



Problems of the Built Environment of Karachi



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Problems of the Built Environment of Karachi

The Metropolis of Karachi has a population of 10-12 million (the difference in estimates alone is the size of large cities in Europe and the USA). It is projected to grow at a rate that would have the city bursting at the seams with a population of about 20 million by the year 2020.

Numerous problems exist and increase every day. There is no vision or master-plan that is presently being implemented for the growth and development of the city, and various *mafias* with their own selfish interests hijack the systems in their own direction. Karachi is like a rudderless ship adrift on the ocean, being buffeted by the waves and winds.

An overview of the problem by a local planner of repute is attached as *Annexure-1*. Many positive steps need to be taken urgently to cater to the exploding environmental problems of the city, including opening up new areas for housing and commercial activity, upgrading the utility (electricity, water, sewerage, garbage collection) infrastructure system and extending it to the suburbs, providing better transport, parking and traffic management systems, establishing the northern & southern city bypasses relocating wholesale markets and warehousing facilities outside the city, etc

Implementation of the laws in the built environment field is extremely poor, with the law-enforcers actually aiding and abetting the *mafias* and law-breakers. Land and building-control are extremely lucrative fields and have been criminally exploited by a succession of governments and administrations of all types.

Owing to pressure of citizens' group in the city areas controlled by KDA/KBCA, the amount and pace of illegal construction has reduced significantly (see *Annexure-2*).

Much still needs to be done (see *Annexure-3*).

Many builders have now shifted their activities to the Cantonment areas where the rules and regulations are more lenient, and enforcement lax. Some suggestions on what needs to be done in the Cantonment areas are given in *Annexure-4*.

Planning for Karachi an Agenda for Citizens and NGOs

By Arif Hasan

Planning, like politics, is the art of the possible. Therefore, planning can only be effective if it relates to the social, economic and political reality of the society and region it is meant for. For Karachi, there are four major realities that must be taken into consideration if planning and its implementation is to be doable. This article discusses these realities. Good governance is a necessary component of the planning and implementation process. An important aspect of planning related governance is the relationship between the various actors in the planning and development drama. The more equitable this relationship, the more appropriate and realistic planning will be. Karachi's concerned citizens, NGOs, CBOs and interest groups, should therefore aim at making this relationship more equitable. This article also attempts to promote a possible agenda for this purpose.

But first the realities.

The first reality is that much of Karachi's physical and social sector facilities are provided by a non-formal sector of entrepreneurs and so-called mafias, often in defiance of state rules and regulations. The scale of their activities, which is increasing every day, is enormous. For example, Karachi requires about 80,000 housing units every year. However, between 1987-92, building permits were issued for an average of 26,700 housing units per year. Of these, only 3 per cent were supported by loans from the House Building Finance Corporation (HBFC). Part of this large demand-supply gap is taken care of by dabbas through the creation of approximately 2,000 housing units each year in Karachi shahis. A minimum of 1,000 acres of state land is occupied every year in the process for which poor communities pay a minimum of 560 million rupees to dabbals and corrupt government agencies. The rest of the demand-supply gap is taken care of through densification of existing inner city areas, illegal construction in planned areas and postponement of construction. Strictly speaking, all housing activity without building permits is illegal.

Similarly, 30 per cent of Karachi's 6,450 tons per day solid waste is recycled or used as fuel for pottery kilns. The recycling industry, which has an estimated turn over of 1.2 billion rupees per year and which provides employment, directly or indirectly, to over 40,000 persons, also operates in defiance of state laws and regulations. It is estimated that 30 per cent of the time of the Karachi Metropolitan Corporation (KMC), solid waste management related staff and vehicles is spent in working informally for the recyclers.

In the field of transport,

majority of the 15,000 plus Karachi mass transit vehicles are individually owned and have been purchased by informal loans at about 100 per cent per year interest. It is these money lenders who for the most part control Karachi's transport today and are likely to do so for the foreseeable future. Bus owners have paid back an estimated 24 billion rupees to these money lenders for their vehicles. These buses, especially the mini buses, operate in areas where there are no roads and link Karachi's unserved low income suburbs to the city. No formal bus company would operate in these conditions. In the same way water tankers are purchased and according to the Water Tanker's Association, they operate over 50,000 trips a day with a daily turn over of 10 million rupees.

In the field of employment, according to the Karachi Development Plan 2000, 75 per cent of jobs in the city are generated by the so-called informal sector which increasingly services the needs of formal sector industry and produces cheap consumer items for the low and lower income groups. In 1974, this "informal" sector employment was calculated at 66 per cent. Similar figures can be quoted for water and sewage infrastructure in low income katchi abadis and lower middle income planned areas. The list is endless.

Most of these services providers have now come of age. They have formed associations to protect and promote their interests. The city cannot function without them and the state is in no position to replace them. They constantly lobby with government agencies for infrastructure and support for their activities. There is a need to make use of their knowledge, support their good practices and get them to agree to regulate their damaging ones. But that can only happen if a sympathetic understanding of how they operate can be arrived at and through a dialogue with them. Such an understanding already exists with a number of Karachi NGOs and professionals who are constantly in touch with them and have documented their work.

The second reality is that every plan for Karachi has emphasised that urban management of what exists should be the top priority for the city and that we should build on what we have. However, priority has not been given to this recommendation. On the contrary, priority has been given to promoting plans that are not compatible with the social and economic realities of the identified beneficiaries or to grandiose projects that are capital intensive and environmentally disastrous. Most of these grandiose projects are not implemented even through crore of rupees are spent on designing and promoting them. The metroville projects had to be abandoned since they could not meet their objectives and could not attract the target group. The Lines Are Redevel-

opment Project has created a high density slum in the city centre and deprived the city of valuable land for its desperately needed urban infrastructure. And this, only because it was based on wrong wishful assumptions. The 3 billion rupees (in 1991) Lyari Expressway Project, promoted in its various forms as an alternative to the Northern Bypass, has also been abandoned. Environmentally it would have been a disaster, since it would have taken heavy diesel vehicles from the port to the Super Highway through the city centre. In addition, it would have opened up land speculation, introduced degraded land-use practices in the heart of the city and displaced 25,000 houses, businesses, schools, health facilities and infrastructure worth at least 8 billion rupees! All this was foreseen by opponents of the project. Similarly, the present mass transit proposal for a 13 kilometre corridor costing 668 million US dollar has been in the doldrums for the last 6 years for financial reasons. It will be an environmental disaster and will not be affordable for poorer Karachiites. Similar projects in other Third World cities have not solved transport and traffic problems. Cheaper to build, environmentally friendly and much larger scale alternatives are staring us in the face. Also in these 6 years no attempts to improve the existing transport modes have been made, even through 85 per cent of Karachiites will still be using them even if all 3 mass transit corridors are ever completed.

It would not be out of place here to mention that 470 million rupees were spent on the preparation of the Karachi Development Plan 2000. It was not implemented for a number of political and technical reasons, which should have been foreseen as they were by certain observers and evaluators of the plan. Similarly, the Greater Karachi Sewage Plan has ignored existing ground realities. It has not even documented the community and councillor built infrastructure that serves the needs of the majority of Karachiites. As a result, the treatment plants function at only a fraction of their capacity and implementation of the Baldis project, which is part of the Plan, has been a failure. As a result, 400 million rupees have literally gone down the drain. NGOs and professionals have presented alternatives to the Plan that would bring down costs to 15 to 20 per cent of the current estimates simply by catering to ground realities. Large water schemes are also being developed but so far no serious attempt has been made to plug the major leakages in the system through which 40 per cent of Karachi's water is lost. And then there are a number of flyovers that have been, or are being constructed, which make no sense to a number of private and government employed traffic and transport specialists. Most of these grand projects have been designed by teams

of local and foreign consultants and have received technical assistance from donor agencies. Many also have large loans attached to them.

From the above discussion, it seems that contractors, consultants and loan pushing agencies are determining Karachi's physical and hence social development, or lack of it. Even if well-intentioned, they have powerful financial interests in this development game. Karachi's concerned citizens, NGOs, CBOs, interest groups and service providers have at various times objected to many of these projects but often not at the initial stages of the project and seldom collectively. Their involvement at the conceptual stages of the project is essential so that the projects can be compatible with reality. Also, to give seriousness to their objectives, they should be technically sound and for this they need professional assistance.

The third reality is that land in Karachi is treated unashamedly as a commercial commodity and not as an asset for the benefit of the city. A powerful informal politician-bureaucrat-developer ("formal" and "informal" nexus gobbles up not only all state land, legally or illegally, but also land in ecologically sensitive zones. This deprives the city of space for recreational and cultural activities and for infrastructure for its transport, cargo and storage related requirements. It also deprives the city of its natural environmental assets. Communities and NGOs are constantly struggling to protect open spaces, prevent the misuse of amenity plots and stop natural drainage channels from being encroached up. Many lives have been lost in this struggle and many NGO activists have been threatened, beaten and wounded. Where the title and land-use of the land under dispute has been clear, NGOs and citizens' groups have had greater success in protecting land.

The fourth reality is that no radical institutional reform for Karachi is possible unless there is a consensus between the different political groupings and the establishment which are all pulling Karachi in different directions. This consensus relates to Karachi's position in Sindh and the relationship of the provinces with the Centre. It must also be understood that while a metropolitan government is preferable for a large city, we cannot wait for it indefinitely. Also, that a metropolitan set-up does not necessarily mean a solution to Karachi's problems. Many Third World cities have metropolitan governments, but conditions in many of them are worse than in Karachi, with little hope for the future.

However, one thing is clear from examples from all over the world, that if what is now called civil society, can be involved in planning and its implementation for its city, conditions and institutions improve. But for this civil society must have an agenda

that strengthens its negotiating power with the establishment and makes its relationship with the powers that be more equitable. To this end, Karachi's citizens, NGOs, CBOs, professional organisations, service providers and those government agencies that are already involving interest groups in their work (such as the Traffic Engineering Bureau of the Karachi Development Authority) or supporting the work of communities (such as the Sindh Katchi Abadi Authority) should come together to promote and institutionalise the following four point agenda. One, a space for interaction between government agencies, interest groups (formal and informal) and communities must be created, nurtured and institutionalised over a period of time. This means that citizens and interest groups have to be supported by scientific research and the media so as to interact effectively with government agencies and deeply entrenched vested interests in the development, consultancy and real estate business. Two, all plans at city, sector and or neighbourhood level must be publicised at the conceptual stage and objections and suggestions should be invited especially from formal and informal interest groups, professional and academic institutions, and from the beneficiaries and victims of the plans. All costs should be stated upfront. Only after this process, should detail work on the plans be undertaken. Three, steering committees for various policy decisions, plans and implementation processes must be created. These steering committees must have a representation of NGOs, relevant formal and informal interest groups (for example, transport related plans, representatives of the formal and informal transporters must be on the committee) and professional expertise in them. In addition, these committees must have executive power. And four, all public sector institutions must prepare and make public a list of their real estate holdings, its current and proposed land-use and market value. Such real estate holdings should by law only be used for the benefit of the city and its poorer sections of the population strictly according to a master plan and not as a commodity or for the development of ad-hoc commercial complexes. In addition, no land-use change should be permitted without proper public hearings and again decisions on them should only be taken by committees of interest groups, NGOs, concerned professionals and representatives of communities which are likely to be affected.

The implementation of this agenda will go a long way in promoting institutional reform and city plans that are realistic and doable. It will promote transparency and accountability and at the same time it will strengthen the movement for a politically acceptable local government reform. ■

DAWN FRIDAY, DECEMBER 10, 1999

an APPEAL for the KIND ATTENTION of**Honourable Chief Executive of Pakistan,
General Pervaiz Musharraf.****Honourable Governor of Sindh,
Air Marshall Rtd. Mohammad Azim Daudpota.****Honourable Corps. Commander of Karachi,
Lt. General Muzaffar Hussain Usmani.*****Taking undue advantages of ill conceived,
ill planned and obsolete building by-laws
and Zoning Regulation, an NGO Has
terrorized the socio-economic conditions
of the city of Karachi.***

Building by-laws devised 20 years ago for a population of 50 lacs are being thrust upon on a population of about 1 crore 30 lacs which has resulted into certain irregular compoundable construction. Regularization of irregular construction is covered within the ambit of existing building bye-laws and had always been regularized by compounding the same. Irregular construction is compounded in all cities of Pakistan but for the last 3 years, this has been stopped in the city of Karachi, arbitrarily. Builders and Developers are being subjected to humiliation, loss of business and treacherous black mailing. A sizeable number of taxpayers to the Government exchequer have been left at the mercy of a group of foreign aided person who are bent upon creating economic terrorism and have hijacked business activities of the Builders and Developers including more than 45 allied industries that cater and supply material use in the construction of housing.

Despite recommendations for updating the building by-laws and Zoning regulations, a recommendation is already sent months before. The bureaucratic hiccup have delayed formula approval. The then Governor of Sindh, Rt. Lt. General Moinuddin Haider had realized the negative effects being sustained by the Housing industry which rendered thousand of Workers jobless, directly or indirectly has ordered to put up a final proposal before him by 5th. May 1999, which due to changed circumstances could not be processed.

Similarly, orders were given by the then Governor to put up a summary for the regularization of 260 sealed buildings malafidely sealed by the Abdullah Shah Government having vested interest. Billions and billions of rupees invested in these buildings have been rendered unproductive for more than 3 years, playing no role in the national economy.

Humbly request, an immediate order for the revival of economy as per desire of Chief Executive directives in his first press conference. For this we request for appointment of an unbiased, impartial commission of professionals to save the crumbling Housing Industry, which has been hijacked by the persons interested to create economic terrorism and an anarchy in the city Karachi which in turn effect the entire country.

