Authority and abuse of powers must be restrained.</p> <p>(c) Appropriate amendment in restriction of clause 19 of SBCO: identifying clearly the Regularizable and nonregularizable offences.</p> <p>(d) Amendment in registration law to stop leases/sub-leases, except in accordance with the approved plans issued by Building Control Authority.</p> <p>(e) NOCs from utilities agencies required prior to grant of approval by KBCA should be discontinued.</p> <p>(f) Utility agencies be instructed not to provide temporary services prior to the approval of building plans and permanent connections prior to issuance of completion certificate by KBCA. However, applicants request may be processed at any stage but services shall not be provided prior to issuance of completion certificate by the authority.</p> <p>(g) In Civil Suits before granting stay/status-quo, the Courts may be requested to:-</p> | <p>i) Determine pecuniary jurisdiction.</p> <p>ii) Establish the current state of the disputed construction with inspection report and photographs.</p> <p>iii) Legality of injunction against actions of KBCA, District Administration and Police.</p> <p>iv) Conditions of status-quo for both sides i.e. KBCA and the Builder.</p> <p>(h) Appointment of Special Judge having an Additional District Judge with jurisdiction exclusively for KBCA.</p> <p>(i) Special Police Squad with all facilities be placed under Chief Controller of Buildings.</p> <p>(j) Updating the Zoning Regulations and Building Bye-laws as per recommendations of Overseas Committee.</p> <p>(k) Provision of favourable conditions in the NOCs being issued by KBCA to protect the right of public and safeguard their interest as well.</p> |
|--|---|

*Shah Muhammad Misbah  
Chief Controller of Buildings, KBCA.*

## SHC EHTESAB BENCH SENTENCES KDA OFFICIAL

The three member Ehtesab bench of the High Court of Sindh on 19-6-97 handed down the first ever decision in a reference received from the Chief Ehtesab Commissioner, sentencing Ejaz Ahmed, the former controller of buildings, KBCA, KDA.

By a 2-1 majority judgement, the bench awarded him two years in jail and a fine of Rs. 2 million which, if he fails pay, would keep him for another year in jail. The main accused in the case was Syed Abdullah Shah, the former Chief Minister of Sindh, who had

issued the orders for raising the building higher than what was permissible then on a direct request made by another accused, a director of the construction company, Sara Ashraf, wife of Mohammad Ashraf, who had made an application to the Chief Minister for permission to raise three additional floors. Ejaz Ahmed had prepared the summary recommending that it should be allowed.

The Ehtesab Bench observed that a subordinate in the hierarchical structure of the government was under no obligation to comply with an illegal or unlawful order, be it of his immediate superior or even of the chief executive in the government himself.

*(Excerpts from Dawn Newsreport,  
June 20th 1997)*





## An evening with Shehri

(June 1st, 1997, Sada Bahar Lawns, Karachi)

In order to raise public awareness on the issue of environmental degradation in Karachi, and also to raise funds for Shehri's management and staff related costs, citizens were invited to spend some time with the Shehri team and discuss issues of mutual concern, relating to the environment of Karachi. Noted businessman and columnist, Mr. Ardeshir Cowasjee, was the Chief guest, and the whole programme was co-ordinated by Mr. Imran Javed, a member of Shehri.



*Ms. Amber Ali Bhai addressing the gathering. Seated (L-R) Farrokh Captain, Ardeshir Cowasjee, Victoria de' Souza, Roland de' Souza.*

Ms. Amber Alibhai, General Secretary, Shehri CBE gave a brief introduction of Shehri and its various activities. Mr. Roland de'Souza, member Shehri, spoke about the responsibilities of a common citizen.

He urged the citizens to be more vocal in their demands for accountability of the government servants. He felt that in the prevailing environment, unless the citizens stood up and asked for their civic rights, from the government servants, and by constantly keeping watch on the officials, who are being paid from their taxes, ensured that good governance is carried out, there was not much hope for any real improvement. Mr. de'Souza asked every citizen to keep a strict watch on the environment of Karachi city and fulfil their responsibilities as good citizens.

thropists and businessmen, to come forward and donate funds to Shehri. Mr. Ardeshir Cowasjee, himself donated a generous amount towards the cause of Shehri while local businessmen Mr. Ahmed Ibrahim and Captain Farrokh also announced donations.

