



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

January - April, 2002 Vol. 12/No. 1

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## WHO WILL PROTECT KARACHI'S INTERESTS?

As the KBCA Oversee Committee stands dissolved for the 'crime' of demanding transparency in functions and the government of Sindh promulgates the Sindh Regulations and Control (Rules of Plots and Construction of Buildings) Ordinance No. VIII of 2002, regularizing illegal constructions in city, the citizens of Karachi demand justice and protection of their fundamental and civic rights. This **Special Report of Shehri** looks into this issue which has grave implications for the future development of the city and in defining the role and functions of citizen activism.

The recently dissolved Karachi Building Control Authority (KBCA) Committee was an honorary committee and represented varied and different interests covering the whole ambit of expertise available in respect of matters of construction and raising of buildings.

The Sindh Building Control Ordinance, 1979 was promulgated on 3rd March 1979 to provide for regulation of the planning, construction control and demolition of the buildings. The Karachi Development Authority Order, 1957 was promulgated on 13<sup>th</sup> December 1957 with a view to inter alia "opening up congested areas laying out or altering streets, providing public amenities like parks gardens and playgrounds, executing works for water supply and sewerage or by demolishing, improv-



The scales of justice go topsy turvy!!

ing of constructed buildings: for the acquisition of land for such development or improvement.

## The Role and Duty of KBCA

The Hon'ble High Court of Sindh province has enumerated the duty of KBCA as under:

"It is the bounded duty of the K.B.C.A., if it is at all to implement its mandate, to ensure that no unauthorized construction, without a duly approved plan, comes up within the area of its jurisdiction. All or any transgressions have to be visited with prompt and effective action on the part of the K.B.C.A. This, as a rule, should be adhered to by the K.B.C.A., in all respects pertaining to all areas covered by its jurisdiction. If any unauthorized constructions are still raised, the K.B.C.A., has full powers to have the same demolished. Where an unauthorized structure comes to be occupied, the K.B.C.A. has jurisdiction to forcibly evict the unauthorized occupants. Unauthorized buildings can also be sealed pending further action. All the foregoing are supplemental to one another. Such, inter alia, is the effect of section 6 and 7 of the Sindh Building Control Ordinance 1979. In short, the K.B.C.A. has to implement the law, which has created it. Nothing short of that would justify its existence." PLD 1998 Kar 283 at 286A. □



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**EDITORIAL**

**Farewell O' Friend  
of the People!**

**M**ore tragic than the death of Omar Asghar Khan is the fact that the country cannot boast of having many more in its fold who can replace him in terms of commitment to a selfless cause, honesty and profes- sional dedication.

In a society which is becoming increasingly more materialis- tic, intolerant and violent by the day, peo- ple like Omar offered a ray of hope and a potential for honest and inspired lead- ership. He devoted his entire life to public causes and working for the eman- cipation of the common man, whether as a citizen activist or as a responsible government rep- resentative.

Most of our citizen activists are good on critisizing the govern- ment while at times offering lit- tle in terms of viable alterna- tives to government policies, schemes and projects. They

would also prefer not to place themselves in the shoes of the government. Omar, despite protestations from his col- leagues, took up the challenge and contributed his bit towards improving things from the other side of the divide.

While one may argue over the level of success that he achieved or did not achieve, it was never- theless a bold move and clearly demonstrated the resolve of Omar to make a posi- tive change, from where- ever an oppor- tunity offered itself and even at the risk of open- ing himself to public scrutiny and censure.

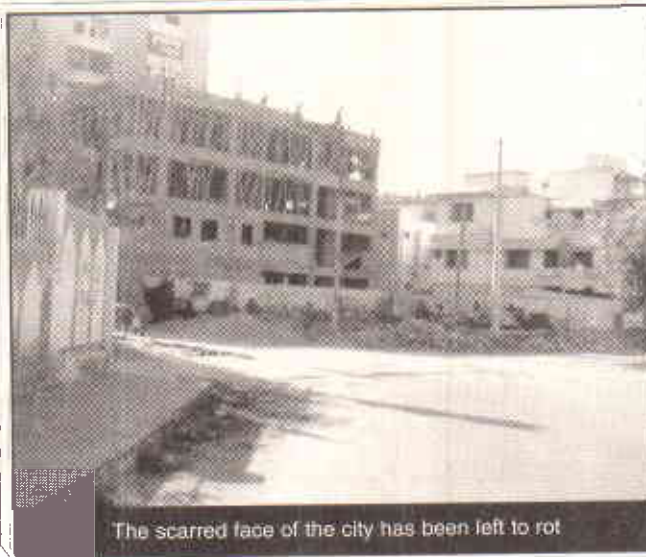
With Omar gone, this country is left a poorer place. It is a country which has lost a unique soul and a true friend of the people.

May Omar's soul rest in peace.  
Amen. □





Immediately upon constitution of the KBCA Oversee Committee, it became difficult for the KBCA to act contrary to the Ordinance. Unfortunately, those raising illegal constructions exercised such tremendous influence over the KBCA that despite resolutions of the Oversee Committee, the same were not implemented by the KBCA. The Oversee Committee persevered in making their humble contribution for the betterment of the lives of the citizens of the city, but the KBCA had other agendas to follow. The dedication and integrity of the Oversee Committee is reflected in the fact that it met 40 times till the period of its purported dissolution on 4<sup>th</sup> April 2002. To its credit, the Oversee Committee undertook a number of



The scarred face of the city has been left to rot

detailed examinations and formulated policy both with a view to overcome the artificial bottlenecks created by the KBCA's officers and to ensure that buildings were built only after the plans of the same were approved by the KBCA.

The KBCA, KDA and Government of Sindh realized that the Oversee Committee would not permit the raising of illegal buildings and had taken a very firm position against corruption prevalent in the working of KBCA. The Oversee Committee became a threat to the corrupt and the Oversee Committee took a clear and strong stance against any attempt to regularize illegal construction and as such dried up an avenue for the gratification of the corrupt.

With a view to facilitate corruption, the Government of Sindh promulgated the Sindh Regulations and Control (*Rules of Plots and Con-*

*struction of Buildings*) Ordinance no.VIII of 2002 (*the impugned Ordinance*) on 19<sup>th</sup> March, 2002. The impugned Ordinance sought to amend the Sindh Building Control Ordinance, 1979 by introducing a novel concept of regularization of illegal buildings. Section

5 of the impugned Ordinance stipulated as under:

*Notwithstanding anything contained in any law for the time being in force of judgment, order or decree of any court, any building constructed before the commencement of this Ordinance in violation of the provisions of the Ordinance [Sindh Building Control Ordinance, 1979] or regulations made thereunder, may be regularized by the authority appointed under the Ordinance on the conditions and on payment of the fees as may be prescribed*

The impugned Ordinance does not give any reason as to why it has been promulgated other than that *the Governor of Sindh is satisfied that circumstances exist which render it necessary to take immediate action and accordingly, the Governor of Sindh is pleased to make and promulgate the impugned Ordinance.*

That the impugned Ordinance was

promulgated when the Governor of Sindh has admittedly been performing functions pursuant to the Provisional Constitution Order No. 1 of 1999 and the Provisional Constitution. (*Amendment*) Order No. IX of 1999.

The Provisional Constitution Order No.1 of 1999 inter alia stipulated in its Clause 2(3) as under:

*Fundamental Rights conferred by Chapter 1 of part 11 of the Constitution, not in conflict with the Proclamation of Emergency or any Order made thereunder from time to time and shall continue to be in force.*

And Clause 2(2) of the Provisional Constitution Order No.1 of 1999 inter alia stipulated that:

*...all Courts in existence immediately before the announcement of this order shall continue to function and to exercise their respective powers and jurisdiction.*

It is, therefore, clear that the Provisional Constitution No. 1 of 1999 specifically prohibits the interference with the functions of the courts as well as specifically stipulates that Fundamental Rights continue to be in force.

Acting at a time when the Sindh Assembly was dissolved, it was incumbent upon the Government of Sindh, if at all it was acting in the interest of the citizens and not only for the corrupt elements in society, to consult the Oversee Committee of the KBCA, which was the only established and specialized statutory body well versed in all matters pertaining to buildings and laws and regulations pertaining thereto. Not only the Government of Sindh failed to consult



this statutory body but acted in total contravention of its recommendations not to entertain any purported regularization of illegal buildings.

It seems that the Government of Sindh is not accountable or responsible to anyone. In promulgating the impugned Ordinance, it is advocating the destruction of civil society and the rule of law. Similarly, the Government of Sindh has no right to barter away the rights and benefits of citizens for the aggrandizement of corrupt builders and their accomplices. The impugned Ordinance violates the provisions of the Fundamental Rights. The impugned Ordinance abrogates to itself the powers and functions of the courts and tramples upon the judgements of the Hon'ble High Court of Sindh province as well as the Hon'ble Supreme Court. Such blatant exercise of purported legislative power to protect and advance the interest of the corrupt has never before been exercised in the legislative history of Pakistan.