Your immediate action will definitely bring fruitful results for the country.*Thanking you
Yours Sincerely,***Chairman and Members of Central &
Regional Executive Committee
of ABAD****Association of Builders and Developers (ABAD)**

ST-1/D, BLOCK-16, GULISTAN-E-JAUHAR KARACHI-75290
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Priority actions to be taken in KDA/KBCA areas

The situation in the KDA/KBCA is outlined in *Attachment-3A*

In order to comply with the requirements of the law, to stem the deterioration of the built environment, and to protect the public against potentially dangerous and fraudulent construction, the following measures must be implemented:

1. **Action must be taken against the most corrupt and senior-most officers of KBCA** (under Sindh Government E & D Rules, under Anti-Corruption procedures, and under the NAB ordinance) who are primarily responsible for the non-performance of the organization.

Delays in providing information and plans/documents, serving notices, filing counter-affidavits, written statements, and contempt of court applications, registering FIRs, filing criminal prosecution cases, maintenance of weekly field-books, taking sealing/demolition action, notifying the lessor/ Registrar/ utility companies, publication of warnings in the newspaper, notifying the PEC/PCATP, etc, all of which have led to the mushrooming of illegal buildings, must be tackled under E & D Rules

Additionally, the following pending cases must be expedited:

- a) The High Court, in Ehtesab Reference No 4/97, recommended that references also be filed against
 - Mr Syed Mohammad Hussain, (former CCOB, KBCA)
 - Mr Ahmed Hussain Siddiqui, (former DG/KDA), and
 - Mr Adil Umer Siddiqui, (serving DCB, KBCA).This has not yet been done.
- b) The KDA/KBCA must appoint a special counsel to expedite Suit 74/97, which is being misused over the past three years by fourteen corrupt KBCA officers to block their dismissal from service. The case has to be brought to its logical conclusion.
- c) Engr. Bashir Ansari of the CM's Inspection & Evaluation Team submitted a Report submitted to the Governor on 5-12-98 regarding departmental and criminal prosecution action against 12 private individuals and government officials who were found to be responsible for the "*Faiza Heights*" building collapse in North Karachi on 2-7-97. This must be acted upon now (see *Attachment-3B*)
- d) An "*Inquiry & Action at KBCA Level*" was ordered by the Sindh High Court in Ehtesab Reference No.3/97. This has not yet been undertaken.

2. **Criminal prosecution cases under SBCO '79** against builders, which have been pending for years in the courts of the local District Magistrates, must

be expedited and exemplary penalties awarded. Presently, small fines (maximum Rs 20,000) are being levied.

The actual (sometimes behind-the scenes) builders must also be made to pay restitution to any genuine people that they have cheated. It may be noted that illegal builders normally have 10-20 persons who are their fellow "investors" (see *Attachment-3C*).

The police must take prompt action on FIRs/complaints lodged by KBCA against seal violators in illegal buildings

3. **The High Court has ordered action under law (which includes eviction of illegal occupants and demolition of unauthorised structures)** against a number of illegal and potentially dangerous buildings (see *Attachment-3D*). The KBCA, aside from serving notice and hearing the occupants, has done nothing to implement the law.

Unless this is done expeditiously, at least in the cases of the illegal structures on which Court demolition orders exist, the law will continue to be perceived as impotent by the builders' *mafia* and the public in general.

4. The KDA must cancel the **amalgamations, sub-divisions, "commercializations", changes of land use, etc of all plots carried out in violation of the rules**, i.e., those cases that were
 - a) not forwarded by Concerned Authority, as defined in the Regulations
 - b) submitted without full technical justification and evaluation of relevant factors (availability of infrastructure, utilities, and amenities)
 - c) approved without mandatory process of public notice and hearingThe corresponding approved building plans will also have to be cancelled.
5. The KDA/KBCA must tackle the **parking problem in buildings** all around the city in the light of the observations in *Attachment-3E*. This will facilitate traffic movement and reduce jams, especially in congested and commercial areas like Saddar, Tariq Road, I. I. Chundrigar Road, M. A. Jinnah Road, Clifton, Sharah-e-Liaquat, Old City, Nazimabad, etc
6. The most critical section of building control is planning approval, which has been handled by the **Town Planning Section of KBCA and DPUD in KDA**. These departments provide confirmation that the building plan meets with town-planning requirements, including lease conditions, master plan restrictions, etc. It also checks the number of allowable floors, plot-ratio, compulsory open spaces, cut-line setbacks, etc.

These departments have also been (illegally) approving change of land use, sub-division/ amalgamation of plots, additional floors, increased plot-ratios, etc, without following the law. Most problems with unlawful approvals (e.g., *Glass Towers, Costa Livina, International Trade Centre, Fortune Towers*) start here.

These two departments (TP, KBCA and DPUD, KDA) must be carefully monitored

7. **Provision of utilities (KESC/KWSB/SSGCL) without a KBCA "Completion/Occupancy Certificate"** must be stopped immediately. Without the building being declared safe for occupation, the connection of such utilities only facilitates the illegal occupation of unauthorised buildings.
8. **Issuance of sub-leases by the Districts Registrars without reference to a KBCA "Completion/Occupancy Certificate"** must also be stopped immediately for the same reason. In two cases (1998 MLD 544, 1998 CLC 1952), the High Court has declared such sub-leases, without a KBCA "NOC for Sale" and "Occupancy Certificate", to be invalid.
9. **Political and bureaucratic interference in the working of KDA/KBCA** must be eliminated, and the Authority must be allowed to work to implement the law. Officials must be afforded protection against pressures and improper influences from ministers, politicians, unions, senior bureaucrats, and even military (retired and serving) officers.

Priority Actions to be taken in Cantonment Areas

The illegal building problems in the Cantonment Area are very similar to those in the KDA/KBCA areas (see *Attachment-4A*). Addressing similar issues in KDA/KBCA areas, however, has already begun owing to the involvement of citizens' pressure groups and NGOs, and due to the establishment of the KDA Governing Body and the KBCA Oversee Committee.

Some of the lessons learnt in KDA/KBCA can be used to advantage in Cantonment areas. The priorities should be:

1. **Transparency and access to information** must be clearly established. A policy of *glasnost* will reduce corruption significantly, enable citizens to monitor the development of the built environment, and help them to avoid being defrauded by various *mafias*. This can be done with:
 - a) *Public Information Counters*
 - Any building plan or related document/paper must be made available at a nominal fee to any citizen within one week. (See *Attachment-4B*). This Counter must be widely publicized in the press on a monthly basis and be easily accessible to all citizens. Its performance must be logged and monitored.
 - All complaints in writing submitted to the Counter must be answered within two weeks.
 - b) *Publication of Salient Features of Public Sale Projects*
The cheating of the public by the builders' *mafia* will reduce if citizens are provided information on what exactly has been approved by the Cantonment Board (see *Attachment-4C*). A Cantonment Board standard "Agreement with Builder" format must be used by all builders and purchasers.
 - c) *Publication of Lists of Unauthorised Buildings & Court Cases*
Fraud of unsuspecting citizens will be reduced if monthly lists are published in the press on the city pages of DAWN and JANG and M'LLAT (see *Attachment-4D*)
2. **Involvement of citizens groups and NGOs in monitoring** the performance of the building control departments must be encouraged and institutionalized. The KBCA Oversee Committee can be emulated.
3. **Tackling of illegal construction** being put up in violation of approved plans must be undertaken on a determined basis. Numerous buildings in Clifton Cantonment, Karachi Cantonment, Faisal Cantonment, etc. are being constructed unauthorisedly in connivance with building-control officials, and sold to the unsuspecting public. The Cantonment Executive

Officer is not taking timely action and the citizens are being defrauded by purchasing illegal and potentially dangerous construction.

Lawful actions against unauthorized building work must be taken promptly and colluding Cantonment Board Officers taken to task (see *Attachment-4E*)

4. **Civil court cases must be handled in a proper and timely manner.** The builders must not be allowed to misuse Court orders to "shield" their illegal construction activity. If the Courts are properly assisted and provided with prompt information, this problem can be easily eliminated.
5. **Criminal prosecution cases against all violators** (builders, architects/engineers, Cantonment Board officials, occupants) of the building laws, rules and regulations must be filed promptly, and expeditiously processed. Exemplary punishment will have a salutary effect on the problem of illegal construction.
6. **Excessive plot-ratio is a major issue** in Cantonment areas. A whopping 1: 6 plot-ratio is applied to all multi-storeyed buildings. This is objectionable for the following reasons:
 - a) Considering that the original plot-ratio obtaining in the old city "Lines" areas was 1: 0.5 to 1: 0.66 (i.e., G + 1 floor structure on 1/4th or 1/3rd of the plot), the new plot ratio of 1: 6 represents a ten-fold or twelve-fold increase.
 - b) In the Clifton (KDA Scheme No. 5) and Gulistan-e-Jauhar (KDA Scheme No. 36) areas, the above also holds true for the larger plots.
 - c) The original planning and infrastructure of the "Lines" areas and KDA Schemes Nos. 5 and 36 cannot cater to this increased load of water, electricity, sewerage, gas, garbage collection, traffic, parking, etc. These utility services constantly break down.
 - d) In the KDA Schemes, such conversion of plot-ratio is in violation of the lease-conditions and in contravention of the law (KDA Order No. 5 of 1957)
 - e) A plot-ratio of 1: 6 is given in very few areas under KDA/KBCA control: essentially in the Central Business District (see *Annexure-4E*).
7. **Adhoc change of land use** is also violative of the fundamental rights of other citizens, besides being in contravention of lease conditions and the law (KDA Order No. 5 of 1957). Before any change of land use (residential to commercial/flat-site) can be considered,
 - a) a complete technical feasibility of the proposal must be sought: availability of infrastructure and amenities, including water, electricity, sewerage, gas, garbage collection, traffic, parking, etc, must be confirmed.
 - b) public objections to the proposed change must be invited with well-publicized notices in DAWN/JANG/MILLAT

- c) a public hearing must be conducted to examine the issues involved in detail.

The conversion of amenity plots and spaces to other uses must be banned completely, as has been done in KDA/KBCA jurisdiction

- 8. **Provision of utilities (KESC/KWSB/SSGCL) to a building without a Cantonment Board "Completion/Occupancy Certificate"** must be stopped immediately. Without the building being declared safe for occupation, the connection of such utilities only facilitates the illegal occupation of unauthorised buildings.
- 9. **Issuance of sub-leases by the District Registrars without reference to a Cantonment Board "Completion/Occupancy Certificate"** must also be stopped immediately for the same reason. In two cases (1998 MLD 544, 1998 CLC 1952), the High Court has declared such sub-leases, without a "NOC for Sale" and "Occupancy Certificate", to be invalid.
- 10. **Political and bureaucratic interference in the working of Cantonment building-control** must be eliminated, and the authority must be allowed to work to implement the law. Officials must be afforded protection against pressures and improper influences from ministers, politicians, unions, senior bureaucrats, and even military (retired and serving) officers.

Situation in KDA/KBCA

1. The KBCA of KDA is the Authority under the Sindh Building Control Ordinance (SBCO) 1979, and is charged under law with the responsibility "to regulate the planning, quality of construction and buildings control, prices charged and publicity made for disposal of buildings and plots by builders and societies, and demolition of dangerous and dilapidated buildings" in Karachi.

The "Karachi Building & Town Planning Regulations 1979" are the rules framed for carrying out the purposes of the SBCO '79.

2. The performance of the KBCA officials over the past 20 years has been and continues to be dismal. Under their patronage and due to their gross dereliction of duty, the city of Karachi has been over-run with unauthorised, potentially dangerous structures, unlawful conversions of land use, widespread fraud of the public by the builders, misuse of off-street parking spaces, blatant abuse of judicial due process and court orders, and a host of other violations.

This has led to such a marked deterioration in the built environment---, with overloading of the utilities and infrastructure, lack of green/open/recreation spaces, traffic and parking chaos, etc --- that the quality of life for all residents has reduced.

Citizens have responded by forming NGOs and CBOs, filing public-interest litigation, conducting signature campaigns, petitioning government thorough pressure-groups, etc., to expose the gross corruption in KDA/KBCA and to protect their fundamental rights to "life".

3. In 1995/96, as a result of citizens' pressure, over 260 illegal buildings were "sealed" by the Commissioner and KBCA, and some "cosmetic" demolition undertaken. In collusion with KBCA officers and lawyers, the builders then filed new cases in the High Court and have misused interim orders to complete the illegal constructions and to induct occupants without the mandatory "Completion/Occupancy Certificate". A number of these buildings are high-rises on Bhahrah-e-Faisal.

KBCA officers are regularly "suspended" and later reinstated: but within the last 5 years, with the exception of one COB (Ejaz Ahmed) who was convicted in Ehtesab Case No.4/97, no KBCA/KDA officer has been properly taken to task. Fourteen officers who were suspended in 1996 have blocked their dismissal with a Civil Suit (No 74/97) in the High Court. The Sindh Government was dismissed in 1996, and the Governor termed the KDA a "Nest of Corruption" in the official Dissolution Order.

4. In January 1997, the interim government appointed for a period of 2 years an "Oversee Committee on KBCA" under Section 4-B of SBCO '79, with 50% members from the private sector. This Committee did a lot of good work to try and establish transparency in the working of the organisation, maintain a "Public Information Counter", monitor illegal construction, educate the Courts about the complexity of the issues, streamline internal procedures, etc. The success of the Committee can be gauged from the fact that the new 1997 political government had the body

dismissed in the middle of 1998 and replaced with political representatives and pliant individuals.

