

MY column last week was devoted to Kidney Hill, a 62-acre area lying between Karsaz Road and Shahid-e-Millat, the original 1966 park notification showing 18 acres of the total devoted to a water reservoir which would serve hundreds of thousands of citizens in the adjoining residential societies.

It related how three statutory agencies, including the federal, provincial and city government, had signed in June 2006 an 'Agreement of Settlement' to unlawfully convert two-thirds of this notified park area neighbouring the Karachi Housing Cooperative Society area into residential plots for the benefit of the neighbouring Overseas Cooperative Housing Society (OCHS). (The agreement had annulled a 1984 Presidential Order forbidding any conversion or residential allotment in this area.) Fourteen affected residents and the NGO Shehri filed a petition in the Sindh High Court against this illegality.

What was not mentioned in the column was that during the year preceding this 'Agreement of Settlement' members of the OCHS had several meetings with Sindh Governor Ishrat-ul Ebad on how this long standing matter could be resolved. The resolution eventually turned out to be the creation in the park of 120 residential plots of 400 square yards each, a project which would generate for various pockets and funds approximately Rs10 billion.

The governor is quoted in yesterday's Dawn under the headline: "Parks to be city's identity : governor". He stressed that "parks and games activities were the guarantee of a peaceful atmosphere of any city and all round development activities were a manifestation of the vision of the government and the emerging parks in every part of the city were a reflection that the people want peace." Where does this leave Kidney Hill?

The column also told how the 14 local residents of the Kidney Hill area, who had petitioned the Sindh High Court against the carving out of plots from parkland, had withdrawn the public-interest petition, stating "we regret not to elaborate a reason". It is a sad day for any country when the government of the day 'persuades' its citizens from pleading for their rights in a court of law.

On February 22, 2007, an appeal by the sole remaining petitioner, Shehri, was printed in the Metropolitan section of this newspaper, dateline Karachi, February 20: "Shehri has been trying to save Kidney Hill, an amenity plot of park space in KCSH Union area. The case is fixed in the High Court for February 22, 2007.

"Since the withdrawal of the 15 local residents, Shehri is the only petitioner left. Over the past two days, even Shehri members have begun to receive threats on the telephone, warning them to get out of the case -- or else!

"In order to diffuse the threat and establish that more residents of Karachi than just Shehri are actually interested in saving open spaces for our future generations, we are urging NGOs and concerned citizens to become interveners or to file a separate case that can be joined with our case." "Are you interested? Call us immediately at 453-0646 or 438-

2298, or send us a return e-mail on [info@shehri.org](mailto:info@shehri.org).”

(Nothing much happened on the 22nd other than the filing of a vakalatnama by Barrister Abdul Hafeez Pirzada on behalf of the Overseas Society, and an adjournment of the proceedings to a later date.)

In response, four concerned citizens and one NGO (Helpline Trust, Taj Haider, Arif Hasan, Navaid Hussain and me) have given their vakalatnamas to Barrister Gilbert Naimur-Rahman and an intervenor application has been filed in the high court. Reportedly, the Human Rights Commission of Pakistan is filing to be impleaded through Barrister Kamal Azfar.

Additionally, a number of political personalities and city councillors, as reported in the lead story in the Metropolitan section of Dawn on February 21, at a joint press conference the previous day “reiterated their stance that the amenity plot could not be used for any other purposes, saying, the Gutter Bagheecha land was an amenity plot and no one had any right to convert it for any purpose. They recalled the land had been declared a national park and a gift to the people of Karachi by the president and warned that any attempt to convert it for any other purpose would be met with resistance.

“[it was] also alleged that the government had made an underhand deal of the Kidney Hill Park land, alleging that attempts were being made to convert all amenity plots for commercial purposes.”

Our ‘authorities,’ those who direct the governance of this city and regulate our lives, and wittingly or unwittingly destroy and degrade our environment were quick off the mark following my last Sunday’s column.

The next day, February 19, the normal ‘threats’ began directed at certain citizens involved in the Kidney Hill petition, the usual bumph which unfortunately cannot be lightly dismissed as those behind it are well practised in violence. These threats have continued through last week, up to Friday.

Inspector-General of Police, Sindh, Jehangir Mirza, and Chief Secretary of the province Fazlur Rahman have both been made aware of this somewhat dangerous situation and are taking full measures to ensure that no harm comes to citizens under their watch.

The final paragraph of last week’s column also told of the ‘commercialisation’ of the five-acre Webb playfield in the Lines Area of Karachi by the Army Welfare Trust and Makro-Habib for the construction of a ‘Cash & Carry Store’. It emerges that Makro-Habib is an old hand at the conversion of amenity spaces.

A number of residents of Model Town Society in Lahore have been battling in the Lahore High Court for the past year over the ‘commercialisation’ by Makro-Habib of 80 kanals (10 acres) of a garden plot in their society.

Quoted hereunder is an excerpt from the November 11, 2006, observations of the learned single judge, Justice Sheikh Azmat Saeed, in the judgment handed down in the writ petition dealing with the issue:

“Similarly it was also stressed very vehemently that the proposed project constitutes economic growth and will bring financial benefit to the country, city and the locality. In this behalf, suffice it to say that no doubt foreign investment is to be encouraged but foreign investors are not above the law and must conform to laws of the land and must necessarily also exhibit sensitivity to the rights and privileges of the inhabitants of the area. The learned counsel for the petitioner has rightly drawn the distinction between growth and development. The two concepts are not synonymous and all growth must be measured against the collateral damage accrued thereby. Even otherwise, growth for the sake of growth is the ideology of a cancer cell.”

History will record the growth of various forms of ‘cancer’ in our society : the conversion of parks and playgrounds, the construction of grandiose projects on the remaining open spaces and beaches, the attempts to establish a ‘world-class city’ in Karachi, a city in which over half its population resides in katchi abadis, where a polluted and inadequate water supply is distributed, where 400 millions gallons per day of raw sewage is dumped into the sea.

The case of Kidney Hill, if pursued, and if the ‘authorities’ understand and cooperate, may well provide a watershed in the case of our infected environment.