Colossal amounts have been spent on the KBCA to ensure that the buildings are built in accordance with law. The expenditure on KBCA for the year 2001 - 2002 was Rupees 256 million as disclosed by it and KDA. Over the years, billions of rupees have been spent on KBCA. Unfortunately, public funds have been squandered since the KBCA has miserably failed to

fulfill its statutory charter. The confirmation of this dereliction of statutory duty is the impugned

**The Governor can only use his law making powers as specifically specified, which do not permit him to promulgate laws which have the effect of spreading and or institutionalizing corruption, as is sought to be done by the impugned Ordinance and in particular Section 5 thereof.**

Ordinance itself. It is clear that if the KBCA had done what was required of it, the impugned Ordinance would not have been promulgated. The taxpayer citizens have spent huge amounts on KBCA expecting that it would fulfill its designated statutory duties. But admittedly the KBCA miserably failed to do so. The KBCA and corrupt builders are now being indulged and pampered whilst the unfortunate law abiding citizens are required to pay for and suffer of consequences of the impugned Ordinance. On their part, most employees of KBCA first harassed and fleeced citizens to do their genuine work, whilst encouraged illegal construction activity so that they could be bribed for not enforcing the law.

To remove all hitches in their way and be able to openly flout the law and the Constitution of Pakistan, the Government of Sindh without assigning any reasons whatsoever purported to promulgate the Sindh Regulations and Control (*Rules of Plots and Construction of Buildings*) Ordinance No. VIII of 2002 (*Impugned Ordinance*), made Rules pursuant to the Sindh Regulation and Control (*Use of Plots and Construction of Buildings*) Ordinance, 2002 (*Impugned Rules*) and further purported to *denotify with immediate effect the existing Overseer*

*Committee* vide Notification No. SOL (HTP)/KBCA/6-756/96-(Pt-III) dated 4.4.2002 (*the Impugned Notification*). The purported actions of the Government of Sindh are motivated by malice as is demonstrated by the fact that all such actions have been taken with a view to facilitate and institutionalize corruption. The fact that the Overseer Committee, a specialized statutory body had specifically stated that regularization was uncalled for and against the public interest is further confirmation of the mala fides of the Government of Sindh.

The Governor can only use his law making powers as specifically specified, which do not permit him to promulgate laws which have the effect of spreading and or institutionalizing corruption, as is sought to be done by the impugned Ordinance and in particular Section 5 thereof.

The impugned Ordinance is violative of Article 9 of the Constitution since it is tantamount to depriving the citizens of their lives, safety and well being by permitting regularization of buildings which have been built in violation of law.

In addition to paying no heed to the structural stability or safety of a building the impugned Ordinance permits the purported regularization of a building which may overhang a road, encroach on a pavement, lean on a neighboring plot, has narrow corridors making flight from fire, earthquake or any other natural or man made calamity impossible, and built in violation of every public safety regulation. A building may also be regularized which is built upon the designated compulsory open spaces (COS), essential for light, ventilation, and emergency access. Traffic safety is also compromised



by ignoring the stipulated requirement of chamfering, which requires that a building on a road corner should not create a blind-corner giving rise to accidents, which may result in loss of limb or life. The Government of Sindh has effectively sanctioned manslaughter and transgressed and violated the Fundamental Rights of citizens' guaranteed in Article 9 and 14 of the Constitution.

Permitting regularization of buildings is contrary to Article 14 of the Constitution insofar as it violates the dignity of man. The dignity of man requires that applicable laws be abided by. If a person is permitted to flout the law blatantly and be permitted to get away with it, the same violates the dignity of all.

The dignity of a person rests on his desire to abide by the laws. If another is permitted to violate the law and is further permitted to seek to condone the same, our individual and collective dignity is impaired. Such a system also brings down the majesty of the law and encourages people to break the law on the premise that in the future their illegal action will become legal.

Karachi is situated in a region designated as one of upper-moderate seismic activity and could be subject to tremors in the magnitude region of up to 6 on the scale for recording of earthquakes. The Government of Sindh through the impugned Ordinance purports to sanction buildings constructed having no regard to such potential seismic activity and thereby exposing citizens to real and acute danger.

Such scant regard for public safety borders on criminal neglect. It is being established through the recent examples of Turkey, Taiwan

and Gujrat, India that earthquakes may not kill, but that substandard buildings will most certainly do.

The impugned Ordinance violates Article 25 of the Constitution insofar as those who abide by the laws *are not granted equal protection of law*. Everyone follows the law on the premise that everyone else would also be doing so. The whole regime works on the assumption that any one violating the law will be visited upon by legal penalties stipulated therein. By subsequent condoning of violations of the law, violates the sanctity of the law and is a gross transgression of the equality principle enshrined in Article 25 of the Constitution.

Article 130 of the Constitution prescribes that all matters are to be determined by a cabinet of which the Law Minister is an important component. When the impugned Ordinance was promulgated there was no Law Minister and as such at the time of promulgation of impugned ordinance, the requisite advice could not have been given to the Governor for promulgation thereof.

The levy of the fee in the impugned Ordinance and the Rules is contrary to the concept of the levy of fee as determined by the Hon'ble High Court of Sindh province and the Supreme Court of Pakistan. It is noted that a fee can only be levied in respect of a

service that is being provided. In the present case it is proposed to levy a fee to condone the violation of the law. In any event, such levy of fee is not only a penalty but permits the wrong doer from retaining the benefits derived from his crime. In this regard it is felt that the only punishment that may be meted out to a thief may be the imposition of a fine but such imposition does not mean that the thief gets to keep the stolen property. The impugned Ordinance and the Rules proposed to reward the law breaker by not only not prosecuting him under the Sindh Building

Control Ordinance, 1979 but by permitting illegal buildings to stand or in other words permitting the thief to keep the stolen goods.

In an Islamic society, no one is above the law. However, in the Islamic Republic of Pakistan, an effort has been made to introduce a novel concept of *law*, whereby the guilty and the corrupt are rewarded and made to profit from their misdeeds.

Shehri is of the view that the Sindh Regulation and Control (*Rules of Plots and Construction of Buildings*) Ordinance no. VIII of 2002, the rules made thereunder and the Notification No.SOL(HTP)/KBCA /6-75696-(Pt-111) dated 4.4.2002 are ultra vires the Constitution, void ab initio, illegal and of no legal effect. □

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## COMMENT

# Institutionalizing Corruption?

*Qazi Faez Isa discusses the travesty of justice recently committed by the Sindh Government by legalizing through an Ordinance, the illegal constructions in the city*

The Sindh government has made a law which, in effect, institutionalizes corruption. This ignominy is achieved through the promulgation of the Sindh Regulation and Control (*Use of Plots and Construction of Buildings*) Ordinance, 2002. The measure keeps alive the Jam Sadiq tradition.

Standing at the footsteps of the Quaid's Mazar, Zulfikar Ali Bhutto, who knew his minister well, queried: *I hope that you have not allotted this land to some builder. In whichever abode Jam's soul resides, he must surely be smiling to see those professedly striving against corruption, corrupting the society like never before.*

The new dispensation concretizes illegalities and raises a multi-storied edifice of corruption. If a building juts onto a road, sits astride a pavement, leans onto the neighbour's compound, is structurally weak, has narrow corridors making flight from fire, earthquake or other calamity impossible, what to speak of being a monstrosity of aesthetic rule and built in contravention of every public safety regulation, it can be *regularized*. And every such perversion can be gratified on *payment of the fees as may be prescribed*.

What pleases our illustrious governor displeases every law abiding citizen. Sindh has a long tradition of loot and plunder. However, the dacoits who earlier infested forests have now taken up residence in the heart of the metropolis. Today it is not the hapless traveller who

provides the pickings, our present day robber barons feed on the citizenry from a place which ought to jealously guard the city's virtue, the Civic Centre.

The Karachi Development Authority (KDA) leviathan and its serpentine cousin, the Karachi Building Control Authority (KBCA) have been given the legal mandate to coil around, crush and devour all that is good in the city. Every year the citizens of Karachi pay 1,234 million rupees to KDA and KBCA. KBCA, whose sole task is to ensure that buildings are constructed in accordance with rules and regulations, depletes the city's resources by over 250 million rupees a year. The perennial drain by these organizations on the city's resources has rendered the city financially bankrupt.

The promulgation of this Ordinance confirms that KBCA utterly failed to fulfil its statutory charter. The blazing guns of accountability are nothing but a child's poppycock when tuned onto the obdurate KDA and KBCA. The brigadiers who now sit astride have not subdued these beasts. The ropes in their hands are the

wrong ends of the yolk and the beasts move to further gorge the city.

One had hoped that with the removal of all political pressures from KDA and KBCA, a reason cited for their incompetence and corruption, strict accountability of those who failed to perform their duty would follow. What we see

instead is failure being rewarded. The regularizing fee will be recovered by KBCA to feed itself. A perverse precedent has been established. If you fail to do your job you are not penalized but are rewarded and the public pays for it - : *Havoc and spoil and ruin are my gain (Paradise Lost by Milton).*

There are 913 employees of KBCA. The

Department of Buildings of the New York City, which performs functions similar to KBCA, has a work force of about 400. The 14.7 million population of New York exceeds Karachi's by well over 3 million. But then there is no accountability bureau in New York. Nor is there any city institution under the strict discipline of the army and the pleasure of the governor of the State of New York

**Every year the citizens of Karachi pay 1,234 million rupees to KDA and KBCA. KBCA, whose sole task is to ensure that buildings are constructed in accordance with rules and regulations, depletes the city's resources by over 250 million rupees a year.**



does not result in the promulgation of a 'law' it.