A public outcry and the intervention of the PM restored the Committee two months later. Subsequently, delaying and non-cooperation tactics (which exist till today) were employed by the KBCA officials to defeat whatever the Oversee Committee was trying to do. Internally too, the presence of various interests, especially ABAD, the Association of Builders & Developers, continues to make the working of the Committee difficult and frustrating.

Governor Moinuddin Haider renotified the Committee for a period of another 3 years in early 1999 (see *Attachment-3A1*).

5. The KDA Governing Body was also re-constituted by Governor Moinuddin in early 1999 and is comprised of outstanding individuals from the private sector who are slowly trying to understand the complex issues involved and take appropriate action.. The KDA, too, is riddled with numerous problems, including gross over-staffing, excessive litigation, corruption, lack of leadership and direction, low morale, etc.
6. On 20-3-99, the Chief Controller of KBCA, along with private members of the Oversee Committee, formulated a set of working guidelines entitled "*Improvements in Working of KBCA*" (*Attachment-3A2*). These guidelines reinforced and consolidated what the Oversee Committee had been doing over the previous two years, and were presented by the CCOB in the KBCA Oversee Committee meeting held on 24-3-99. The guidelines were endorsed by the Oversee Committee for implementation by KBCA.
7. An analysis of how effective the implementation has been is given in *Attachment-3A3*. It can be seen that much is left to be done, and many officers will have to be taken to task before corruption decreases and the building laws are seriously implemented.

This has become more critical today because of the terrible loss of life (over 20,000) and property (over 100, 000 structures collapsed) caused by the recent earthquakes in Turkey. Illegal construction by the builders' *mafias* in collusion with the building control authorities, carried out in virtually the same fashion as it is in Karachi, was the reason for in excess of 600,000 persons being left homeless.

See the amazing Public Notice of 1-9-98 (*Attachment-3A4*) put out by KBCA in the daily press. It is an incredulous and shameful acknowledgement of the impotence of the KBCA in undertaking its statutory duty to control the built environment of Karachi. Such KBCA advertisements appear with regularity: similar statements in the press would be inconceivable in sane and developed societies.

8. The awareness level in the Superior Courts has recently taken a quantum jump. Two landmark decisions by the Supreme Court in May 1999 (*Glass Towers & Costa Livina*) have made the judiciary aware of the extent to which the builders' *mafia* has been misusing Court orders to shield its illegalities. Today, no one wants to held responsible for facilitating the construction of an illegal and potentially dangerous building that may collapse in the next earthquake to hit Karachi.
9. *Annexure-3* outlines priority actions needed to be undertaken, including steps against the most corrupt officers at the highest levels in the KBCA, prosecution of

the builders, and lawful actions that have been ordered by the High Court of Sindh against illegal structures. If this is not done expeditiously, nothing will be achieved and the *noora-kushti* will continue in some form or the other.

10. The KDA Governing Body recently charge-sheeted (see *Attachment-3A5*) the outgoing Chief Controller of Buildings, KBCA, Mr Syed Mohammad Hussain . The results of the inquiry are still awaited.

GOVERNMENT OF SINDH
HOUSING & TOWN PLANNING DEPARTMENT

Karachi dated the 9th March, 1999.

NOTIFICATION

NO.SO-Land(KDA)/HTP/3-89/99:- The Government of Sindh in exercise of the powers conferred under Section 4-B of the Sindh Building Control Ordinance, 1979 (hereinafter referred to as the "Ordinance") is pleased to appoint a Committee to oversee and monitor the functioning and operation of the Karachi Building Control Authority (hereinafter referred to as the "Authority") for a period of three years and until further orders. The Committee shall comprise of the following members:

(i)	Secretary Housing & Town Planning Department	Chairman
(ii)	Chief Controller of Buildings KBCA	Secretary
(iii)	Mr. Justice (Retd) Haziqul-Khairi	Member
(iv)	Director General, KDA	Member
(v)	Director General, LDA	Member
(vi)	Director General, MDA	Member
(vii)	Legal Advisor KBCA	Member
(viii)	Chairman Pakistan Engineering Council	Member
(ix)	Chairman of Pakistan Council of Architects & Town Planners	Member
(x)	Chairman of Association of Builders & Developers	Member
(xi)	Nominee of SHEHRI Citizens for a Better Environment	Member
(xii)	Architecture Department Dawood College of Engineering & Technology.	Member
(xiii)	Architecture Department Indus Valley School of Art & Architecture	Member
(xiv)	Civil Engineering Department NED Engineering University	Member
(xv)	Citizen with proven track record of interest in building matters nominated by the Governor : Mr. Ardeshir Cowasjee	Member
(xvi)	Advocate with a minimum of ten years of active practice, nominated by the Governor Qazi Faez Isa, Bar-at-law	Member

The organizations listed at number (viii) to (xiv) may be represented by such person (s) as the concerned organization in writing intimates to the Secretary of the Committee and unless otherwise notified in writing, the person who was initially representing the organization shall continue to do so. If an organization is represented by more than one person, such persons shall for the purposes of this notification be deemed to be a single member.

1. The Committee may undertake the following functions:

- (i) To oversee and monitor the grant of approvals of buildings in accordance with the provisions of the Karachi Building and Town Planning Regulations, 1979 and/or any other regulations framed under the Ordinance hereinafter referred to as the "Regulations").

the Authority in case the same is in violation of its approved building plan and the Authority shall within fifteen days of the receipt of such intimation take appropriate steps in accordance with the provisions of the Ordinance.

- (iii) To issue directions to the Authority for the demolition of dangerous or unauthorized buildings. The Authority shall within fifteen days of the receipt of such directions implement the same in accordance with the provisions of the Ordinance and /or the Regulations.
- (iv) To draft and recommend amendments to the Regulations as and when deemed necessary.
- (v) To draft and make recommendations for amending the Ordinance whenever deemed necessary.
- (vi) To draft rules and regulations for giving effect to the provisions of the Ordinance.
- (vii) To ensure that the Authority effectively enforces and implements the provisions of the Ordinance and the Regulations.
- (viii) To recommend policy measures to the Authority and the Government in relation to the regulation of growth of the city both vertically and horizontally.
- (ix) To suggest ways and means of making the Authority more efficient and effective.
- (x) To recommend measures to protect and preserve the built environment of the city.
- (xi) To take measures to ensure that the provisions for amenity parks, playgrounds, public services and recreational areas in various housing and other schemes are properly used.
- (xii) To make recommendations for the effective preservation and restoration of buildings or architectural, cultural or historical interest.
- (xiii) To co-ordinate with any task force, advisers, experts or other person performing any functions under the Ordinance.
- (xiv) To make laws/rules/recommendations for layout and building plans.
- (xv) To initiate action against any officer or employee of the Authority who appears to be acting contrary to the provisions of the Ordinance and/or the Regulations and/or is perceived to be indulging in corrupt practices (as the ordinary meaning of the word connotes) and submit a written complaint to the Government in respect thereof, which complaint shall be signed by at least five member of the Committee. The Government shall within seven days of the receipt of such complaint commence disciplinary action against such officer or employee.

- (xvi) To make efforts to ensure transparency in the functioning of the Authority and to further ensure that requisite information is made available to the general public.
- (xvii) Any other steps that the Committee deems necessary and expedient in order to effectively carry out its functions and in exercise of its powers set out herein.
2. All words used here shall have the same meaning as it assigned to them in the Ordinance and /or the Regulations.
 3. The Chief Controller of Buildings shall be the ex officio Secretary of the Committee.
 4. The Committee shall meet at least once a month on a fixed day and time.
 5. Four members shall form the quorum of a meeting. In case the Chairman is not able to attend a meeting, the members present shall amongst themselves elect a Chairman for the meeting.
 6. Decisions in a meeting shall be taken by simple majority. In case of equality of votes the Chairman shall have a second or casting vote.
 7. The Secretary shall keep proper record of all proceedings of a meeting and shall provide copies thereof to all members within one week. In case the Secretary fails to take and record the minutes of a meeting, the same may be recorded by any member of the Committee, subject to the approval of the majority of members attending such meeting.
 8. the member shall be entitled to receive assistance and information from the Authority and its officers and employees with regard to all matters relating to the functioning of the Authority. In the event of failure to render assistance or the failure to provide information or the giving of false or misleading information, disciplinary action shall be initiated by the Government against the concerned officer or employee upon the written complaint of at least four members, particularizing therein the matter complained of.
 9. The Authority shall submit quarterly reports to the Committee giving detailed particulars therein of its progress, achievements and reasons for any failures to achieve its targets.
 10. Any recommendations/suggestions/proposals given by the Committee to the Authority or to the Government or any other concerned authority in exercise of the Powers conferred under this notification shall be in written form.
 11. The Government, Authority, or agency receiving such recommendations/suggestions/ proposals shall within fifteen days of the receipt thereof either accept and adopt the same or adopt the same with modifications.
 12. In case the Government, Authority, or agency receiving such recommendations /suggestions /proposals decides not to accept or adopt the same with or without modifications, it shall call a meeting of the Committee members and try to bring

about a consensus in respect thereof, failing which it shall give its reasons for rejecting such recommendations/suggestions/proposals.

13. No suit or proceeding or legal proceeding shall lie against any member in respect of anything done or intended to be done in good faith in the performance of functions or exercise of powers contained herein.
14. Any member who does not wish to retain his membership of the Committee may submit his resignation to the Government..
15. Any member who fails to attend three consecutive meetings of the Committee shall no longer be considered to be a member of the Committee.
16. Any vacancy occurring in the Committee by virtue of death, resignation, minimum prescribed attendance or any other reasons shall be filled in by the Government by appointment of new members. In making such appointment in respect of the said vacancy by a member of a particular organization or of a particular and relevant qualification, the Government may ensure that only such person is appointed who is representative of a similar organization or who is similarly qualified.

(SYED FAISAL SAUD)
SECRETARY TO GOVERNMENT OF SINDH

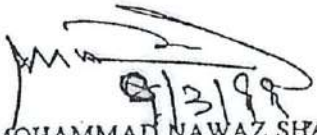
HO.50-LAND(KDA)/HTP/3-89/99

Karachi dated the, 9th March, 1999.

A copy is forwarded to :-

1. The Additional Chief Secretary (Dev) Planning & Development Department, Government of Sindh.
2. All Administrative Secretaries, including Members, Board of Revenue, Sindh.
3. The Chairman, Enquiries & Anti-Corruption Establishment, S&GAD.
4. The Chairman, Chief Minister's Inspection and Evaluation Team, Sindh, Karachi.
5. The Secretary to Governor, Sindh, Karachi.
6. The Registrar, High Court of Sindh, Karachi.
7. The Accountant General, Sindh, Karachi.
8. The Director General, KDA/HDA/MDA/LDA/Lar.DA/SDA.
9. The Director Town Planing, Sindh, Hyderabad.
10. The Deputy Secretary (Staff) to Chief Secretary, Sindh.

11. The Officers/Members concerned.
12. The Superintendent, Sindh Government Printing Press Karachi.
13. The Office Order File.


(DR. MOHAMMAD NAWAZ SHAIKH)
SECTION OFFICER (LAND)
FOR SECRETARY TO GOVERNMENT OF SINDH

24-3-99

Improvements in Working of KBCA

1. Overseer Committee Secretariat

- Coordinator Mr. S.M.R. Wasti, COB
- Asst. Coordinator Mr. Mumtaz Hashmi, DCB
- Steno/Computer Op. Mr. Rahmat Shah
- Clerk (By CCOB)
- Equipment Computer + Printer + Fax
- Additional personnel and equipment in future as needed
- To be located on the 1st floor of KBCA Annexe

2. Public Information Counter

- 10 am - 1 pm, Monday to Saturday
- Manned by ACB & Building Inspector (weekly duty)
- Documents & plans to be available within 5 days
- Written complaints to be sent to Zone within 1 day, & answered within 7 days
- Additional display/information boards
 - + Sample "Agreement with Builder" (30-3-99)
 - + List of "Buildings under Litigation" (5-4-99)
- Booklet to be developed with relevant information for general public, including KBCA procedures, forms, public sale project procedures, occupancy certificate importance, means of redress, unauthorised construction, zoning regulations, public hearings, etc.

3. Public Notices & Information

- Simultaneous publication in DAWN, JANG, & MILLAT newspapers only
- Monthly publication of lists of
 - + unauthorised construction
 - + details of approved plans
 of critical areas where unauthorised construction is rampant.
- Details of public sale projects to be published within one week of issue of "NOC for Sale"
- Quarterly publication of list of "Buildings under Litigation" (5-4-99)
- All ads (TV and newspaper) to have:
 - + "Inquire at KBCA Public Information Counter at Civic Centre for additional information."
 - + "This is your city. Preserve its built environment."

4. Office Matters & Procedures

➤ CCOB	=	1
COBs	=	6
DCBs	=	48
ACBs	=	111
Other Officers (>BPS 17)	=	41
Other Staff (<BPS 16)	=	744
Total		951

- Attendance & punctuality of all personnel. Action against defaulters under Government
- Efficiency & Discipline (E&D) Rules
- Finalization of Seniority List
- Annual Confidential Reports
- Leave Accounts of all officers & staff
- Promotion Cases

- Disciplinary Action cases
 - + 3 officers under suspension. Charge sheets being issued.
 - + 15 officers issued "Final Show-cause Notices" in 1996. Obtained stay-orders from SHC. Have been temporarily reinstated pending SHC decision.
- Rotation of posting of all officers (6 monthly for 2 year tenure)

5. Building Control Procedures

- Maintenance & checking of Field Books with complete details of buildings
 - + weekly by ACBs
 - + fortnightly by DCBs
 - + monthly by COBs
- Monthly photos (3 different views), with newspaper to establish date, of under-construction buildings in critical areas.
- Plinth Verification Certificates to be obtained and verified
- Approved form of "Notice U/S 7-A SBCO'79" to be used, including a copy to be issued to Legal Advisor.
- Comments (with photographs) for court cases to be given by DCBs to Legal Advisor within 3 days. COBs to maintain log and confirm. Compliance.