A short documentary film on the issue of urban environment, prepared by UNICEF, was also shown on the occasion.

Mr. Khatib Ahmed, member Executive Committee, Shehri, in his concluding remarks, thanked Mr. Ardeshir Cowasjee and other guests for their valuable participation. Free saplings were also distributed to the guests. □

Mr. Ardeshir Cowasjee lauded the selfless services of individuals like Mr. Roland de'Souza, Ms. Amber Alibhai and the Shehri team as a whole, who were finding time from their professional and personal pursuits, to care for the citizens of Karachi. He felt that since Shehri is a non-profit voluntary organization, it needed all the moral and financial support of the citizens, for whom it was striving to create a better environment. Mr. Cowasjee asked philan-



*The Chief Guest, Mr. Ardeshir Cowasjee, addresses the participants*



*Mr. Imran Javed acted as program co-ordinator*

## COMMENTS

# Uncontrolled urban growth: Issues and solutions

Navaid

*Husain analysis the dynamics*

*of uncontrolled urban growth in Karachi, with a particular reference to illegal buildings,*

There is no denying the fact that in the final analysis citizens consider Karachi Building Control Authority (KBCA) acting under the Sindh Government, as being responsible for the alarming growth of illegal buildings in the city. Shehri as a citizens group, has been advocating the need for a long-term urban policy, which addresses the need of all sections of the society and takes into account 60% of the urban population that live in unplanned *katchi bastis* which do not fall under KBCA.

We see illegal buildings in the perspective of housing and commercial need emerging from the unsustainable population explosion taking place in Pakistan, which has placed this small country, with meager resources, as the third fastest growing country after China and India. The true impact will be felt by both urban and rural areas, when the country settles down at zero growth, with a population of 450 million persons, with over 40 million living in Karachi, with the city perhaps ceasing to exist as a single entity when there may come a time, when the entire highway belt from Karachi to Peshawar is inhabited!

Karachi's population can be estimated at 10% of the whole country, putting the city population at

some 14.5 million, expected to reach 16.5 million by the year 2000. In this situation, we see the housing demand growing at a rate of 6% for the natural population growth and migrants coming to the city as a result of the push factor from the rural areas. If we place a minimum of 100 square feet of habitable space per person,



then the city needs 87 million sq ft of housing per year! If ground plus 4 storey housing blocks were to be constructed for this need, then we would require 2200 units per year. And if the backlog of housing needs for those living in *katchi abadis* were to be met, then we would have to come up with 800 million sq. ft of housing requiring 250,000 housing units. The housing needs and population explosion have rendered the government incapable of addressing this issue and the homeless are left to fend for themselves. To address this issue, land and town planning is required, and this falls beyond the ambit of KBCA. While recognizing that the Overseer Committee and KBCA are

charged with the role of monitoring illegal buildings, Shehri has been looking at the larger canvas, which is that of the masterplan and working with planners, architects, demographers, urban economists, transport and infrastructure specialists and a host of other experts working on this agenda.

Unfortunately, a lot of time and millions of dollars have gone into this masterplan (Master Plan 2000) but to no avail. Neither a political will, nor the legal cover exists to implement the plan. The city is being run by over 20 agencies, some reporting to the federal government

and working at cross purposes with the Sindh Govt. and the Masterplan authority. The Masterplan must address growing housing needs and plan for it.

The aims and objectives of all the players in this complex and multi disciplinary issue of urbanization must fall in line, with some degree of transparency, accountability, and professionalism. The Overseer Committee participants too, have to establish self accountability which will minimize illegal buildings. ABAD in its aims and objectives of association must clearly state that it will "build flats, shops and commercial ventures within the building and town planning laws." The Pak-