On its part the government of Sindh holds the courts in contempt and abhors the laws of the province. This is best demonstrated in the words of the new Ordinance, Section 5 of which states, that: *Notwithstanding anything contained in any law for the time being in force or judgment, order or decree of any court, any building constructed... in violation of the provisions of the (Sindh Building Control Ordinance or regulations made thereunder, may be regularized by the authority appointed under the Ordinance on the conditions and on payment of the fees as may be prescribed.*

In other words, what a court of law, including the High Court and Supreme Court, has decided is not worth the paper it is written on, provided one has the money to pay off KBCA. If a political government had made such a law it would have been dismissed and the Assembly dissolved, and rightly so. But this is a government, which loudly proclaims its commitment to institution building, rooting out corruption and upholding the rule of law! Interestingly enough, the Regional Accountability Bureau has filed a number of references against members of the previous governments who had illegally regularized buildings, some of which have also resulted in convictions by the Accountability Courts.

There are so many things wrong but the only thing apparently engaging the attention of the government of Sindh is to reward bribery and corruption. To vice industrious but to nobler deeds timorous and slothful.

The dubious pleasure of the governor regulates our lives. A travesty

has been trussed-up as a law under his signature. The cumulative wisdom with which the people of Sindh have governed their lives has been dispatched to the rubbish bin. The KBCA, an opprobrious den of shame, flaunts and strums before the highest courts of the land, which till yesterday had held, that: *it is the bounden duty of the KBCA, if it is at all to implement its mandate, to ensure that no unauthorized construction, without a duly approved plan, comes up within the area of its jurisdiction. In short, the KBCA has to implement the law, which has created it. Nothing short of that would justify its existence (Afzal Khan versus KDA, PLD 1998 Karachi 283).*

There are hundreds of judgments given by the High Court and the Supreme Court which the government of Sindh now states are not binding on the corrupt. When governments failed to check the construction of illegal buildings, the people sought legal redress. The superior Courts of Pakistan came to the rescue of the citizens and directed KBCA to implement the building laws. *KBCA cannot regularize a breach of the regulations (Abdul Razzak versus KBCA, PLD 1994 Supreme Court 512).*

*The regulations should be applied for the benefit of the public and not for favouring an individual and a public functionary which is entrusted with the work to achieve the objective of maximum comfort for the residents of the city cannot act in a manner, which may defeat this objective (Ardesheer Cowasjee versus KBCA, PLJ 1999 Supreme Court 2331). The entire population cannot be allowed to be put in danger for the benefit of a few builders (Begum Saida Qazi Isa versus Quetta Municipal Corporation, PLD 1997 Quetta 1). The paramount consideration should be public interest and public good (KBCA versus Hashwani*

*Sales & Services Limited, PLD 1993 Supreme Court 210).*

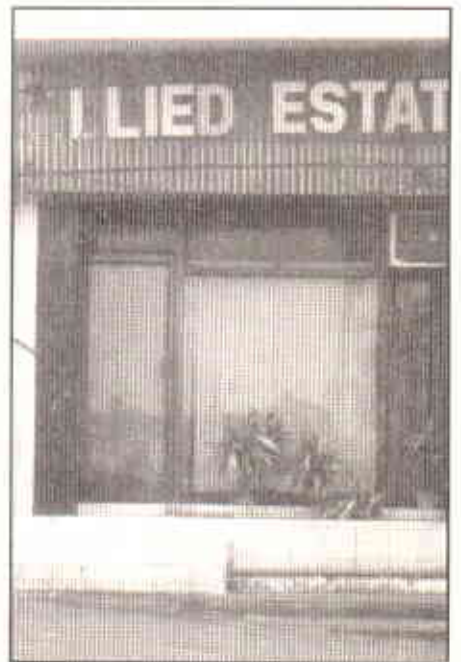
But the government of Sindh is not accountable to anyone, and its actions confirm that it considers itself above the law. It has declared a war on the citizens and the courts. It favours illegal buildings and hopes to earn nickels from those who have looted the city's silver to pay for the salaries of the 913 employees of KBCA. It copies the words found over the gates of hell and inscribes them on the portals of our city:

*Through me the way into the doleful city/Through me the way into eternal grief/Through me a people forsaken.*

—Dante's Inferno □

*(Qazi Faez Isa is a Barrister-at-Law and Member, Managing Committee, Shehri-CBE).*

*(Courtesy: Daily DAWN)*



A picture is worth a thousand words!

## SHEHRI ACTIVITIES

### Annual General Meeting of Shehri-CBE (Saturday, 11 May, 2002, Shehri Office)

#### Agenda

1. To confirm minutes of the last AGM
2. Adoption of Annual Report
3. Adoption of Statement of Account
4. Appoint Accountant of Auditors
5. Name of the Managing Committee
6. Any other business

1. To confirm Minutes of the previous Annual General Meeting (AGM)

The Minutes of the previous AGM were read out. Mr. Rizwan Abdullah proposed and Mr. Mohammad Ali Rasheed seconded and the minutes of the meeting were confirmed.

2. Adoption of Annual Report

The Annual Report of Shehri was read out. A new format was used for this year Report, which was appreciated by the members.

Proposed by Mr. Mohammad Ali Rasheed and seconded by Dr. Khairvee, the Annual Report was duly adopted.

3. Adoption of Statement of Account

On proposal of Mr. Rizwan Abdullah and seconded by Mr. Kaikobad J. Dinshaw, the statement of account was read out, Mr. Dinshaw suggested that a copy of the note of



(L-R) Ms. Amber Ali Bhai and Mr. Khatib Ahmed

account also be included in the report. It was agreed that it be done. Mr. Rizwan Abdullah said that the expenses under *Professional and Services* be broken down under different

heads in the future so that it is easy to understand. He was requested to come to Shehri office and advise on how to do it so that it can be done for the coming year.

#### PARTICIPANTS OF THE MEETING

Mr. Khatib Ahmed	In the Chair
Dr. Syed Raza Ali Gardezi	Vice Chairperson
Mrs. Amber Alibhai	General Secretary
Mr. Roland deSouza	Managing Committee Member
Mr. Hanif A. Sattar	Managing Committee Member
Mr. Navaid Husain	Managing Committee Member
Mr. Farhan Anwar	Member
Dr. Khairvee	Member
Syed Muslehuddin Ahmed	Member
Mr. Haroon Khan	Member
Mr. Maqsood Akbar	Member
Mr. Mohammad Ali Rasheed	Member
Mr. Rizwan Abdullah	Member
Mr. Kaikobad J. Dinshaw	Member
Mr. Salman Haroon	Member
Ms. Naila Ahmed	Member
Mr. Derrick Dean	Member
Ms. Victoria deSouza	Member



**4. Appoint Accountant of Auditors**

It was agreed that M/s. Avais, Haider, Zaman and Rizwani to be appointed Auditor for the year 2002 at Rs. 5,000 as remuneration. Proposed by Mr. Muslehuddin Ahmed and seconded by Dr. Khairvee.

**5. Name of the Managing Committee members**

As this was not an election year, the existing Managing Committee would carry on to manage.

Chairperson  
Mr. Khatib Ahmed

Vice Chairperson  
Dr. Raza Gardezi

General Secretary  
Ms. Amber Alibhai

Treasurer  
Mr. Hanif A. Sattar

Member  
Mr. Qazi Faez Isa

Member  
Mr. Navaid Hussain

Member  
Mr. Roland deSouza



**6. Any other business**

Members involvement:  
It was agreed that an invitation be given out to members who want to volunteer time for Shehri work. Meeting be called on 3rd Saturday of each month to involve volunteers.

Mr. Mohammad Ali Rasheed said that one topic would be picked and the volunteers would carry it through and have it implemented. All AGM members offered their condolence to Mrs. Mansoor on the death of her husband and offered fateha. □



**CONDOLENCES**

Shehri-CBE Management, Staff and Members condole the death of Mr. Mansoor Ali (*Husband of Shehri Administrator, Mrs. Mansoor*) who expired on May 3rd, 2002. We share in the grief of his family and pray to God Almighty that his soul may rest in peace - Amen.

Shehri-CBE Management, Staff and Members condole the death of Mr. Syed Kaleem Uddin, Chairman Pakistan Council of Architects and Town Planners (*PCATP*) who expired on August 3rd, 2002. We share in the grief of his family and pray to God Almighty that his soul may rest in peace - Amen.



## Citizen's Help Desk

**S**hehri-CBE, in its ongoing work for the benefit of citizens, has initiated a new public service, called the *Citizen's Help Desk*.

From articles in the newspapers, by word of mouth, and organizational referrals, citizens from all over Karachi know that they can come to Shehri for assistance in airing their grievances with government, obtaining legal action on a problem, or receiving advice on how best to mediate a conflict.

New entering its eleventh year of practice, Shehri-CBE realized that it was time to institutionalize the knowledge and experience it has collected in facilitating complaints so that we could better serve our fellow citizens.

The objective is an opportunity to train in our line of work, create a pressure group and strengthen the communication channel, which is already established with the public functionaries. Accordingly, a website has been created which will be updated regularly. It will provide information to the citizens on how to lodge a complaint, where and how to follow up with the concerned agencies, and for any further assistance and guidance, the citizens can always rely on Shehri-CBE.

The Citizen's Help Desk will assist in the redressal of complaints from citizens on issues related to:

Illegal/unauthorized encroachments in residential premises, misuse of residential plots for commercial purposes, misuse of amenity plots, traffic, parking,

roads, water supply, electricity services, sewerage, solid waste management, tree cutting, assistance in litigation, i.e. the help desk means empowering the citizens to understand the system and how to redress their problems.