6. Legal Department

➤ Legal advisors:

Iqbal Memon	200 cases	(SHC)
Shahid Jameel	100 cases	(SHC)
Qadir Memon	150 cases	(Dist. Courts)
Farook Sheikh	150 cases	(Dist. Courts)
Zahida Naqvi	280 cases	(Prosecution)

➤ Panel advocates:

Kizilbaksh	30 cases	(SHC)
Rashiduddin	100 cases	(SHC)
Latif Survery	100 cases	(SHC)
Ikram Siddiqui	100 cases	(SHC)
Dharaj	40 cases	(SHC)
Ibrahim Dasti	30 cases	(SHC)

- High Court Cases = 704
- District Court Cases = 309
- Prosecution Cases = 280

- Listing and computerization of all litigation, including a clear indication of all cases pertaining to one plot, updating of court orders, etc.
- Daily reporting on case status by advocates in approved format, and distribution to all COBs for appropriate and immediate action
- Proper working place & file storage facilities for legal advisors
- Criminal prosecution cases to be filed (at least 1000) against unauthorised construction (20-4-99)
- "Additional deposit for demolition & legal costs" (= 50% of scrutiny fees) being charged to cover costs for combatting illegal construction.

7. Plan & NOC Approval Procedures

- Time periods and procedures to be in line with upgraded Regulations being developed.
- All building and project information to be computerized and updated on a daily basis
- No approvals & NOCs to be granted without clearly establishing identity (name, phone number, residential & office addresses of owner/builder). Building site address will not be acceptable.
- Partial approvals and conditional approvals/sanctions are not to be issued.

8. Licensing of Professionals & Builders

- Professionals & builders to submit details of projects undertaken over last 5 years. Those with illegal construction or pending public complaints will not be eligible for renewal of registration/license.
- List of suspended/revoked licenses of professionals to be provided to PEC/PCATP, with details of violations, so that they can also take appropriate action.
- Licenses of all professionals who have undertaken illegal construction are to be revoked immediately (in addition to 35 already suspended).

9. Monthly Report by CCOB to Oversee Committee

- Confirmation of compliance with of procedures established:
 - a) Field books regular maintenance & checking
 - b) Taking of regular photographs
 - c) Regular publication of approvals, unauthorised buildings, public sale projects, buildings under litigation
 - d) On-time submission of comments by DCBs to LA
- Report on "Public Information Counter"
 - a) No. of approved plans/documents delivered
 - b) No. of complaints received and dealt with/answered
- Statistical list of pending Court (High Court & District Courts) cases
- Statistical list of pending criminal prosecution cases
- Statistical list of building approvals granted & pending.
- List of disciplinary action taken and disciplinary action recommended (with names and details) to be taken by Oversee Committee.

Implementation of "Improvements in Working of KBCA"

1. Oversee Committee Secretariat

1. The implementation of the directives of the Oversee Committee are not being followed up effectively and in a timely fashion by the Secretariat.
2. An Oversee Committee Representative has been appointed (and paid for) by the non-government/private members, a lawyer, Mr. Mohd Sarwar, who sits at the Secretariat. He assists the Secretariat, facilitates and the non-government members in their dealings with the KBCA.

2. Public Information Counter

1. Plans and Documents are not made available to the public within the stated 5 days.
2. Written complaints are not answered within 7 days. Most are not answered at all.
3. "List of Buildings under Litigation" has not been posted at the Public Information Counter.
4. Work on the booklet of information for the public has not yet started.

3. Public Notices & Information

1. Lists of unauthorised construction and new approvals are being published in the daily. So are general warnings to the public. The regularity needs to be improved.
2. The format of "Lists of Buildings under Litigation" published in the newspapers needs to be improved. The complete list has not yet been published.

4. Office Matters & Procedures

1. Attendance & punctuality of staff and officers is deplorable. Record keeping is poor and no action is taken under E & D Rules against violators of office discipline.
2. When officers are suspended, an expeditious and proper enquiry is not conducted. Re-instatement is done on the basis of *sifarish*.
3. The KBCA Oversee Committee had recommended in early 1997 that all officers be retained in their posts for at least two years; this is not being done. Transfers and postings are being used by senior bureaucrats and politicians as a means of:
 - getting a corrupt officer away from the "heat"
 - putting a favourite/compliant officer into a lucrative position.
4. Numerous officers are "officiating" in higher-grade posts (some of these posts do not exist). A number of these "promotions" have been made out of turn.
5. The seniority list at KBCA is controversial, and is the cause of "heart-burning", inefficiency and low morale.

5. Building Control Procedures

1. Field-books (recording weekly the extent and nature of construction of buildings on plots) are not being properly and regularly maintained by ACBs, and are not being checked periodically by DCBs and COBs, inspite of Oversee Committee directives.
2. "Plinth Verification Certificate" (as per Form 5 of the Building Regulations) is not being properly submitted by architects and verified by KBCA officials. A number of false Plinth Verification Certificates have been accepted and confirmed by KBCA. (Nice Trade Orbit, A-4 Bath Island).

3. The form of "Notice U/S 7-A SBCO'79" approved by the Oversee Committee is not being properly followed. The notice is not being served on the Architect/Engineer, concerned DC, or the High Court.
4. Comments (with photographs) for court cases are vague/ambiguous/incomplete and delayed beyond the stipulated 3 days. COBs are not maintaining a log.
5. Prompt action under law (sealing, demolition, withdrawal of plan, filing of criminal prosecution case, lodging complaint/FIR against seal violators, notice to lessor for forfeiture of plot lease, notice to Registrar about non-registration of sub-lease, notice to KESC/KWSB/SSGCL for disconnection of utilities, publication of public warning notices, suspension of architects/engineers licenses and submission of complaint/details to PEC/PCATP, filing contempt of court applications, etc.) is not taken at all or delayed inordinately. No disciplinary action under E & D Rules against the derelict officers is taken.
6. Approvals and permissions are given in contravention of the applicable law and regulations (which include KDA Order 1957, SBCO'79, KB&TP Regulations 1979, and the plot lease conditions). The standard "excuses" for contravening the law are:
 - o relaxation of rules by "competent authority"/minister/secretary/DG/CCOB
 - o declaration/resolution/administrative instructions by the KDA G.B.
 - o "as per long standing practice of KBCA/KDA"
7. COBs do not take prompt follow-up action when court *ad-interim* orders are vacated, in spite of prompt/daily transmission of court order information from Legal Advisors to COBs.
8. The registrations/licenses of all architects and engineers involved in unauthorised construction have not been revoked, nor have details been provided to PEC/PCATP to enable them to discipline the professionals. New proposals are received signed by architects/engineers whose registrations/licenses should have been suspended/revoked.

8. Legal Department

1. Many ALAs do not provide a clear and unambiguous daily feedback on Court orders to COBs, to enable prompt action to be taken against unauthorised construction.
2. Criminal prosecution cases have not been filed against owner/builders and professionals in the majority of unauthorised construction cases (e.g., 262 sealed buildings, Shahrah-e-Faisal buildings, buildings listed in the monthly Public Notices of KBCA, etc.)
3. Criminal prosecution cases have not yet been filed against :
 - all building parking space violators throughout the city
 - already prosecuted and convicted illegal builders who have not removed the admitted illegal construction (i.e., "the offence is a continuing one")
 - occupants, especially of commercial premises (e.g., Glass Towers, International Trade Centre, Al-Kamran Centre, Fortune Centre, Business Avenue, etc)
 - criminal prosecution cases and civil cases are handled in a weak and collusive manner: it is becoming increasingly difficult for criminal and civil court judges to rule in favour of KBCA.
4. The ALAs do not assist the courts properly. They:
 - do not provide all the facts clearly and forcefully
 - do not insist on an immediate site inspection (with photographs) to establish the state of the impugned construction when *status quo* is ordered by the court.



KARACHI BUILDING CONTROL AUTHORITY

PUBLIC NOTICE / WARNING (ATTENTION BUYERS)

The following buildings on Sharea Faisal are being constructed in contravention of the approved building plans, and the general public is warned not to enter into any transaction with the builders.

Name	Plot No.	Name	
<u>FECHS, BLOCK 6.</u>		<u>K.C.H.S. UNION BLOCK 7&8</u>	
Jason Trade Towers	39-A	Hannan Centre	55 Darul Aman CHS
Al Kamran Centre	7-A	Tax Free Plaza	56 Darul Aman CHS
Fortune Centre	45-A	Not Known	47 Darul Aman CHS
Progressive Square	11-A	Anum Classic	48 Darul Aman CHS
Business Avenue	26-A	Kawish Crown	37 Darul Aman CHS
Shaheen Towers	23-A	Metropolitan Bank	3 Jinnah CHS
Amber Towers	22-A	Faisal Towers	3 Maqboolabad
Amber Castle	21-A		
Not Known	20-A	<u>SINDHI MUSLIM C.H.S. BLOCK 'A'</u>	
Shaheen View	18-A	Fayyaz Plaza	5 S.M.C.H.S.
Doctor's Plaza	16-A	Amber Towers	110 S.M.C.H.S.
Not Known	15-A	Mehdi Towers	115 S.M.C.H.S.
Amber Pride	13-A		
Marine Faisal	10-A	<u>DEH SAFOORAN</u>	
Not Known	29-A		
		Falaknaz Towers	8-299/800

Additionally, the unauthorised construction is potentially dangerous as they are being built without an approved plan, have not been properly supervised by a KBKA licensed Architect / Engineer. They are being constructed in violation of the earthquake resistance design.

Please note that the Sindh Building Control Ordinance 1979 makes it mandatory for the citizens to occupy premises, houses, buildings, shops and showrooms etc. only after obtaining completion / occupancy certificates from Karachi Building Control Authority otherwise they are liable to be prosecuted under law.

KBKA informs the general public in their own interest that before booking a shop, office, godown, flat or bungalow etc. in any completed or under construction project, please confirm in writing:-

- Whether plans of the projects have been approved by KBKA and to what extent of floors and covered area.
- Whether the builders/developers have the proper NOC of KBKA for sale of units in the projects. In case a flat, office, or shop has been built in contravention of the approved building plan and NOC, the purchaser will not be able to get ownership rights and the illegal structure will be dismantled / demolished.

Please enquire at the KBKA Public Information Counter at Civic Centre before investing in any project. A copy of the approved building plan is also available at nominal charges.

This is your city keep its environment beautiful

Karachi Building Control Authority

Items of Charge-Sheet against CCOB, KBCA

1. Illegal Building on Plot 16/2/2, SB-6, Saddar Bazar
In spite of the matter being brought to your notice as far back as August 1998, and in spite of numerous reminders from affected neighbors and NGOs, you have not taken steps under law to
 - a) demolish the illegal structure.
 - b) advise the lessor to forfeit/determine the lease of the plot.
 - c) prosecute the owner/builder and colluding KBCA officers
 - d) proceed departmentally and under Anti-Corruption rules against the concerned DCB & ACB.
2. Non-action against KBCA officers
The Overseer Committee has from time to time directed that a number of reports be submitted to members and that a number of actions be taken by you against errant officers:: this has not been done.
 - a) checking of Plinth Verification Certificates of
 - o "Nice Trade Orbit" Plot 44-A/6, PECHS
 - o Plot A-4, Bath Island
 and subsequent action against concerned KBCA officers (Point 9 of Minutes dated 26-1-99)
 - b) report on Ehtesab Reference No. 3/97
(Point 9 of O.C Minutes dated 4-11-97, and Point 10 of O.C Minutes dated 26-1-99)
3. Illegal Commercialization of Plots
You have commercialized a number of residential plots (e.g., 19-A/6 PECHS, 31-1-A/6 PECHS, 33-A/6 PECHS, etc) without following the defined mandatory procedure, and without obtaining the approval of the Overseer Committee Sub-Committee set up for the purpose (Point 11 of O.C. Minutes dated 10-11-98)
4. Non-publication of lists of Illegal Buildings
In spite of repeated directives of the Overseer Committees that every month lists of
 - a) unauthorized buildings under construction
 - b) new approvals of buildings in critical zones
 be published in DAWN/JANG/MILLAT, this is not being done regularly. The public interest is thus not being protected in time, and citizens are being defrauded; e.g.
 - a) in April 1999, when "Kawish Crown" (a blatantly illegal, sealed, under High Court status-quo orders building) began an advertising campaign, it took you THREE WEEKS to put a public warning ad in the newspapers, in spite of regular reminders and drafts being sent to you,
 - b) in May 1999, in spite of a clear directive of the Overseer Committee, you delayed publication of a notice on the illegal structure "International Trade Centre" to enable the builder to obtain a stay order.
5. Revocation of Architects'/Engineers' Licenses/Registration
Regular action has not been taken by you to revoke in a timely manner the licenses/registration of all architects/engineers who have been involved in illegal construction, and to prosecute them under SBCO '79. Also the details of these

cases are also not being communicated to PEC/PCATP so these statutory professional bodies can also take disciplinary action against their members.