*(For details of cases being handled by the Citizens' Help Desk, see page # 11)*

## Education

**I**nter-action has taken place with Women Nazims/Naib Nazims, Councilors entrusted with monitoring educational institutions, viz Schools/Colleges/Technical Institutes of Jamshed Town Union Councils.

called after this in the second week of Ramzan, Wednesday, December 5th 2001 at 9 p.m. Present at the meeting were the Nazim/Naib Nazim / Lady Councilors and male councilors, of UC # 1 Akhtar Colony, Jamshed Town. It was discussed that work will be done in co-ordination with Shehri-CBE administrator and other members of Shehri who are in the education field, with the councilors who have been entrusted with the monitoring of schools in their areas of jurisdiction. It was decided that each school will be visited in turn and details of requirements noted down, number of staff/pupils/quality of education imparted/ and type of motivation required to be done.



A Shehri supported school in Korangi

The first meeting with Union Council # 1 Akhtar Colony, Lady Councilor Dr. Naeema Parveen was held at the UC # 1 on Monday 19th of November, 2001 at 9:30 p.m.

The issue under discussion was the upgrading of Government Schools in the 13 Union Councils of Jamshed Town.

A co-ordination meeting was

A meeting in this regard was held with the Co-ordination Committee, on Wednesday, November 29th 2001, at 10:30 am at the Union Council # 1 Akhtar Colony. Present were the lady councilors in education, Dr. Naeema Parveen, President of the Committee, Dr. Shabana Yusuf, Rabia Begum, Councilor for social uplift and welfare, Mrs. Mansoor, Administrator Shehri.

## A sampling of the complaints received and dealt by the Help Desk in the year 2001

#	Complainants	Plot Numbers	Present Stats
1.	Mr. Shahid Hasan Naseem	61-P, Block-2, PECHS, Commercial construction on residential plot	Illegal construction stopped
2.	Mr. Shafiq Akhtar & others residents of the area	Plot No. 307, PIB Colony Unauthorized construction of extra floor	Illegal construction stopped
3.	Mr. Khalid Anwar Advocate	152-J, Block-2, PECHS, Misuse of Residential plot	No construction work in progress
4.	Mr. Anwar Abbas & other area residents	187-C, Block 2, PECHS Unauthorized construction on 2nd floor	2nd floor has been sealed by the KBCA
5.	Mr. Ghulam Ahmed Khan & other area resident	D-129, D-131/1, D-132/1, Block-5, F.B. Area	No action has been taken by the KBCA so far
6.	Mr. Rehmatullah Khan & others area residents	Plot No. 386, PIB Colony, Commercial construction on residential plot	Construction work has been stopped by KBCA
7.	Shehri-CBE	Plot No. 173-E/2, PECHS The builders have restarted construction on sealed plot	Construction has been stopped
8.	Gul Mohammad	Plot No. 11/31-A, Overseas C.H.S. Block-3, Encroached upon COS for petrol pump renovation	Shehri wrote letters in 2001 Demolition action was taken by KBCA
9.	Mr. Zahid Khan	Plot No. 779/780-C, Commercial Area, PECHS	Matter was resolved in 2001, but the builder is now covered the arcade. Shehri has sent complaint against the illegality
10.	Area residents of KMCHS Block-3	51/3, KMCHS (Behind Liaqat National Library) Illegal construction of Multistory flats on a residential bungalow	The project was sealed on time, and later on Mr. Wasti (COB) desealed the project. Construction of 2nd & 3rd floor is in progress
11.	Ms. Samina Shabbir	Plot No. 24/C, M.A.C.H.S. Illegal Construction	Case is pending in the Sr. Civil Judge IV
12.	Capt. Shahnawaz Koktay	A-1, Dada Bhoj Town, off Shaheed-e-Millat Road Encroachment on 70 feet wide road by Dada Bhoj Multi Purpose C.H. Society	Shehri wrote to the KDA/KBCA. No action has been taken by the authority
13.	Mr. Javaid Sadiq	Plot No. 399, PIB Colony illegal construction on a residential plot	Construction work has been stopped
14.	Mr. Shafiq Akhtar	Plot No. 301, PIB Colony Illegal construction on a residential plot	Construction work has been stopped
15.	Mr. Shams & Qamar	D-13, Block-H, North Nazimabad, Misuse of Residential Plot	Matter is pending
16.	Mr. Aamir Syed	254, Block A, North Nazimabad	Matter is pending
17.	Mr. Hashim Sayed	42-S/6, PECHS Unauthorized construction	Demolition action was taken by the KBCA
18.	Mr. Aftab Ahmed President Mashriq Center office Welfare Association	ST-6/A, Block No. 14, Gulshan-e-Iqbal, Mashriq Center Encroachment on Parking spaces	Shehri wrote letter to KBCA. No action has been taken by the KBCA
19.	Shehri-CBE 206-G, Block-2, PECHS	74-E, Block-2, PECHS residential plot of 400 sq yds encroachment on compulsory open spaces and constructed basement	On Shehri's complained KBCA serves notices, site was inspected builders/owners had removed the encroachment and fill up basement



# Citizens Help Desk Registration Form



1. Complainant Name \_\_\_\_\_
2. Profession \_\_\_\_\_
3. Address (Res) \_\_\_\_\_  
(Others) \_\_\_\_\_
4. Contact Number (Res) \_\_\_\_\_ (Off) \_\_\_\_\_  
(Mobile) \_\_\_\_\_ (E-mail) \_\_\_\_\_
5. Nature of Complaint (Tick Appropriate Box)  
 Land use violations     Water & Sewerage     Power Supply  
 Garbage     Illegal Tree Cutting     Encroachment     General
6. Complaint Address \_\_\_\_\_
7. Action, taken if any by the complainant (attach necessary documentary evidence)
8. Action proposed by Shehri and documents required, if any by Shehri.
9. Action taken/person handling the case.

Date \_\_\_\_\_

Signature of Complainant

Shehri-CBE: 206-G, Block-2, PECHS, Karachi. Tel/Fax: 453-0646  
E-mail: shehri@onkhura.com



The agenda was to discuss the present quality of education in government schools in Akhtar Colony. After a short discussion it was decided to pay personal visits to all schools both morning/afternoon shifts, and make an assessment of the standard/quality of school education.

The first school on the visit list was The Madina Masjid Government primary school, situated in the vicinity of the Union Council # 1. Total number of children is 160 and the staff comprises of 4 teachers and one principal. There were a few issues which raised objection viz. the entree of the school is in a lane which is at

the mouth of a wash-room of the next door shop, the result is flow of sewerage, which has to be crossed before entering the school. The Head Master, Mr. Habib was requested to lodge a complaint with the Union Council Nazim for the repair of the broken wall, which releases the sewerage from the neighboring shop.

While talking to the Principal/Staff it was decided that a weekly visit will be made by the lady councilor in charge of schools and by Shehri staff to monitor the implementation of the motivational programme initiated by the women councilors/Shehri-CBE. Topics discussed were on improving teaching techniques by teachers, concept of cleanliness, tree planting/caring. The importance of garbage disposal, at school level

i.e. no scattering waste paper, fruit peels etc. around except in trash cans, collection of garbage at neighborhood level. For this, the teachers were asked to see that school children lower/higher secondary, should be taught to give thought to cleanliness, proper uniforms and good behavior, and control noise pollution.

The second school was Government Lower Secondary Akhtar Colony (for girls). Same topics were discussed and talking to teachers was extremely fruitful/interesting. Weekly meetings with councilors/teachers and visits to schools are the agenda.

**Various educational trips are regularly**

**organized in collaboration with Dawn in Education, sponsored by esteemed Dawn Group of Newspapers at Haroon House, WWF, Neighborhood Watch, CPLC etc.**

There were no trees in the school compound, Shehri will provide 20 Neem trees to be planted in the school premises. The process is ongoing.

CBE is involved in creating environmental awareness in educational institutions, since 1992, in co-ordination with schools in Karachi city. CBE has

organized programmes on Tree Planting/ Caring, lectures to the teaching staff/board of directors in school management and to pupils, on the concept of creating a clean and better school environment.

At a week long Strategy Planning Workshop, sponsored by Friedrich Naumann Foundation in 1999 at Karachi, the programme on education for CBE was further highlighted and a target was set.

CBE was to cover as many schools

as possible, at least 5, and the teaching staff was to be geared up to focus on environmental awareness, creating programmes, among the school children.

This task was entrusted to the Administrator CBE, and members. Since then onwards, an all round increase in the activities related to education has been made and to date about 10 local schools (private sector) are in continuous follow up.

CBE conducts visits on a two days a week schedule, according to the convenience of the school staff.

The program includes lectures to the teaching staff on the importance of the environment in every field, i.e. creating a free civil/social and indiscriminate atmosphere among school children, teaching them principles of communal equality, non discrimination between one caste or creed and another, as the fundamental principle and way of life, adopting a peaceful attitude against gun culture, in school as well as in social life, ways and means in controlling noise, garbage, waste disposal at school and neighbourhood level, protecting the destruction of trees and on hazards of smoke pollution.

**Youth Activities**

As part from the above, education sector activities also link with the Shehri Youth Programme. Various educational trips are regularly organized in collaboration with Dawn in Education, sponsored by esteemed Dawn Group of Newspapers at Haroon House, WWF, Neighborhood Watch, CPLC etc.



Work in Shehri Park



Neighbourhood Development Project



Visit to WWF Wetland Center



Work in Jheel Park



Visit to GPLC Office

The school children are made

to pay regular visits to the Dawn printing press in groups where the editor city gives briefings on the importance of news reading, and on thought provoking issues which need to be instilled in the young minds.

The activity is of four to five hour duration, which includes lectures on the news reading, on the mechanism of news going into print, reporting, scanning, editing, processing and finally printing stages. For the recreation/amusement of children there is provision for browsing in the Dawn in Education Library, where refreshments etc. are served. This is an ongoing program and CBE continues to

carry this further, involving schools by turns.

Similarly, CBE organizes frequent visits for school children in its Youth Education Program, to the Wetland Centre, which has been established by WWF at Sandpit Beach Karachi. Their the children learn about mangroves and marine life ecosystems, which is depicted in a museum, set up for the purpose. The Wetland Centre is equipped with training staff who conduct lectures on marine life, provide booklets of information and questionnaires for children to answer during the specified period of the visit.

As a routine, CBE conducts lectures in the schools and teaching staff is targeted. There are interactive sessions every two/three months where the teachers give the progress report on their environmental activities.

## Recreation

Shehri-CBE facilitated the fight of one committed citizen, to seek justice as a public amenity plot (play ground/ST-5 in Sector 7-D/3, North Karachi) was threatened by land grabbers in collusion with corrupt government officials. The office of the Provincial Ombudsman, Government of Sindh ensured that justice is done.

A review petition was filed with the provincial Ombudsman Sindh. President Gulshan-e-Farooq Resi-



Park saved in Nazimabad

parents' Welfare Society, Mr. Siddiq Rafee, resident of R-55, Sector 7-D/3, North Karachi, whereby he sought to review an order dated 08-08-2000, passed by the Ombudsman, who had directed the concerned Sub Divisional Magistrate, to provide protection to Karachi Development Authority (KDA) staff, for purpose of demarcation of plots and park ensuring peaceful transfer of plots to the lawful allottees, thereof enabling them to start construction as per approved plans.

According to the intervenor, the amenity plot bearing ST-5, Sector 7-D/3, North Karachi measuring 1.21 acres (5893 sq yards), was reserved by KDA for a playground/park in the original layout plan of 1976, and KMC had constructed a housing complex on the pretext, that KDA had changed the status of the plot and allotted these to them.

Earlier a complaint no POS/643/2000 /H(29) was filed. Dr. Raza Ali Gardezi represented Shehri, and brought to notice that under section 52(A) of KDA order 1957, an amenity plot cannot be changed into any purpose unless a certain procedure is followed.

### Present Status

The encroaches have filed a case in the High Court of Sindh Suit # D-189/2002 to challenge the order of

the Ombudsman. KDA, City Government, Nazim, North Karachi and residents of the area, which have upheld that Plot # ST-5, Sector 7-D/3, North Karachi can only be used as a playground/park.

The good news is that the land is still being used as a playground.

Shehri has also once again come to the rescue of one of Karachi's oldest Park, Jheel Park, spread over 6.57 acres

Ombudsman Sindh, Justice Haziqul Khairi helps.

An Advertisement placed in the Daily Dawn by the Municipal Commissioner DMC-East (this was prior to the recent local government elections),

alerted the ever vigilant Parks & Rescreation Subcommittee of Shehri-CBE, which immediately wrote to the Municipal Commissioner DMC-East, asking why this was being done and they also sent a copy to the Ombudsman, who immediately called for an explanation, and took up the matter suo-motu.

### Present Status

The Hon'ble Ombudsman, Sindh Justice (Retd.) Haziqul Khairi and City Nazim, Mr. Naimatullah Khan inspected the Jheel Park PECHS Block-2 on October 10, 2001. The Nazim of Jamshed Town was not present although he was given notice.

However the inspection revealed that it is properly managed and looked after, except that there was heavy grass in the lake, which should be removed immediately to restore the beauty of the Jheel. The lawns should also be laid out in all open spaces. The KMC is utilizing this park facility as a Commercial Nursery and have developed it as such.

This park is not open to public which is so very necessary in view of the fact that the surrounding area is very thickly populated it should serve as a public park for



Need for restoration. Jheel Park

them. It is necessary that this facility is redesigned to cater to being utilized by public.

It was pointed out by the Sub-Engineer that Hussain D'Silva Town had gone in litigation regarding a portion of the park and there was stay from the Court. One Awami Construction (Private) Limited also claimed to have procured a lease of 2700 sq.yds on the periphery of the park and this matter was also sub-judice before the Hon'ble High Court of Sindh in Suit No. 1279/96.

To-date nothing has been done about following the Ombudsman orders. Shehri is looking into the matter. □



## LOCAL GOVERNMENT

### The evolution of a new species in Karachi

*Sumreen Mirza looks into the anatomy of the new local government system in Karachi, identifies constraints and urges the need for citizen involvement and stewardship to ensure the efficiency and sustainability of this new experiment in devolution of power.*

Recently, a new species, yet to be properly autopsied or classified, appeared in Karachi. No... we are not talking about the 56-foot whale that made Clifton Beach its permanent resting place. We are talking about your thriving and dynamic local government.

Intrigued by the shape and composition of this governing body, Shehri-CBE has begun to monitor and document its behavior. You may have spotted some members of this species and its cubicle style habitat in your own mohalla. In addition to its large cerebrum, (city-district government), the new species has many limbs: 18 town councils, 18 town administrations, and 178 union councils.

Certainly, local government has existed in Pakistan before this. Perhaps its disappearance from the urban scene for the past thirteen or so years can be attributed to an unusually long hibernation. Unlike its predecessor, this newly evolved breed of local government, particularly union councils,



Citizens can play the role of stewards for the new system

**While the species, local government, has sprung up all over Karachi, after careful consideration, Shehri-CBE decided to observe the Jamshed Town variety for three reasons: 1) our ongoing battle in this vicinity against illegal habitat construction, 2) our close affinity for the area due to the fact that most of our volunteers also reside here, and 3) pragmatically speaking, our office is located here.**

legitimizes Shehriis fight for greater openness and transparency in decision-making. Union councils are responsible for many things: to approve development plans for the area, mobilize community involvement in the maintenance of public ways and beautification of public places, and to facilitate the creation of opportunities for economic cooperatives.

While the local species,

government, has sprung up all over Karachi, after careful consideration, Shehri-CBE decided to observe the Jamshed Town variety for three reasons: 1) our ongoing battle in this vicinity against illegal habitat construction, 2) our close affinity for the area due to the fact that most of our volunteers also reside here, and 3) pragmatically speaking, our office is located here.

Union councils are, for the most part, made up of honest and committed citizens who have strong political and religious values. Yet, despite these admirable characteristics, union councils are in serious risk of becoming irrelevant. Given the important functions of union councils in the urban ecosystem, it is critical to identify the challenges facing its survival and sustainability.

Most importantly, union councilors lack the training and capaci-





ty to transform their good ideas into reality. While there are many (some might even say too many) local, provincial, and national training programs that are trying to fill this gap, their fancy air conditioned seminar rooms and foreign trained experts are far too removed from a councilor's daily physical environment.

Union councils do not simply need business, accounting, or letter writing skills; they need survival skills.

They must learn to rapidly evolve to cope with an atmosphere rife with social pollution - cheating, fighting inefficiency, misinformation, illiteracy, irrationality, absenteeism, apathy, pessimism, cynicism, helplessness, broken promises, backstabbing, bad-mouthing, and chauvinism.

The second thing threatening union councils' existence is their irrational distrust of civil society organizations, even those in their own backyard. Many local councilors do not truly understand the purpose or activities of non-governmental organizations and negative media coverage has not helped our image much either.

Local councilors, instead of opening up to their community partners and learning to work together, have recoiled into a shell of fear and suspicion.

**The fourth thing threatening the union councils sustainability is that they lack moral support from the citizens of their community. Without the nurturing care of citizens, this governing body will wither away in red tape, political sabotage, and just plain incompetence. Without gaining the trust of its pride, the lion cannot be expected to remain king for long.**

Without gaining the trust of its pride, the lion cannot be expected to remain king for long.

So these are the creatures that live and work in our concrete jungle. What is missing from here is the steward for this newborn species; a caring and nurturing entity to guide its development and progress. Shehri is trying to develop this role by helping to establish Citizen Community Boards for

The third thing threatening the union councils survival is the existence of opportunistic organisms more commonly known as special interest mafias. Union councils are unprepared to recognize and tame the many tentacles of this remarkably adaptable species.

The fourth thing threatening the union councils' sustainability is that they lack moral support from the citizens of their community.

Without the nurturing care of citizens, this governing body will wither away in red tape, political sabotage, and just plain incompetence.

every union council in Jamshed Town. The role of a steward is legally sanctified in Chapter 10, Section 98, of the Sindh Local Government Ordinance.

Citizen Community Boards (CCBs) are a formal body of citizens from a particular community that work together to monitor and collaborate with union councils. CCBs can supply the union councils with detailed information about their communities and can act as a pressure group on the union councils to get results. Shehri has constructed a tool kit of field assessment and evaluation reports to assist CCBs in documenting the activities of their UCs.

CCBs are critical for establishing an environment of accountability and transparency to counter the social pollution. In the next month Shehri-CBE will perform a search for knowledgeable, spirited, and committed citizens who want to mobilize to strengthen and sustain local government. Endangered species like local government deserve our protection.