6. Criminal Prosecution Cases u/s SBCO '79

Criminal prosecution cases against builders/owners on all unauthorized buildings have not been undertaken by you in a timely fashion, and thus illegal construction proliferates. Special mention must be made of unauthorized buildings and misuse of parking spaces in Saddar, PECHS, Civil Lines, Clifton, Garden East/West, Jamshed Quarters, Preedy Quarters, etc.

7. Reporting on Criminal Prosecution Cases to High Court

You have not complied with the High Court order dated 27-10-97 in Suit 772/95 et al to submit monthly reports to the Registrar on the progress of criminal prosecution cases registered against "contraveners, builders, or KBCA officials" on the impugned twelve illegal buildings. To date twenty-two monthly reports should have been submitted.

8. Posting of Officers

In violation of all government norms of seniority and promotion procedures, you have allowed officers to "officiate" in higher posts, generally out-of-turn in seniority, and sometimes without having a sanctioned/vacant post available. This is being done at the COB and DCB levels.

9. Hiring of Building Inspectors

You have hired on political considerations over 100 Building Inspectors who are below Grade 17 and thus not authorised under SBCO'79 to inspect buildings. For the past many months, these Inspectors are on the payroll but have not been assigned any specific duties, they do not do any work, they generally do not come to the office, and are drawing salaries causing a loss to the Provincial exchequer.

10. Non-Collection of Security Deposit from Builders

You have not been collecting 2% Security Deposit on public sale projects, either in the form of cash or an ABAD guarantee, thus causing a loss to KBCA.

11. Non-Issuance of Proclamations

You have not issued 49 proclamations u/s 87 CrPC against absconders in KBCA criminal prosecution cases in District East, in spite of reminders from the court in May 1999.

12. Approval of Plans in Contravention of Regulations

You have approved plans in violations of the rules and regulations, allowing extra floors, extra built-up area/plot-ratio, etc. Some of the plots are :

- Plot 16 CL-8, Civil Lines
- Plot 10 CL-8, Civil Lines
- Plot FL-12, Block 1, Clifton
- Plot 29 & 30/SB-5, Saddar Bazar
- Plot 31/2/SB-5, Saddar Bazar
- Plot 27/SB-5, Saddar Bazar

13. Contravention of High Court Orders of Demolition

You have not taken demolition action under law against a number of unauthorised buildings, despite clear orders of the High Court of Sindh in:

- OP 160/98 35 Buildings around the Quaid's Mazar
- OP 1836/98-1850/98 15 Buildings around the Quaid's Mazar

14. Non-Action against Errant Officers

You have not taken action KBCA officers who have violated the law by

- a) changing land use without following mandated procedure
- b) amalgamated/sub-divided plots in contravention of Regulations
- c) approved building plans in contravention of the Regulations
- d) committing a host of other violations

Examples of such cases are:

- ◊ *Glass Towers*
- ◊ *Costa Livina*
- ◊ *Nice Trade Orbit*

You were given over twelve complaints (involving around 40 officers) in April 1999 for investigation and disciplinary action, but in spite of the passage of five months, no action has been taken.

15. Non-Compliance with High Court Directives

You have not conducted the "*Inquiry & Action at KBCA Level*" as directed by the High Court in Ehtesab Reference No.3/97.

CONFIDENTIAL
IMMEDIATECHIEF MINISTER'S
INSPECTION & EVALUATION TEAM

SUBJECT:-

ENCLOSURE INTO THE COLLAPSE OF DADA
BRIDGE, SECTOR 14, NORTH KARACHI

P-125. 10/10/01

A copy of the summary for the Chief Minister, Sindh, on the subject with the orders of the Governor Sindh mirrored thereon is enclosed for implementation under intimation to the CMI & E Team, Karachi.

Asst. Atty. Gen.
(ENGR. BASHIR AHMED ARIANI)
CHAIRMAN 5/12/98

D _____ A
Copy of approved
summary - 19 leafs.

H.O. No. HHCN/EN-60/97 /1510
Dated: 5/12/December, 1998,

Secretary to Govt. of Sindh, (By name)
Housing & Town Planning Department,
Karachi.

C.C. to:-

Deputy Secretary (Staff) to Chief Secretary Sindh, with reference to CS's G.O. No 9241 dated: 09-9-98, for information.

(ENGR. BASHIR AHMED ARIANI)
CHAIRMAN

SUMMARY FOR THE CHIEF MINISTER

SUBJECT: ENQUIRY INTO COLLAPSE OF FAIZA HEIGHTS -
SECTOR 5-1, NORTH KARACHI.

As reported in various newspapers a 5 storey building block (open plinth + five floors), under finishing of "FAIZA HEIGHTS" Building project collapsed in Sector 5-1, North Karachi on Wednesday the 2nd of July 1997 around mid day. The collapse of the Building resulted in loss of several human lives.

2. The Karachi Development Authority (KDA) and the Karachi Building Control Authority (KBCA), the authorities associated with the project, (as reported in the news media) initiated probe/enquiry to ascertain the reasons and causes of the failure of the Building.

3. Pakistan Council of Architects & Town Planners (PCATP) & Association of Builders & Developers (ABAD) also shared concern and expressed interest in investigating the causes of the collapse / failure of the Building and appointed their own investigation committees.

4. Besides the above professional councils / associations and concerned autonomous bodies, the district administration as well as the law enforcing agencies i.e the Police and the F.I.A also took up investigation and probe in the matter and simultaneously began search to get hold of the persons associated with and involved in the project viz the Developers, the Builders, the Consultants, the Contractors and sub-Contractors etc.

5. The unfortunate mishap agitated the concern of the Government and the Govt. of Sindh also constituted an Enquiry Committee vide Home Department's Notification No : I (2) SOI / 97 dated : 25.7.1997 (Flag-A) comprising of the following to enquire into the collapsed Faiza Heights in Sector 5-1, North Karachi, a multi-unit residential project of Al Farid Builders :-

Contd.....P/2.

- | | | |
|----|--|----------|
| a: | Chairman, Chief Minister's
Inspection & Evaluation Team. | Chairman |
| b: | Mr. Abdul Ghaffar Dada
Superintending Engineer,
C & W Department,
Govt. of Sindh. | Member |
| c: | Mr. Irfan Ali
Deputy Secretary,
Health Department,
Govt. of Sindh. | Member |
| d: | Mr. Ali Muhammad Samoo
Deputy Secretary
Housing Town Planning Deptt.,
Govt. of Sindh. | Member |

The terms of reference of the Enquiry Committee are:-

- a. To enquire into the circumstances and reasons that led to the collapse of the building during construction.
- b. To enquire into the veracity of soil investigation, structural design and its approval, unauthorised structural changes made, Cube Test Reports, Pour Slips/ Reports if carried out and approval of building plan.
- c. To enquire into the quality control, workmanship and vigilance by the Licenced Architect and Building Control Authority officials.

Contd. ...P/2.

- d. To fix the responsibility for this criminal negligence the Architect, Contractor, Builder, Officers/Officials of Karachi Building Control Authority.

The enquiry committee in its preliminary meeting on 28th of July 1997 discussed the modalities for proceeding with the enquiry. After a thorough discussion, it was by consensus decided that ABAD, PCATP, KDA and KBCA, each investigating the mishap separately from professional / technical aspect be requested to share their professional/technical opinion and disclose their findings to the Enquiry Committee to aid and enable the Committee to reach right conclusions regarding :-

- (i) Reasons and causes of the collapse / structural failure of one of the building block in the project "PAIZA HEIGHTS" in Sector 5 - 1, North Karachi.
- (ii) Suggest pre-emptive measures to obviate re-occurrence of such mishaps in future.
- (iii) Identify / point out the persons/organization/department whose neglect resulted in the tragic incident.
- (iv) Any other information / proposal for improvement and alleviation in the existing system/procedure adopted in similar schemes.

The enquiry committee had several sittings from time to time to examine & scrutinize the record, information / data and reply received from various quarters viz KDA, KBCA, ABAD and PCATP.

Contd.....1/4.

8. It is also at this juncture pertinent to inform the reasons of delay, which could be opined as inordinate, in finalizing the report. Amongst other reasons such as pre-occupations of the members, the main cause of delay has been the transfer of the members of the Enquiry Committee which brought the proceedings to a frequent halt. The position is detailed in reference (Flag-III).

**PAKISTAN COUNCIL OF ARCHITECT AND TOWN
PLANNER (P.C.A.T.P).**

- (i) Pakistan Council of Architects and Town Planners was addressed vide SII(CMIT)I-60/97-909 dated: 30.7.1997 (Flag-B), SII(CMIT)I-60/97-920 dated: 01.8.1997 (Flag-C) and SII(CMIT)I-60-97-946 dated: 12.8.1997 (Flag-D) and requested to inform the Committee about any enquiry conducted / being conducted / proposed to be conducted by the Council with regard to the role / conduct and involvement of the Architect (All practicing Architects as per law are required to be registered with and licenced by PCATP for practicing architecture) in the collapse of Faiza Heights. The PCATP informed that the PCATP has appointed an enquiry committee to determine and apportion the responsibility of the Architect vis-a-vis other professionals in the collapse of a Building block of Faiza Heights Project. The finding of the Enquiry Committee of PCATP have not been made available.
- (ii) From perusal of the PCATP's letter No.CATP/FHIC/ENQ/MN-359/97 dt: 05.8.1997 (Flag-B) and No.PCATP/FHIC/ENQ/MN-392/97 dt: 13.8.1997 (Flag-C) it is vividly conspicuous that the PCATP was reluctant to offer any assistance to the Enquiry Committee and preferred to discuss the matter direct with the Chief Minister Sindh. The Enquiry Committee has thus drawn a blank so far as PCATP is concerned.

Conf. 11/78.

- (iii) Request of the Enquiry Committee to the Chairman, PCATP for addressing the Enquiry Committee and to participate in the discussions with the objective of enlightening the Committee with his views remained unresponded. The request in fact was harshly rejected as can be inferred from the PCATP's correspondence referred to above.
- (iv) For want of Architect's agreement with the Builders which the K.B.C.A has failed to supply (not being in its possession) it is difficult to assess the extent of professionals involvement of the Architect in the project. Apportioning the responsibility of the Building failure or exactly determining the professional mis-conduct of the Architect in context of the PCATP charters (Flag-G), which defines the professional conduct of the Architect, remains a guarded secret of PCATP.
- (v) The conduct, performance and involvement of the architect, in this case can and is assessed in the light of conditions envisaged in the licence issued to the architect by the Karachi Building Control Authority as incorporated in Sindh Building Control Ordinance 1979, coupled with any other condition imposed by the KBCA regarding the Architect role / involvement in this particulars project's approval.

ASSOCIATION OF BUILDERS AND DEVELOPERS

The Association of Builders & Developers (ABAD) was also asked with at personal level to ascertain whether the association has on its own investigated / intended to investigate the collapse of block of the

Contd.....P/6.

"FAIZA HEIGHTS" building project. In response, the ABAD has given their letter No:01-A/COLP/97/542 dated 1.8.1997 (Flag-1) supplied a copy of their letter No:22/KDA/ABAD/97/462 dated 8.7.1997 (Flag-1) addressed to the Chief Minister Sindh wherein the ABAD has given its proposals/ suggestions/ recommendations to assist proper investigation of the collapse of building of "FAIZA HEIGHTS" project. These proposals have been given due consideration and weightage in the investigation by the Inquiry Committee.

11. Before fixing / apportioning responsibility of any person / organization or Department, it is necessary to ascertain the function / responsibility and properly evaluate the involvement of each at various stages/phases of construction of building.

12. The persons and professional normally associated and involved in a project (as in the instant case) are :-

(A) DESIGN PHASE

- | | |
|-------------------------|--------------------|
| I) Developer / Builder | (licenced by KBCA) |
| II) Architect | -do- |
| III) Soil Engineer | -do- |
| IV) Structural Engineer | -do- |
| V) Vetting Engineer | -do- |

Contd.....P/7.

- 7 -

(B) CONSTRUCTION PHASE

- I) Inspecting Engineer (licenced by KBCA)
- II) Site Engineer/Supervisor -do-
- III) Contractor
- IV) Site supervisory staff (supervisors/mates etc)

(C) APPROVING AUTHORITY OF THE PROJECT

- I) K.B.C.A.

SYNOPSIS OF PROCEDURE FOR PREPARATION OF PROJECT & APPROVAL / CLEARANCE BY K.B.C.A.

I) ARCHITECTURAL DRAWINGS / PLANS

The architectural drawings are evolved by a licenced Architect enrolled with the PCATP and enlisted with/licenced by KBCA. The drawings evolved according to the relevant by laws/code/ Town planning regulations are furnished by the Architect to KBCA for approval.

II) SOIL INVESTIGATION

On receipt of the approval to the Architectural Drawings from KBCA, a Soil Engineer is engaged to explore and investigate the soil, its bearing capacity & other characteristics as are required for structural design, and to also suggest precautionary measures to offset the adversities (if any) of the site encountered at the proposed location of the building and its immediate surroundings.

Contd.....P/8.

III) STRUCTURAL DESIGNS

The approved Architectural Drawings and the soil report is then provided to a qualified structural engineer (on the approved panel of KBCA) for structural design of the structure. The structural Engineer prepares and furnishes to the KBCA (Structure Department) the structural design calculations and the structural drawings for check and approval.

NOTE For buildings having six or more storeys or if the climbing height is on the plus side of 42 ft., the Structural Drawings are as per rule to be vetted by a licenced vetting engineer approved by the KBCA.

IV) ISSUE OF N.O.C.

On completion of these technical formalities and other requirements envisaged in the procedure practiced by the KBCA, a NOC is accorded by the KBCA.

V) SITE ENGINEER.

The Builder has to employed a qualified Engineer at site who shall be responsible of correct interpretation and implementation of the Architectural and Structural Drawings and carrying out of field test for maintaining quality control in the work and is assigned the over all supervision at site.

Contd.....P/9.

VI) SUPERVISORY STAFF

The builder has to engage field staff, technically qualified with experience and expertise in the trade for supervising and overseeing the construction to properly maintain/enforce quality control and execution of the work in accordance with the approvals.

VII) VIGILANCE DEPARTMENT, K.B.C.A

The Vigilance Department of KBCA i.e. ACB/Field Officers are required to visit the site at various stages of the work for checking/ensuring execution of the work in accordance with the drawings, specifications and enforcement of quality control and to report any deviation, departures and lapses in quality in construction well in time and before the construction progresses to a stage when the fault is beyond rectification.

14. The KDA constituted a scrutiny committee to study the causes of failure of a building block of "FAIZA HEIGHTS" and to fix the responsibility. The report of the scrutiny committee is at (Flag-II).

15. The detailed enquiry report of enquiry committee constituted by the Govt. of Sindh is at (Flag-I).

16. FINDINGS

Based on the site inspection, confirmatory soil test report, Laboratory test results of building material and report of the KDA's scrutiny committee, the enquiry committee's findings are as under:-

Contd.....P-10.

PARTICULARS OF
CHANGES / DEPAR-
TURE & DEFECTS.

PERSON / PROFESSIONAL/
AUTHORITY RESPONSIBLE

ALTERATION IN LAYOUT
FOR INCREASE OF PLOT RATIO

That at the behest of the
Builder the rules have been
revised twice and alteration
have been made in the lay-out in
respect of "Space in and about
building" (KBCA building
regulation Part-I), which
increased the density / intensity
of buildings due to increase in
plot ratio from 1:2 and 1:3
and reduction of open space
from 20 Ft. to 10 Ft. at site
and 1:1 in respect of Blocks on
plot 1:1

- i. a) Minister, L.G
b) Director General (KDA)
c) C.C.O.B, KBCA / KDA
d) D.C.B (Zone-V) KBCA/
KDA
e) Architect
f) Builder & Developer

RE-ORIENTATION OF LAY-OUT

Change in orientation of
building blocks carried out
subsequent to initial approvals.

- ii. a) Builder & Developer
b) C.C.O.B, KBCA/KDA
c) D.C.B (Zone-V) KBCA/
KDA.

EXECUTION OF WORKS
WITHOUT PROPER
STRUCTURAL DESIGN.

collapsed block i.e block "C" has not been properly designed structurally for hollow plinth and five upper storeys (Flag-K). Design and drawing (No. N-09) (Flag-L) of block "A" which is without hollow plinth, having G + 4 Upper floors has been adopted in construction of Block "C" as well. The structural design is also rendered faulty as the soil report on which it is based is found to be in error.

- iii. a) Builder & Developer
b) C.C.O.B, KBCA/KDA
c) D.B.C (STRUCTURE)
KBCA/KDA
d) Structural Engineer
e) Soil Engineer

INCOMPLETE ARCHITEC-
TURAL DESIGN.

Sketchy Architectural drawings casually drawn, wanting in requisite details required for proper execution of work of block "C" are the only drawings available for the hollow plinth block.

- iv. a) Builder & Developer
b) C.C.O.B, KBCA/KDA
c) D.C.B.(Zone-V,) KBCA/
KDA
d) Architect

Contd...PT2

ERRONEOUS SOIL INVESTIGATION

Soil investigation is an important instrument governing the criteria for safe design of structures. The original soil investigation report is not in conformity with the soil investigation subsequently carried out after the collapse of the building.

- v. a) Builder & Developer
- b) Soil Engineer
- c) D.C.B (STRUCTURE), KBCA/KDA

SUB STANDARD WORKMANSHIP

The inspection of the collapsed block and the other blocks constructed in the plot of plot FL-13 vividly showed poor quality workmanship confirmed by the following observations:-

- vi. a) Builder & Developer
- b) Site Engineer
- c) Architect
- d) Structural Engineer
- e) D.C.B & A.C.B (Vigilance) KBCA/ KDA

Alignment of structural columns was not maintained and columns were out of

vertical beams not properly connected to the columns thus reducing the strength of the columns.

c) Cuts made in structural members at critical locations / positions.

d) Leaking and Chipping of RAC members i.e columns, beams and slabs etc. during plumbing and electrical work, undermining the Structural strength of the Buildings.

e) Huge stacks of sand and coarse aggregate piled on upper floors for plaster and flooring.

USE OF SUB-STANDARD BUILDING MATERIAL

vi) The Laboratory results of the Concrete Core Test of various structural members viz beams, columns, foundations and staircases of the entire project are extremely on the lower side (detail in the report) which clearly indicate lack of quality control.

- vii. a) Builder & Developer
b) Site Engineer
c) Architect
d) Structural Engineer
e) D.C.B & A.C.B.
(Vigilance) KBCA / KDA

Contd.....

General
worth

- 151
- b) Tensile strength of the Steel bar specimens got Laboratory Tested subsequent to the collapse indicate that the steel used in the structure in the collapsed building is sub-standard and does not confirm to ASTM specifications.

viii) EXECUTION NOT CONFIRMING TO DESIGN

Many RCC members particularly the foundations of the collapse building as observed at site are not in conformity with the drawings and designs (adequacy of the structural design with standing). Apprehension are that the structural members / RCC work casted / carried out at site is as per some other drawings not on the record of KBCA.

viii. a) Builder & Developer

b) Site Engineer

c) Structural Engineer

d) D.C.B & A.C.B

(Vigilance) I.D.A. / C.D.A

- ix) The revised building plan for 4 blocks having three blocks ground + 4 upper floors and one block having hollow plinth + ground + 4 upper floors was approved with increase in plot ratio of 1 : 3 and relaxation of compulsory open space by 10 ft. with the following rider :-

Contd.....2/15.

ii) That the following shall be jointly and severely responsible for stable and sound construction of the structure :-

- i) Owner / sponsor / developers.
- ii) Licenced Architect (concerned).
- iii) The Licenced Structural Engineer (concerned).

iv) Soil Investigation Consultant (concerned)

b) That a full time qualified Site Engineer would be employed throughout the construction on the plot.

c) That construction shall be carried out under supervision of a Licenced Architect / Licenced Structural Engineer and Licenced Supervisor.

d) That the Licenced Architect / Engineer / owner shall be jointly responsible for all structural designs and standard specifications provided in the execution of the work.

e) The Builders/Developers besides other deviations departures from the conditions and provision envisaged in Sindh Building Control Ordinance 1979 and Karachi Building and Town Planning Regulations - Building Regulations Part I & II have severely violated clause 4 and 6 Part 4 (Page 43 of S.B.C.O 1979), and Regulation 17 of Building Regulations Part-I (page No. 17) (Flag-M & Flag-N).

- ii) The professionals i.e. the Architect, the Building Designer, the Structure Engineer, the Inspecting Engineer, the Site Engineer / Building Supervisor have violated para 3, 4 and 7 of Part-3 (Page-42 of S.B.C.O. 1979) and conditions at serial 12 and 14 of the NOC of KBCA (Flag-M & Flag-P).
- iii) The Karachi Building Control Authority's Controller, Deputy Controller and Assistant Controller (Vigilance) have derelicted in performance of their duties and responsibilities as appearing under Section 11 (Sub Section 1 and 2), page No. 20 of S.B.C.O 1979 (Flag-Q).
- iii) That as a consequence of impact of collapsed block, the soil has been disturbed changing the soil conditions severely detrimental to the structural strength / stability of the soil support in case of the remaining blocks on Plot FL-13 and FL-14 of the project.

C O M M E N T

There are risks and costs to a programme of action but they are far less than the long range risks and costs of comfortable inaction. Unless the modalities of corruption are decoded and destroyed and accountability elevated such mishaps will continue to re-occur. For searching a lasting solution and not just a reprieve, the Enquiry Committee, insists for a strong action on the defaulters which if avoided or even deferred will only perpetuate corruption and lead to discomfiture of all intends and purposes of the entire exercise besides inadvertently prompting such hazard in future.

Contd...P-17

RECOMMENDATIONS

Based on the findings during the investigation, the recommendations are as under :-

- (a) That the following Builders and Consultants / Consulting Firms responsible for collapse of a building block :
"FAIZA HEIGHTS" Building project due to criminal negligence and professional misconduct in execution of the project be blacklisted besides prosecution under statutory laws on murder due to act of negligence.
- (i) Owners / sponsors, Builder / Developer. (M/s Nasir Associates through Mr. Javed Zafar Partner).
- (ii) Soil Engineer / Consultant. (Mr. Rafique Essa)
- (iii) Architect. (Mr. Muhammad Sabir)
- (iv) Structural Engineer. (Mr. Mansoor Jabbar Khan)
- (v) Site Engineer (Engaged by the Builders).
- (vi) Supervisor (Engaged by the Builders).

Comd.....P/S

- b) That the following Holders of Public office & officers of KBCA/KDA associated with and involved in the project be proceeded against by the Anti-Corruption Establishment on grounds of corruption and be charged to E&D Rules 1973 for dereliction of duty & misfeasance.
- i) Minister Housing Town Planning.
 - ii) Director General, KDA.
 - iii) C.C.O.B, KBCA / KDA.
 - iv) D.C.B (Zone-V) KBCA / KDA.
 - v) D.C.B (Structure) KBCA/KDA.
 - vi) D.C.B and A.C.B (Vigilance) KBCA/KDA.
- c) That the working of KBCA in general and that of its vigilance wing in particular warrants review by the Govt. of Sindh in Housing Town Planning Department for stream lining its performance i/c restructuring it (if necessary) and staffing it with Technically qualified personnel / professionals to improve and enhance its professional capabilities.
- d) That the remaining blocks of the project be exposed to vetting by qualified proof structure Engineer to assess the stability and sound-ness of the remaining block of Pl. - 13 and Pl.-14, Sector 5 - 1, North Karachi. This will be besides other Lab/field tests to be carried out for confirming the fitness of the Buildings for habitation. Opinion of the committee on Dangerous Buildings - KBCA be also sought in the case.

Copy

- g) That PEC, PCATP, ABAD be invited to offer their technical views on the stability of the remaining building blocks before the buildings are declared safe for occupation.

The Chief Minister Sindh may like to approve para 18.

Basir Ahmad Ansari
(ENGR. BASHIR AHMED ANSARI)
CHAIRMAN 2/9/98
CIVIL'S Inspection & Evaluation Team,
CHAIRMAN
Enquiry Committee

HO MITT-69/97-1102
September 1998

Basir Ahmad Ansari
5/9/98

U.O. No: GS/5-42/(SO-III)/98
Karachi, Dated 2-5-98

GOVERNMENT OF SINDH

GOVERNMENT OF SINDH

Basir Ahmad Ansari
9/5/98

20. The recommendations at para 18 may kindly be approved. *Basir Ahmad Ansari* 11/11/98

21. Para 18 is approved. *Basir Ahmad Ansari* 26/11/98
Governor C/S
24/11/98
Chairman CRET

Final List of Illegal Builders' Consortiums

Complete/additional details on the builders and their illegal projects can be obtained from:

1. KBCA officials who worked in the concerned Zones and Circles
2. Divisional/District Administration & Police officials who regularly dealt with the builders' mafia and their applications and *status-quo* orders (e.g., List of Petitioners in "Misc. Petition Nos 7, 8 & 9 of 1996" in the Court of the Commissioner Karachi)
3. District Registrars who issued invalid sub-leases for the unauthorised flats, offices & shops
4. Occupants & allottees of the unauthorised flats, offices & shops
5. Advocates who obtained restraining/*status-quo* orders which the builders misused to "shield" their illegalities: (M. A. Latif, Farogh Naseem)
6. ABAD, the Association of Builders & Developers, ST-1/D, Block 16, Gulistan-e-Jahangir, Karachi-75290 (Ph: 811-3646/9)

In the vast majority of cases, plot transfers have taken place on the basis of power-of-attorney, thus evading government stamp duties and taxes.

For KBCA approved public-sale projects, although initial installment of with-holding ground tax (1%) may have been paid, the second installment (1%) which is due on completion of project has not been paid in most cases. Additionally, the value of the project assessed by the KBCA for the purposes of with-holding tax is on the very low side (about 10-30% of actual sale price).

Where an KBCA 'NOC for Sale' has been given (as is the case of illegal multi-storeyed buildings constructed on bungalow plots in Garden East, Garden West, Jamshed societies, PECHS, KCHS Union Societies, etc), no income taxes have been paid at all. Additionally, as the builders have cheated the allottees, they must be made to refund their monies.

The mandatory "Occupancy Certificate" has not been issued by the KBCA in most cases: these buildings are potentially dangerous.