Once a Board of at least five members is formed it can begin a plan of action for the union council. Please contact our office if you are interested in joining your area Citizen Community Board. □

*(Sumreen Mirza is a student of Tufts University, Boston, USA and Member, Shehri-CBE).*

## TRANSPORTATION

# Lyari Expressway: Concerns and alternatives

*The Urban Resource Centre takes a critical look at the proposed Lyari Expressway Project and comes up with some alternative plans of actions.*

### Public Consultation

Since 1992, Lyari Expressway has been on the cards. Controversy has raged around it. Professional and NGOs have pointed out that heavy traffic should not move through the city but should bypass it because it will cause immense pollution. They have pointed out the Defence Society has refused to let the Southern Bypass be constructed through it. They have also pointed out that since heavy traffic started moving through Khyaban-e-Roomi and Sunset Boulevard, the lives of the people living on this corridor have been adversely affected and the green areas on the roundabouts which were full of people previously are now deserted. They have also pointed out that in many cities, Expressway that passes through the city and carried heavy traffic, have now been restricted to light traffic only or have had major environmental mitigation measures applied to them (examples, Riyadh, Boston, Bangkok). As such, the opponents of the Expressway have supported the building of the Northern Bypass.

Given the controversy, public consultations on the Project should have been held before finalising it. Such consultations are even more important in the case of Karachi, where many projects have turned out to be disasters. In most cases, citizens and professionals gave reasons as to why these projects would fail and asked for public consultations. Such consultations never took place. A list of some of these projects is given below.

### Metrovilles:

It was pointed out that the plots in them would never reach the target group and that the better-off would make use of the subsidies in-built in them. After building two and a half metrovilles the Metroville Project was abandoned. The dissenting professionals were proved right.

### Lines Area Redevelopment Project

Professionals pointed out that the Lines Area Redevelopment Project would turn the area into a large slum which would neither benefit the city nor the people of the area. Alternatives were offered but not considered by the authorities. The Lines Area today is the largest planned slum in Karachi both in physical and sociological terms.

### Greater Karachi Sewage Plan

This has been funded by the Asian Development Bank (ADB). As a result of this, the KWSB is in debt to a tune of Rs 42 billion which the city of Karachi will ultimately pay. However, Karachi's sewage problems have not improved as a result and its treatment plant function to about 20 percent of their capacity.

### Baldia Sewage Scheme

Funded by the ADB it has been a major failure which the ADB itself has admitted. As a result, Rs 600 million have literally gone down the drain. Alternatives to the scheme

offered by the Orangi Pilot Project-Research and Training Institute (OPP-RTI) were rejected but were successfully implemented in Orangi, a success admitted by the ADB in its reports.



### Karachi Development Plan

A team for the evaluation of the Karachi Development Plan was appointed by the UNDP. It pointed out that the plan was not implementable. Its recommendations were not considered. The Plan which cost Rs 430 million was never implemented and the expensive hardware purchased for it is now junk.

### Karachi Mass Transit Project (KMTP)

Citizens and professionals raised objections to the Karachi Mass Transit Project. As a result, the Project was modified to reduce the number of proposed mass transit corridors from seven to three since it was pointed out that the Circular Railway ran parallel some of the corridors and if it was revived, the corridors were not necessary. Also, as a result of citizen's intervention, the width of the transit way along a part of M.A. Jinnah Road was reduced which helped improve environmental conditions. It is now accepted that the Karachi Circular Railway and its extensions are a viable mass transit option to the KMTP and is cheaper and environmentally more friendly.



*The Gulshan Flyovers*

Citizens pointed out to the Additional Secretary, government of Sind that by taking the Railway track underground or overhead one flyover could be reduced and cost of the project would be to a fraction of what had been estimated. If this proposal had been accepted, the larger flyover would not have been constructed much to the relief of pedestrians and a marked improvement in aesthetic and environmental terms.

**Transparency**

In the absence of public consultations, there is no transparency in the project design and no implementation process. This is obvious from the following:-

- \* The plans of the project have not been made available to the affectees and as such many of them are unaware of whether they are being affected or not.
- \* The Expressway planners do not seem to be aware of either of these issues since the plans have not been finalised and yet demolitions have begun.
- \* The President of Pakistan had issued instructions that the affectees should be rehabilitated on the land acquired as a result of the building of the expressway. Yet the affectees are being removed to distant locations.
- \* The Karachi Nazim has claimed that all land reclaimed by the building of the expressway will be turned into parks and will not be given/sold to the developers. He has also said that it will be marked for development projects. This is a contradiction. The land that will be reclaimed is estimated to be 1.8 million square yards.
- \* At a Jang Forum, the officials

and consultants in charge of the expressway project expressed conflicting views as to whether heavy traffic would be permitted on the expressway or not.

**Resettlement**

According to government estimates, about 13,531 housing units and 1,222 commercial units are being demolished. In addition, 58 places of worship and tombs would be effected. 1,348 multi-story structures including 31 five-story buildings also come in the Expressway alignment. Government estimates that the lives of a population of 81,540 will be disrupted.

However, according to estimates of the Lyari Nadi Welfare Association, an association of 46 Lyari community groups, the figures are 25,400 houses and 3,600 business. These are enormous dislocations of livelihood, homes and children education. The Association estimates that over 200,000 families will be affected. The majority of the people who are being affected either work within the corridor in garbage collection and sorting or in the neighbouring settlements as day-wage labour. The garbage collection and sorting industry serves the recycling factories that are in settlements that are located on the northern banks of the River. This industry is crucial to Karachi as it recycles about 30 percent of Karachi's solid waste.

The government is offering a plot to these affectees in Baldia, Taiser Town, Surjani and Hawks Bay Land required for resettlement is around 600 acres. These alternative sites

have no water, roads, sewage, electricity, social amenities or job opportunities. In many cases, people who have previously been allotted plots in resettlement schemes, have yet to receive them for reasons that the authorities are unable to give. In Karachi, a very large number of people who have been evicted previously from the homes (example, Lines Area) were given parchis promising them a plot. Even after ten years they have still not received their piece of land. That parchi is worthless. Also, experience tells us that it require Karachi's development authorities anything between five to ten years to fully develop 600 acres.

**The government is offering a plot to these affectees in Baldia, Taiser Town, Surjani and Hawks Bay Land required for resettlement is around 600 acres. These alternative sites have no water, roads, sewage, electricity, social amenities or job opportunities.**

A proper resettlement plan could have been partially self-financing and would have been an opportunity for improving the housing conditions, education, health and economic activities of 25,000 families an businesses rather than their total destruction in this age of recession, unemployment and growing homelessness. Urban planning is not about building roads

alone but improving job opportunities and community cohesiveness. By now, after years of civic strife, Karachi's planners should have learn this lesson.

**Lyari Expressway and Its Adjacent Areas**

The building of the Lyari Expressway will not solve the problems of the areas adjacent to the Lyari Corridor. The problems of these areas are in essence the problems of Karachi. The issues are explained below.



Between East Avenue in SITE and M. A. Jinnah Road are the settlements of Sher Shah, Chakiwara, Khadda, Lyari, Kharadar, Mithadar, Bohra Pir, Ranchore Lines, Wadomall Quarters and other of areas of the city.

These areas are the most densely populated areas of the city and by far the most environmentally degraded and congested with traffic. The reasons for this are:

- These areas contain Karachi's old markets and industries. Previously they occupied a small area and the rest of the area was all residential. But these markets have expanded to meet the demands of a growing city and now engulf this entire area.

- This market and industrial activity requires godowns. These have proliferated bringing about major land use changes.

- Godowns are served by trucks and transport and these have clogged the narrow lanes of these old settlements. All across roads and open spaces have been turned into transport terminals and the pavements cater to the needs of the drivers, loaders and mechanics.

- Due to the absence of space for the growth of this activity, it is now taking place on the roads and footpaths.

\* The markets and industrial activity in this area consists of:

- **Dhan Mandi:** The Mandi operators do not wish to remain in this area. They have been asking for relocation to places that are easily accessible by rail and road and where they can expand their godowns. Their

godowns are now not only on the ground floor but even on floors above and have expanded to around the KMC offices. Due to their presence, people in the area suffer from asthma and other respiratory diseases. Due to an absence of space many Dhan Mandi merchants are establishing godowns in katchi abadis which will create problems in the future.

- **Chemical Market:** Six children died recently because of pollution produced by the chemical market. The market has godowns attached to it which are very hazardous for the area and should be shifted in any case. Residents are constantly in conflict with the chemical market operators and godown owners. They too are seeking godown space in katchi abadis.

- **Metal Market:** Metal Market has foundries, casting and recycling industries. It occupies a very large area and due to a lack of space it has expanded along the Lyari Corridor.

- **Solid Waste Sorting and Recycling:** The solid waste recycling factories are in Sher Shah and the northern bank of the Lyari River. The sorting activity that supports them has expanded along the Lyari Corridor due to an absence of space for its growth. This activity is crucial for the city of Karachi since it manages to collect and recycle about one-third of Karachi's solid waste. The recyclers and

sorters have indicated to the Governor's Task Force for the Improvement of Municipal Services, that they would be willing to shift to landfill sites if they were developed in an appropriate manner that provided

them and their labour with land, water, electricity and access roads.

**The areas of Kharadar, Mithadar, Bohra Pir, Jail Quarters, Wadomall Quarters, house much of Karachi's built heritage. This built heritage is being pulled down and replaced by godowns and residential accommodation for the people who work in these markets.**

\* Residents of the Lyari settlements have constantly demanded that cargo transport and godown should be shifted from their areas so that they can breathe and congestion and pollution can be reduced. They have also demanded that the areas vacated by these activities should be taken over by the

government and turned into badly needed amenities.

\* The areas of Kharadar, Mithadar, Bohra Pir, Jail Quarters, Wadomall Quarters, house much of Karachi's built heritage. This built heritage is being pulled down and replaced by godowns and residential accommodation for the people who work in these markets.