Owner	Property Description	Plot No.	Area
<p>Haji Adha Poonawalla</p> <p>Haji Usman Poonawalla</p> <p>Amin Adha Poonawalla</p> <p>Arif</p> <p>Allahrakha</p>	<p>Poonawalla Construction</p> <p>Flat# 3, JM 711/4 Jamshed Qtrs,</p> <p>Fatima Jinnah CHS,</p> <p>M. A. Jinnah Rd. Ext.</p>	<p>491-5156</p> <p>491-8233</p>	<p>JM 190, 665, 711/4, 711/5, 711/6, 712/6</p> <p>GRE 258, 539, 540, 361/1</p> <p>Asma Homes: 52/3 Maniya CHS</p>
<p>Munir</p> <p>Latif</p>	<p>M. L. Construction</p> <p>JM 877 Jamshed Qtrs,</p> <p>S. M. Saeed Road,</p> <p>Bahadur Yar Jong Road</p>		<p>JM 656, 136, 663, 670, 697, 700</p> <p>JM 666, 667, 668, 669 (future)</p>
<p>Amin Dabo</p> <p>Dr. Rahman</p> <p>I. A. Alvi (ACB, KBCA)</p> <p>Nisar Ahmed (ACB, KBCA)</p>	<p>Motor Palace/Toyo Palace,</p> <p>3rd Floor JM 715/5/1,</p> <p>Jamshed Qtrs</p> <p>M. A. Jinnah Road Ext</p>	<p>491-6079</p> <p>491-3815</p> <p>494-2128</p> <p>491-5898</p> <p>491-7755</p>	<p>JM 633, 715/1, 715/2, 715/5, 715/6, 745, 714/6</p>
<p>Iftikhar Katchi</p> <p>Iqbal Paplet</p> <p>Hamid Bawa</p>	<p>JM 372, Jamshed Qtrs</p> <p>Bahadur Yar Jang Road</p>	<p>494-0336</p> <p>491-0849</p>	<p>JM 196, 197, 370, 390, 391, 660, 674, 691, 715/6, GRE 216</p>
<p>Yasin Karim Dhedhi</p> <p>Ghaffar Kulfiwalla</p> <p>Sikander Kulfiwalla</p> <p>Sattar Kulfiwalla</p>	<p>JM 881, Jamshed Qtrs</p> <p>JM 465, Jamshed Qtrs</p> <p>JM 344 Cosmopolitan CHS</p> <p>M.A. Jinnah Road</p>		<p>JM 717/5, 392, 671, 599, 883, 413, 497</p> <p>GRE 361/2, 360/371</p>
<p>Altaf Batwa</p>	<p>Batwa Estate Agency</p> <p>JM 694, Jamshed Qtrs</p> <p>JM 692, Jamshed Qtrs</p>	<p>492-1522</p>	<p>JM 688</p>
<p>Anwar Notta</p> <p>Haroon Younus</p> <p>Amirali</p> <p>Inayat</p> <p>Aslam</p> <p>Ismail</p> <p>Haji Allakrhiya</p>	<p>D-155/5 Clifton</p>	<p>587-8858</p> <p>587-8879</p> <p>(M) 0320-230738</p>	<p>GRE 394, 398, 399, 395/3, 387, 388, 385/2, 201, 202, 309, 512, 272/5, 395/1, 395/2</p>
<p>Rauf</p> <p>Tanfeeq</p> <p>Jabbar</p>	<p>1st floor, Shangrila Apts</p> <p>JM 865, Jamshed Qtrs</p>	<p>453-7896</p>	<p>JM 866, 865, 824, 809, 451, 464</p>
<p>Sheeraz Natha</p> <p>Abdul Sattar Tayyab Viani</p>	<p>GRE 312, Pedro D'Souza Road,</p> <p>Garden East</p> <p>D-58, Block 4, F. B. Area</p>	<p>634-8148</p>	<p>GRE 217, 215, 511/22,</p>

Shabbir Kassim Machiyara				GRE 327/1-A GRE 138
Fiaz Ahmed Ali				
Mohammed Munaf				GRE 215/2, 195/2-E, 441/1
Ghulam Hussain Lalani				
Nooruddin Noorullah				GRE 216, 218/1
Mohammed Farooq				
Mohammed Hanif				
Haider Ali				
Sher Ali				GRE 511/20, 511/22, 511/23, 103, 517, 538/4&5, 458/1
Fazal Yousuf				
Muhammed Iqbal				
Danish Rafique				
Taj Muhammed				
Javed Akhtar				GRE 361/2, 364/1, 360/371, 343
Nasim Ziauddin				
Ali Hussain Badani				
Muhammed Amin				
Haji Abdul Karim				
Haji Mohd Yasin Dada				
	Radia Cottage, JM 595, Jamshed Qtrrs Cosmopolitan CHS	244-2819 244-0026 242-0153 231-5197 205148 (Fax) 491-4891 (M) 0300- 230447		73 Muslimabad, Jamshed Qtrrs Radia Crown: JM 713/7 Mustafa Garden: JM 775 Radia Terrace: GRE 552
	Radia Sons Bhatkai Cloth Market, Shop 53 - 54 Newneham Road, Karachi	452-0247/8 454-5295 454-2743 452-6626 453-6570		Amber Pride: 13-A/6, PECHS Amber Tower: 22-A/6, PECHS Amber Castle: 21-A/6 PECHS Progressive Square: 11-A/6 PECHS Business Avenue: 26-A/6, PECHS Business Arcade:
M. Shabbir Kassim Machiyara	Amberco Pvt Ltd (ABAD No 50)			
M. Iqbal Machiyara	7 Amber Castle, 21-A/6 PECHS Progressive Pvt Ltd (ABAD No 332) Park Avenue, 24-A/6 PECHS			

M Shafi Zindani Sozara Soheil S. Zindani	Anum Put Ltd (ABAD No 163) 504 Anum Estate 49 Darul Aman CHS, Block 7 & 8	453-2494 453-0786	Anum Classic: 48 Darul-Aman CHS Anum Estate: 49 Darul Aman CHS Anum Plaza: 47 Darul Aman CHS Metropolitan Bank Bldg: 3 Jinnah CHS, Shahr-e-Faisal
Sajid			
Abdul Razaak Rehmatullah Rauf Razaak Rehmatullah Arif Rehmatullah M. Usman Farooque M. Ikhtlaque Farooq	Abdul Razzak Associates 10 th Floor, Fortune Centre 45-A/6, PECHS Sharah-e-Faisal	452-7686 452-2355 454-7793	Fortune Centre: 45-A/6 PECHS Fortune Tower: 43-1-A/6, PECHS Fortune Arcade Fortune Empire: Com-3/6, Clifton Beach Residency: Com-2/5/3, Clifton
Ahmad Jamal Haroon Rasheed	Kawish Builders (ABAD No 433) Kawish Crown, 37 Darul Aman CHS	588-5425 589-5442	Kawish Crown: 37 Darul Aman CHS
Muhammad Ilyas Muhammad Hanif Riaz Ilyas Aqeel Ilyas	Falak Naz Builders (ABAD No 352/151) 10 Falak Naz Arcade 247 Deh Safooran, Sharah-e-Faisal	457-8615 458-2047 457-8615 458-2045	Falak Naz Tower: 8-299 Deh Safooran Falak Naz Pride Falak Naz View Falak Naz Plaza: 248 Deh Safooran Falak Naz Arcade: 247 Deh Safooran
Hafeezur Rahman Butt	Orient Housing (ABAD No 258) Orient Builders (ABAD No 47) Orient Real Estate (ABAD No 441) B & H House, B-75/15, Gulshan-e-Iqbal	497-5955/66 496-4486	Clifton Shopping Galleria: Prov-A, FT-3, Frere Town Qtrrs
Mohammed Hashim Suleiman	Excell Builders 2/FT-3 Frere Town Qtrrs, Clifton Rd		Glass Towers: 2/FT-3, Frere Town Qtrrs Four Square shopping Mall: 21-A/2, PECHS Prince Apartments: GRW 270 Garden West Makki Centre: 25/PR-1, Garden Road Saatchi Towers: JM 73 Jamshed Qtrrs Singapore Centre: 206-B/2, PECHS London Centre: 206-D/2, PECHS Motiwalla Centre: 206-A/2, PECHS
H. M. Shazad	Shehzad Motors	492-8133	JM 712/7

Name	Address	Phone	Illegal Project/Address
Taj Mohammad	JM 712/7, Jamshed Quarters	492-8016/7	
Ghaffar Katiya			GRE 511/23, 511/24, 103
Zafar Ali Rana			JM 70, Jamshed Qtrs 83-F/2, PECHS
Chawla	Seabreeze Developers		Al-Rahim Towers: 11/8/1/SR-2, Chundrigar Rd Doctors' Plaza: 16-A/6, PECHS
Farooq Faria			
Hanif Billo			
Saleem Zaki	Saima Real Estate (ABAD No 336) Saima International (ABAD No 536) Multiline Assoc (ABAD No 155) Multiline Estate (ABAD No 415)	493-5100/1 493-2022	Saima Garden: 167-H/3, PECHS Springfield Apts: 18/FT-3, Frere Town Qtrs Saima Arcade: 21/3, BMCHS Silver Line: 5/3, BMCHS Saima Palace: BMCHS Samar Garden: FL-8, Bl-G, N.Nzbd Saima Avenue: FL/10, Sec 14-B N.Nzbd Samar Park View: FL/10, Bl-K, N.Nzbd Samar Park View: FL/10, Bl-E, N.Nzbd Saima Tower: ST-8, 15-A/5, N.Karachi Saima Heaven: Fl/20, Bl-4/A, Gulshan-e-Iqbal Saima Square: JM 714/5, Jamshed Qtrs Saima Pride: 118/4, Rashid Minhas Rd Saima Classic: Saima Trade Tower: 2/SR-13, Chundrigar Rd Continental Trade Centre: G/6/8, Clifton Avanti Terrace: 148-A/B/2 PECHS Avanti Park View: 141-A/2 PECHS
	Avanti Builders		



Karachi, Thursday, December 25, 1997



**Karachi
Building Control
Authority — KDA:**

Civic Centre Annex, University Road,
Gulshan-e-Iqbal, Karachi-5 (Pakistan)
Phones: 4931983, 4931984, 4935837

The Owners/attorneys/Occupants
GARDEN EAST (GRE) KARACHI:
PLOT NOS: 272/2, 309, 343, 325/2, 511/22 & 511/23, 511/24
JAMSHED QUARTERS (J.M.) KARACHI:
PLOT NOS: 118, 133, 392, 282, 937, 150, 235, 883, 634/1

**SUBJECT: FINAL SHOW CAUSE NOTICE IN RESPECT
OF ABOVE REFERRED PLOT NUMBERS IN
GARDEN EAST/JAMSHED QUARTERS,
KARACHI:**

Reference: OUR PREVIOUS SHOW CAUSE DATED 15/12/1997:

In pursuance of the Judgement of Honourable High Court of Sindh dated 02/12/1997, Owners/Attorneys of flats and shops of the above noted plots of Jamshed Quarters and Garden Quarters areas were directed through individual show cause notice of dated 15/12/1997, to explain their position within 10 Days and to appear in person before Controller of Buildings (Circle 'D') as to why the unauthorised construction/structure should not be demolished at your risk and cost.

As such the construction carried out on the subject plots are illegal and in gross violation of the approved building plans which are liable to be demolished under Section 7-A of the SBCO-1979. The KBCA has, therefore, decided to bulldoze the structure raised on the said plots in violation of the approved plans.

In this connection, you were already directed to remove the entire illegal construction on the above subject plots as per the Judgement of Honourable High Court of Sindh vide C.P. No: 1836 to 1850 through the Show Cause Notice referred as above. But you have failed to comply with the court orders as well as the direction of this Authority.

You are once again by serving this Final Show Cause Notice, directed to remove the entire illegal construction on the above subject plots positively by 25th December, 1997.

KARACHI BUILDING CONTROL AUTHORITY
KDA

INF/KRY:3751

(4650-Y)

DAILY JANG 3-1-98

کراچی بلڈنگ کنٹرول اتھارٹی

سوک سینٹر ایگزیسیو، پیمنڈوشی روڈ، کٹن اقبال کراچی - 5 (پاکستان)



مالکان / الاٹیز / ٹائٹین / ٹیلیٹ / دکانات

گارڈن ایسٹ (GRF) کراچی پلاٹ نمبر 217, 216, 517
گارڈن ویسٹ (GRW) کراچی پلاٹ نمبر 3, 17, 81, 66, 93, 100, 258
جمشید کوارٹرز پلاٹ نمبر 190, 865

بابتہ :- گارڈن ایسٹ / ویسٹ، جمشید کوارٹرز ایریا کراچی میں
محولہ بالا پلاٹ نمبرز کے ضمن میں فاسٹل شوکاز نوٹس

حوالہ :- ہمارا سابقہ شوکاز نوٹس

معزز ہانگیر آف سندھ کے فیصلہ مورخہ 1997-10-27 کے مطابق گارڈن ایسٹ / ویسٹ اور جمشید کوارٹرز کے مذکورہ بالا پلاٹ نمبرز پر قبضہ مالکان / الاٹیز / ٹائٹین کو مختلف تاریخوں کے حامل انفرادی شوکاز نوٹس کے ذریعہ ہدایت کی گئی تھی کہ وہ 7 دن کے اندر اپنی پوزیشن کی وضاحت کریں اور بذات خود کنٹرول آف بلڈنگز (سرکل "ڈی") کے روبرو حاضر ہو کر اٹھارہ سو کریں کہ کیوں نہ غیر قانونی تعمیرات / اسٹریکچرز خود انہی کے ہرج و مرج پر منہدم کر دیے جائیں۔

مذکورہ بالا پلاٹوں پر کی گئی تعمیرات غیر قانونی اور منظور شدہ بلڈنگ پلان کے سرعہ امتداد ہیں اور ایس بی سی او - 1979/82 کی دفعہ 7-اے کے تحت منہدم کر دیے جانے کے مستوجب ہیں لہذا کراچی بلڈنگ کنٹرول اتھارٹی نے یہ ہدایت کی ہے کہ غیر قانونی پر بسز / ٹیلیٹ / دکانات کے مالکان کو بیدار کر دیا جائے اور مذکورہ پلاٹوں پر تعمیر شدہ اسٹریکچر کو فاسٹل شوکاز نوٹس کے تحت منہدم کر دیا جائے۔

اس سلسلے میں آپ کو پہلے ہی محولہ بالا شوکاز نوٹس کے ذریعہ یہ ہدایت کی گئی تھی معزز ہانگیر آف سندھ کے فیصلے کے مطابق ملاحظہ ہو مقدمہ نمبر 772/1995 کے مذکورہ بالا پلاٹوں پر سے ساری غیر قانونی تعمیرات ہٹا دی جائیں لیکن آپ کو آرڈر میں اتھارٹی ہدایت کی تعمیل کرنے سے قاصر رہے ہیں اس فاسٹل شوکاز نوٹس کے اجراء (اشاعت) کے ذریعہ آپ کو پھر ایک بار ہدایت کی جاتی ہے کہ آپ لازماً 3 مئی 1998ء تک مذکورہ بالا پلاٹوں پر سے ساری غیر قانونی تعمیرات ہٹائیں۔

کراچی بلڈنگ کنٹرول اتھارٹی

کے ڈی اے

(آئی این ایف - کے آر وائی - 7/98)

Karachi Building Control Authority

Civic Centre Annexe, University Road,
Gulshan-e-Iqbal, Karachi-5 (Pakistan)
Phones: 4931983, 4931984, 4935837

The Owners/Attorneys/Occupants of

Garden East: GRE 138, 259, 337, 338, 360, 361/1, 361/2, 364/1, 371, 458/1, 511/20, 539, 540, & 552.