\* Over the years, the number of people sleeping on the streets and pavements of this vast area has increased alarmingly. Most of them work in the markets and industries that are located here.

\* The suffocation of this huge area by traffic is one of the major problems that the city of Karachi faces. It is also the rea-



son why businesses from Sarai Quarters and "down town" are shifting to Clifton and Shahrahe-Faisal, turning the historic core of Karachi into a dilapidated and environmentally degrade area.

The building of the Lyari Expressway will not solve any of the problems and concerns mentioned above. On the contrary, it is possible that much of the land reclaimed from the building of the expressway will be used for the activities that the expressway is dislocating. This is because the market is stronger than the desires of the planners or the power of the state. This is an aspect that needs to be looked into.

### Aesthetics

The designs of the consultants for the Expressway indicate that the expressway will be built on six metre high (about 20 feet) wall which will run along the Lyari Corridor. At 12 points along the Corridor this wall will rise to a height of 15 meters (about 49 feet) so that it may "flyover" the existing bridges. Four of these points will be interchanges. Thus, we will have a high roller coaster on either side of the River, above the level of the river bank. It is necessary to seek the advise of the architectural and planning experts. Lyari Expressway will be no Lahore Canal Bank for this reason alone.

### Priorities

If the government is desirous of saving the people living in the Lyari bed from a flood disaster, there are other ways of doing it. These alternatives should be discussed. If on the other hand, the government wishes to reduce traffic congestion, there are a number of projects whose impact would be far more beneficial than that of the Lyari Expressway. These projects include

the building of a road from Tin Hatti to the Jail Roundabout reducing pressure on Guru Mandir; the completion of the Preedy Street and Korangi Road extensions; the building of inter-city and intra-city transport terminals, workshops and depots (a lot of spade work has been done already on these by the Governor's Task Force on Municipal Services) and the building the Circular Railway and its extensions.

Also after the building of the Northern Bye Pass, what exactly is the need for such an elaborate Expressway?

### Possible Alternatives

Considering what has been said above, the alternative to the present plan should be:

- Build landfill sites and negotiate the shifting of the recycling industry and garbage sorting yards from the trans-Lyari area to the landfill sites along with the families that work in them. They will require water electricity, land and roads. Plans for this have already been developed for the Governor's Task Force of Municipal Services and consultations have been held with the garbage recyclers and sorters.
- Build the Northern Bypass and negotiate the shifting of the Dhan Mandi, Chemical Market, metal foundries and the labour working in them to it. Much of the homeless labour can be housed through schemes on the Khuda-ki-Basti model.
- Occupy all land vacated by the transfer of these activities and turn it into amenities for the trans-Lyari settlements.
- Dredge the river and build embankments on either side.

The land reclaimed by this should be converted into parks. If a road is still thought necessary, it should be developed as a simple bank road, Karachi, and especially the trans-Lyari area, needs open spaces and recreation.

- Institute a conservation plan for the old quarters of Karachi. This will be possible only if congestion and environmentally degrading activity can be shifted from it.

If it is problematic to develop infrastructure along the Northern Bypass, then the development of the Southern Bypass should be reconsidered and the various markets and their related activities should be shifted to it. However, if the Northern Bypass is built without formal planned development, informal developments along it are bound to develop. Indications are that this is already happening.

Work of the Lyari Expressway should be suspended and a discussion on the issues raised in this page should be initiated. If as a result, it is decided to build the Expressway then a proper rehabilitation plan which improves the living and economic conditions of the affectees in particular and Karachi in general should be developed and implemented with their participation, before the commencement of physical work on the Expressway. □

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# SPOTLIGHT ON THE PRESS

## SHC upholds validity of KDA's Zoning Regulations

THE STAR, August 9, 2002

A divisional bench of the SHC, comprising Justice Sabihuddin Ahmed and Zia Pervez, has directed the KBCA to take lawful action against an illegal construction at Plots BC-20 & 21, Block 5, Clifton behind Karachi Gammer School at Boating Basin.

The Court found the construction was in excess of the amount was in excess of the amount allowed by the KDA Zoning Regulations.

## Rickshaws should have silencers by 25th

Daily DAWN, July 20, 2002

Karachi, July 19, Rickshaws without environment friendly silencers will not be issued fitness certificate from July 25.

A senior police officer said 1,500 silencers were ready and were being fixed in rickshaws. There were more than 28,000 rickshaws in the city and all of them must have silencer in the next six months.

A representative of a rickshaw-owners union demanded that last date for fixing silencer be extended as it would not be possible to fix silencers in all the rickshaws in a week.

## Demo held against water shortage

DAWN, August 9, 2002

Karachi, Aug. 8: Perturbed over the persisting water shortage, residents of different sectors of North Karachi Township, staged a sit-in on Wednesday in front of the Township's KWSB office.

The Protesters, including women and children, who had assembled in a large number in front of the KWSB office to voice their anger over the acute water shortage, raised slogans against the KWSB officials for not taking interest in ensuring smooth and uninterrupted supply to their localities.



## NEIGHBOURHOOD WATCH

*SHEHRI invites the residents of the city to share with us, their concerns, on issues which are adversely affecting their neighbourhood's environment. Please write to us, preferably with a supporting photograph, so that efforts are made and solutions sought - Ed.*

# Clifton Cantonment - Unauthorised Construction/Conversion on Plot G-24, Flat E-26, utility store E-2, Block 8, Clifton.

From the KDA's approved plan it will be observed that the size of the approved utility Store No. E-2 is 12' x 20'. This Utility Store No. e-2, being presently used as a Travel Agency office is illegally extended from the back portion by at least 4 to 5 ft. thereby constructing a staircase on the right leading to the first floor of flat No. E-26 and a bathroom/toilet on the left. The front portion has also been illegally extended by common car parking space, all against the approved building plan and the clauses 7, 8, 9, 10, 11 and 13 mentioned on pages 6, 7 and 8 of the lease documents, and the extension/alternation/additions made after receipt of the first notice No. CBC/G-24/Block-8/2747 dated 11th May 2002 of the Clifton Cantonment Board, which constitutes a defiance and violation of building bye-laws of the Cantonment Board, Clifton, Karachi.

We regret that in spite of open/clear violation of the approved building plan and clauses of the lease documents the Cantonment offices action of demolishing the unautho-

rized extension/alteration/addition has been long over delayed for reasons best known to the Cantonment Board, Clifton, Karachi.

In spite of receiving the second notice dated 29th May 2002 from the Clifton Cantonment Board, Mr. Aziz-ur-Rehman Rajput, has given an advertisement in the daily DAWN dated June 2nd 2002 for the appointment of staff for his travel agency, being in a purely residential complex on the same address of Utility Store No. E-2.

It is requested and required of the Clifton Cantonment Board to do the needful as required by the Cantonment Board's Bye Laws as the first notice served under section 185 of the Cantonment's act 1924 (Cantt. Board Res. 32) may be adhered to since 2 months has already lapsed since we first approached you.

Awaiting a lawful and early action. □

*Residents of the Clifton Court Apartments*



## YOUNG VOICES

### Editorial

## *Its a girl's life*

The past few months have brought with them an onslaught of cases related to the female populace, consequently degrading Pakistan further in the eyes of foreign observers who have but just stopped short of labeling all of us as 'extremists'.

A persual of the details regarding the Wani tradition of marrying young girls from the murderer's family as 'compensation' is enough to show the backwardness of our tribal society and the sadistic approach of its male members. Yet, it seems sadism has no boundaries and our 'literate' population is not far behind either, as I saw in a first hand encounter.

Stopping outside a grocery store, it was surprising to see a little girl on a motorbike sobbing bitterly for her father. As she was very young, questions were put to her in vain. Still, some responsible looking people followed her every cue and searched for her father.

A good portion of an hour had passed when the father, keys in hand, smile on his face, strolled forward, disregarding the outburst from the crowd and drove off with the now quiet child. This was all the more shocking since we found out that he had been engrossed in a phone conversation for all that time at a nearby phone booth and that though the child could not see him, he was perfectly aware of all that was going on.

I was about to comment, when a remark from an onlooker, 'sir, you should be murdered', made me stop short and think " 'does sadism precede violence?'".

Are the observers observing? □

Think Awhile  
He who would command  
must be able to obey

## *The Eveningers*

'No news is not always good news'.  
**Sadia Dawar Khan** points out  
the fallaciousness that has  
become part and parcel of the  
Eveninger's tradition.

The other day, we were all going out for an evening drive, and stopped at a signal. As usual, it was full of traffic as it was one of the peak hours - cars full of people going home after a hard day, overflowing buses and trucks etc.



More trash then you can handle!!

Suddenly, out of the blue, a hawker knocked on my car window with an armful of newspapers, or

## TIT BITS

The mosquito is attracted more to wet clothing than to dry and is especially fond of the colour blue.

Chewing gum that has become attached to washable fabric will generally come right off if softened with egg white and then scrubbed. □





we can say 'Evenings'. My grandmother, who is a frequent buyer of such 'news' immediately bought two-three of these in Urdu. As they were cheap, the total was nearly Rs. 10.

This incident is not very unusual, especially in a city like Karachi. Such papers are easily available and can be found on literally every street corner. What's more, as they are cheap, people buy them immediately without any hesitation.

Some even become daily buyers. These buyers are not only from the working class or the labour force comprising of less educated people, but also from the elite or upper class. For such elite classes, one or two news papers are not enough to provide them with sufficient reading material.

They want more and buy more I am referring to the juicy and sensational news items with bold headlines and outrageous accompanying photographs. These, shall we say, are supposed to give the news item a certain 'accurate' touch.

Such newspapers of Rs. 2 or 3 do not contain more than 2

pages and even a glance at their contents is enough to give one the shivers. Some of the photographs are shocking enough to make one not wonder, but be

**What I feel, is the most tragic part of this story, is that such papers are usually backed by or are an additional supplement to some of the country's leading dailies. It is sad to see such newspapers resorting to these type of marketing tactics, filling them with lies and outrageous stories**

advertisements and the latest cinema flicks. Once, out of mere curiosity, I read the advertisements published at the end and between the pages. I was completely taken aback. Most of them comprised of any XYZ Hakims prescribing such and such capsules or tablets, for the 100% guaranteed recovery of all elements.

The most popular of these seemed to be the slimming tablets for self-deluding women wanting to lose weight overnight. The other quick solutions included: whitening of teeth, bathroom problems of young children, eating habits, men's problems, hair problems, weight problems, diabetic problems and several other 'problems'.

The list is endless.

What I feel, is the most tragic part of this story, is that such papers are usually backed by or are an additional supplement to some of the country's leading dailies. It is sad to see such newspapers resorting to these type of marketing tactics, filling them with lies and outrageous stories.

Picking up any evening newspapers, one can find at least five six people killed in an encounter, accident or murder. Besides this, 'stories' of loot and plunder, kidnapping of children, stolen cash or stolen vehicle stories provide the relish as they are presented with horrific photographs. If all that is written is true, according to the 'objective and reliable' reports, then the population of Karachi should be decreasing by 30% on an annual basis.

So, the next time you get a chance or are simply curious, try to read an evening at least once - but just be sure to brace yourself for what's to come next. I would suggest that it would be better if you first glance through the headlines, before setting yourself to the tedious task of reading the whole paper.

So go ahead and experience some 'fun' and 'excitement' in your life. □

Editor, Young Voices: Kiran Bashir Ahmad



# ASK SHEHRI

Most residents when faced with any civic problem do not know which person or organization to contact in order to solve their problem. In this column we invite the readers to share their worries with us and seek our help, which is always forthcoming - Ed.

- Q. Which organization will be executing the Lyari Expressway project?  
*Shahid Hussain, New Town, Karachi*
- A. The National Highway Authority
- Q. What is the name/contact of the Nazim of Union Council-I (Akhtar Colony/Jamshed Town and where is it located?  
*Khalid Saleem, Akhtar Colony, Karachi*
- A. Malik Akhtar Supro - Nazim Union Council-I, Akhtar Colony (Tel: 5867640)  
Address: Street No. 7-8, Sector B, Madina Masjid, Akhtar Colony, Tel: 5389677
- Q. Is the city government in Karachi involved in the recycling of solid waste?  
*Samina Qadir, Gulshan-e-Iqbal, Karachi*
- A. No. Recycling of solid waste in the city only takes places in the informal sector.

## Shehri needs volunteers

to work in its following subcommittees

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

### JOIN SHEHRI TO CREATE A BETTER ENVIRONMENT

If you wish to join shehri please send this card to

SHEHRI Citizens for a Better Environment.  
206-G, Block 2, P.E.C.H.S., Karachi-75400, Pakistan.  
Tel / Fax : 453-0646

With a cross cheque of Rs. 300/- (Annual Membership Fee) in the name of Shehri-CBE with passport size photograph

Name : \_\_\_\_\_

Tel. (Off) : \_\_\_\_\_ Tel. (Res) : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

Occupation \_\_\_\_\_

## SHEHRI MEMBERSHIP

Don't forget to renew your membership for 2002! Join Shehri and do your bit as a good citizen to make this city a clean, healthy and environmentally friendly place to live in!



## SOLID WASTE MANAGEMENT

### Solid waste management and collection/disposal of hazardous hospital waste

*Khatib Ahmed* writes about the need of availing alternative options for improving the solid waste management system in the city.

Karachi generates about 8000 tons of solid waste per day. 90% waste that is generated is recyclable. It is managed in the following manner:

- 40% reduced by informal sector which is now being recovered by private sector/market forces/in informal sector (No expense incurred by Government)
- 90% of all the recovered items are recycled and reused.

Recycled items include

- Bones
- Glass (Scraps)
- Paper (Scrap/Cardboard)
- Plastics/Polyethylene
- Tin/Metals
- Rubber/tyre & tubes
- Waste oil/grease
- 60% of the items are biodegradable/organic (vegetable, fruits matter and organic waste) which are not recovered and cause environmental hazards.

#### Organic Composting

Composting of Organic Waste is not being done. It is possible to compost the organic wastes on Community level for which the technology is available locally.

Technology is very simple and has been tested out in PCSIR Karachi Laboratories and other organizations. Working models are also present in Karachi and few individuals are practicing it at their homes for biodegrading their kitchen and garden waste into compost which they use for their own gardens. If produced on a large scale, it will be more than sufficient to meet the entire requirement of manure by the city's horticulture department and also the nearby fields and orchards. These units already buy manure for their



Hospital Waste lying on the street

plots/garden, green belts.

Addition of compost to the manure improves the quality of soil and also reduces the quantity of manure purchased. Because of its water retention capacity, it helps reduce the water requirement for plants.

The city government should urgently attend to composting because by having a composting plant a sizeable quantity that has to be transported to landfills will be diverted to composting plants.

The following documents are available for reference and recommendations from the Shehri office:

1. *Promotion of Waste Recycling and Reused in Developing Countries, Study on behalf of UNCHS-Habitat, Nairobi, Kenya- by Khatib Ahmed of NTCS, Karachi.*
2. *A Citizens Guide to "Solid Waste Management" - by Farhan Anwar*
3. *Neighbourhood Level Solid Waste Management in Karachi - Issues and Solution - by Farhan Anwar.*
4. *Institutional Assessment & Evaluation of Public Facilities Management practices in Local Government. Solid Waste Management Sector of Karachi, A Case Study - by Farhan Anwar.*
5. *Report on Composting of Sabzi Mandi Waste - by Radia Khatib, Naseem F. Usmani, Mohammad Adil of PCSIR, Karachi.*
6. *Investigation into compostability of Zoological Garden Waste - by Radia Khatib, Naseem F. Usmani of PCSIR, Karachi.*
7. *Development and study on Low Cost Household/Community Level Composting Unit - by Radia Khatib, Naseem F. Usmani, Mohammad Adil of PCSIR, Karachi. □*

(Excerpts from a paper read by Mr. Khatib Ahmed, Chairman Shehri-CBE in a Seminar - October 6, 2001 - Solid & Hospital Waste Management, organized by Sindh Ombudsman Secretariat)

# Solid Waste Management in Karachi

Rizwana Kazmi raises some important issues regarding the solid waste management system in Karachi and outlines some plans for action

**K**arachi is Pakistan's most important and the only port city. It is a hub of commercial and industrial activity, accommodating nearly 70 percent of the country's total industry. The rapid growth of the city, lack of effective land use and proper and effective maintenance system of essential services have led to grave environmental problems. The magnitude of the solid waste problem of Karachi is often reflected in the print media. The findings of various research studies on the topic present supporting conclusion.

According to the daily "DAWN" dated February 27th, 2002, Karachi alone produces about some 10,000 metric tones of solid waste daily out of which only 30 - 40 percent is transported and dumped into open landfills while the rest is either left unattended or is being burnt in-situ.

As per a study conducted by UNIDO, apart from industrial waste, another major and most dangerous source of solid waste generation is hospital, clinics and pathological laboratories. Out of many, only one hospital has its own incinerator while the rest rely on the two incinerators of the local government, one of which is not operational. Hospital waste includes toxic, radioactive inflammable and biological waste. A little mismanagement in this situation can cause spread of lethal diseases like Hepatitis C and HIV / AIDs.

The city has two landfill sites, each with an area of 500 acres and a combined capacity to absorb 2,000 tones of waste per

day for 20 years.

Although the city's landfills have the capacity to absorb most of the daily waste produced by the city, hardly 40 per cent of the waste is collected at a time due to lack of resources and poorly administered collection and disposal system with the result that much of the city's waste goes un-collected for long periods.

Waste is scavenged and burnt in the populated areas exposing the residents to health hazards, adding to the already severe problem of air pollution and creating opportunities for pests to breed and for spread of diseases.

Recently, findings of a waste survey were published by Daily DAWN. According to the survey of Korangi and Landhi, which are highly industrialized regions of Karachi, the incidence of chest infections is alarmingly high in the areas where solid waste is burnt affecting the respiratory system of the inhabitants. According to government sources, about 75 percent of the people coming to hospitals are afflicted with respiratory infections. A majority of these patients live in the areas where solid waste is burnt. Medical experts are of the opinion that the residents living in close proximity to places where solid waste is burnt continuously inhale fumes and develop infections.

Solid waste, which is not collected or burnt, is thrown in drains, which results in choking of drains and further pollutes the environment.

In addition to this, 330 million gallons per day (mgd) of industrial and domestic effluent is also discharged into the sea every day and approximately 70 percent of it



reaches the marine environment without any form of treatment having profound effect on the marine environment.

A proper system of solid waste management is lacking for the city and the various bodies responsible for waste disposal are inefficient. For a city with a rapidly expanding population, the existing waste management capacity is far too inadequate and outmoded and needs to be improved, otherwise the problem of ineffective solid waste management services will continue to haunt those living in urban areas. □

**Rizwana Kazmi is Assistant Communication Coordinator Cleaner Production Program, (CPP) Karachi.**