Garden West: GRW 77, 78 & 322.

Jamshed Quarters: JM 61, 91, 103/1, 104/1 126, 220, 633/2, 671, 673, 674 & 688.

Soldier Bazar: 100/10 Roshan Colony, SB 19, 21.

Sub: **SHOW CAUSE NOTICE IN RESPECT OF UNAUTHORISED STRUCTURES BUILT ON ABOVE MENTIONED PLOTS**

In compliance with the judgement dated 25.11.98 of the Hon'ble High Court of Sindh in C.P. 160/98, the Owner/Attorneys/Occupants of the flats, shops and other premises on the above-mentioned plots in Garden East, Garden West, Jamshed Quarters and Soldier Bazar are hereby directed to explain their position as to why the unauthorised construction/structures on the said plots should not be demolished at the owners' risk and cost.

The constructions carried out on the said plots are illegal being in gross violation of the approved building plans and of the provisions of the Sindh Building Control Ordinance, 1978 and the Regulations framed thereunder.

The KBCA has therefore decided to demolish the structures under law, after ejecting any illegal occupants who have entered the premises without the mandatory Occupancy Certificate. Additionally the lessors will be advised to forfeit/determine the plot leases because the Building Regulations and the lease conditions have been contravened.

Individual notices to the Owners/Occupants of each Plot/Flat/Shop (as per record of the KBCA) have also been simultaneously issued, and a copy is affixed to the wall near the entrance of each building.

You are directed to appear in person before the Contractor of Buildings (Circle 'D') to explain your position within ten (10) days of this notice.

KARACHI BUILDING CONTROL AUTHORITY

Parking Problems in Buildings

1. Requirements of Regulations:

The "Karachi Building & Town Planning Regulations 1977" framed under SBCO '79, defines Parking and Loading Requirements in Schedule G Part 4 of Town Planning Regulations Part II (Pages 76 - 79).

2. Inadequacy of Parking Requirements:

The above-defined requirements for off-street parking are practically inadequate, and need to be increased as follows:

	Amount of Covered Area/Units Requiring One Off-Street Car Parking Space (25m ²)	
	<u>Present</u>	<u>Proposed</u>
Retail Shops	250 m ²	50 m ²
Business Offices	200 m ²	50 m ²
Flats	3 flats	1 flat

The Regulations must be upgraded to provide more parking in buildings.

3. Loading & Unloading Space:

The requirements of Article 5 of the above-mentioned Regulation Schedule are not being met during KBCA approval of plans. This must be corrected.

4. Approval of Parking Spaces by KBCA:

The following deficiencies in the approved procedures must be rectified:

- a) The exact nature of commercial use (hotel, or restaurant, or business office, or retail shops, etc) must be clearly defined so that the corresponding parking spaces can be calculated.
- b) When building occupancy is changed to more intensive use, increased parking must be provided.
- c) The parking layout must be technically correct (turning radii, bay sizes, ramp slopes, access spaces, etc.); calculations on a metre² basis are not enough, the actual layout of cars must be shown and numbered.
- d) The floor height of parking areas must be limited to 2 metres clear to prevent subsequent misuse and conversion to offices, shops, etc.
- e) The entry to the parking area of commercial buildings must not be from the "residential" side of commercial or converted plots, but from the "declared commercial road" side: this will reduce inconvenience to adjacent residences (effective measures must also be taken to prevent "spill-over" of parking onto residential streets).

Coordination of KBCA with traffic and street-parking enforcement agencies (TEB/KDA, Traffic Police, CPLC, KMC/DMCs, etc) at the building plan approval stage would be useful.

5. Misuse of Parking Spaces in Buildings:

This falls into various categories, and is due to the lack of enforcement of rules and regulations by KBCA:

- a) conversion by the builder into residential/commercial/storage space during the construction stage, and illegal sale of such converted spaces
- b) conversion either by the builder or by the occupants into residential/commercial/storage space after building is occupied,
- c) non-availability of existing empty parking spaces to occupants or visitors to the building owing to defective policy.

Strict monitoring of under-construction and occupied buildings, and prompt criminal prosecution/demolition of violations by KBCA can eliminate the first two causes. The third cause will require deeper investigation and the establishment of an operation/ maintenance policy for buildings.

6. Additional Measures

Some of the following suggested measures merit further investigation:

- a) Bollards must be fixed in side lanes near converted commercial plots to prevent spill-over into residential lanes. Additionally, these residential lanes must be made off-limits to non-resident/commercial parking.
- b) Parking bays (angular, kerb, 90 degree) must be marked on roads to organise/contain parking.
- c) Charged parking schemes must be implemented in all commercial/ business districts.

Partial List of Illegal Projects in Cantonment Areas**Note:**

- 1) Most of these projects have been granted 1: 6 plot ratio. The utilities (electricity, water, sewerage) and infrastructure (garbage collection, parking, roads, etc) to support such densities are not available.
- 2) Land use has been changed from residential to commercial without public-notice procedure
- 3) In most cases, the builders are violating their approved plans by constructing grossly illegal excess area and covering the compulsory open spaces, etc.
- 4) They are also violating the conditions of their "NOC for Sale" and defrauding the public

Sr. No.	Name/Plot No.
1	Naz Plaza 85/2, N. I. Lines
2	Cambridge Mall & Apartments Near St. Joseph's College
3	International Centre 268/2, R. A. Lines
4	Jeddah Centre 218 E. I. Lines
5	Metro Shopping Mall G-1/8, Clifton
6	Gulfway Shopping Mall ST-H/1/8, Clifton
7	Continental Trade Centre G-6/8, Clifton
8	Services Club Annexe Extension Abdulla Haroon Road
9	Navinta Shopping Mall 2/21 E. I. Lines
10	Ashiana G-21/9, Clifton
11	Not known BC-13/9, Clifton
12	The Forum G-20/9, Clifton
13	The Plaza G-8/9, Clifton
14	Numerous high-rises Gulistan-e-Jauhar, Block 10 (in Faisal Cantonment)

April 21, 1999



"Jeddah Centre"

218 E.I. Lines,
Raja Ghazanfar Ali Road, Karachi Cantonment

- ◇ Plot area = 1638.23 sq. yds. = 14,744 sft.
- ◇ Allowable Plot Ratio = 1 : 6
- ◇ Originally approved in 1989 as a commercial-cum-residential complex for the *Babria Foundation*, designed by Architect Ejaz Ahmed (vide KCB/218/EIL/38/1622 dated 2-12-89, C.B. Resolution No. 36 dated 10-12-89).
- ◇ Comparison of the approved and constructed areas:

	<u>Approved</u>	<u>Constructed</u>
Basement (parking)	12,790 sft	14,000 sft
Ground (commercial)	8,940 sft	14,000 sft
1 st (commercial)	8,280 sft	14,000 sft
2 nd (commercial)	8,802 sft	14,000 sft
3 rd (commercial)	8,802 sft	14,000 sft
4 th (commercial)	8,840 sft	14,000 sft
5 th (commercial)	8,840 sft	14,000 sft
6 th (commercial)	4,712 sft	14,000 sft
7 th - 12 th (residential)	30,492 sft	14,000 sft
Roof	736 sft	800 sft
Total (excluding basement parking)	88,444 sft	182,800 sft

- ◇ Violations of the law include:
 - Being illegally constructed without supervision of licenced engineer and architect (see attached letter No. AA/MISC/8(06)/97/281 dated 16-10-97 from Ahed Associates) in the name of *Babria Foundation*.
 - Coverage of the compulsory-open-spaces (COS) towards Raja Ghazanfar Ali Road and Inverarity Road
 - Gross excess built-up area (182,200 sft instead of 88,464 sft.), resulting in a plot ratio of about 1 : 12.35 instead of 1: 6
 - Occupation presently being undertaken without a KCB Completion/Occupancy Certificate.

Ahed Associates

ARCHITECTURE ENGINEERING INTERIORS

5th Floor, Habib Bank Building, M.A. Jinnah - A, Hudaib Road Crossing, Karachi - 74400, Pakistan. Tel: (21) 772-7285, (21) 772-8591, Fax: (92-21) 773-4284

Ejaz Ahed
B. Arch (U.S.A.) MPCAIP AMI
Managing Partner

Illikhar Azam
M. Arch (U.S.A.) MPCAIP
Partner

M.A. Ahed
Dip Arch (1981) ARIBA MPCAIP AMI
Chartered Architect
Advisor Partner

AA/MISC/8(06)/97/281

16th October 1997

The Cantonment Executive Officer
Karachi Cantonment Board
Karachi

Subject: Proposed Bahria Commercial-cum-Residential Complex at 218 E.I. Lines, Saddar,
Karachi - Abandonment of Project

Dear Gentlemen,

It has come to our knowledge through verbal information that the building presently being constructed at 218 E.I. Lines, Karachi is deemed to be one of our projects. We would like to put on record once and for all that the project being constructed has no connection whatsoever with Ahed Associates. We were at one time associated with a project on the said plot for Bahria Foundation PN in 1989 which was abandoned by the Client on 7th March 1991.

In respect of the project plans were submitted by Bahria Foundation to the KCB on 24th July 1989 with Ahed Associates as Architects and approval was granted by KCB vide their letter # KCB/218/E.I.L./38/1622 dated 10th December 1989.

Bahria Foundation PN vide their letter of 7th March 1991 terminated our services as of the March 1991 (letter attached). Since then Ahed Associates have had no connection with the said property. We were verbally told that Bahria Foundation had sold the said property in recent years.

Since the project was shelved the question of informing you did not arise. We once again reiterate that we have no connection or liability on the present construction being carried out on the said plot.

Following are attachments from our files which amply demonstrate our association with the project:

1. Bahria Foundation, P.N. letter # B/4/3/3/VII dated 31st March 1991.
2. Ahed Associates letter # AA/BF-KHI/91/42 dated 26th March 1991.
3. Bahria Foundation, P.N. letter # B/4/3/3/VII dated 7th March 1991.
4. Karachi Cantonment Board letter # KCB/218/E.I.L./38/1622 dated 12th September 1989.
5. Bahria Foundation, P.N. letter # B/4/3/3/IV dated 24th July 1989.
6. Form "A" Notice to Erect/Re-erect a Building dated 24th July 1989.

The above information is for your information and record.

Sincerely,
for AHED ASSOCIATES

c.c to: General Manager (Estates), Bahria Foundation PN, Karachi to please advise on status of the said plot as we do not wish to have any liability on present construction on site.

April 21, 1999



"International Centre"

268/2 R. A. Lines,
Abdullah Haroon Road, Karachi Cantonment

- ◇ Plot Area = 6,089 sq. yds. = 54,801 sft.
- ◇ Allowable Plot Ratio = 1 : 6
- ◇ Approved in two phases:
 - Phase-I Basement - 7th Floor
 - Phase-II 8th - 15th Floor
- ◇ Comparison of the approved and constructed (including future construction) areas:

	<u>Approved</u>	<u>Constructed</u>
Basement	19,935 sft	50,000 sft
Ground (shops)	22,196 sft	50,000 sft
1 st	22,285 sft	50,000 sft
2 nd (offices)	22,346 sft	50,000 sft
3 rd & 4 th (offices)	42,730 sft	100,000 sft
5 th - 7 th (parking)		
8 th - 15 th	175,656 sft	400,000 sft
Total (excluding parking)	305,151 sft	800,000 sft

- ◇ Violations of the law include:
 - Coverage of the compulsory-open-spaces on all sides of the structure
 - Gross excess built-up area (800,000 sft instead of 305,151 sft), resulting in a plot-ratio of about 1 : 14.6 instead of 1 : 6
 - Partial occupation without a KCB Completion/Occupancy Certificate.
- ◇ Irregular sale of plot by State Life Insurance Corporation (SLIC) for Rs. 220 million (instead of market price of Rs. 366 million), the second-highest offer, is presently being investigated by the Prime Minister's Inspection & Implementation Commission (PMI&IC).

Karachi Cantonment Board looks the other way as illegal high-rises come up

STAR REPORT

In addition to the rape of Sadar area by the KBCA, the Karachi Cantonment Board is also condoning the construction of blatantly illegal buildings that are putting unbearable pressure on the utilities and amenities of the area, thus making life miserable for local residents.

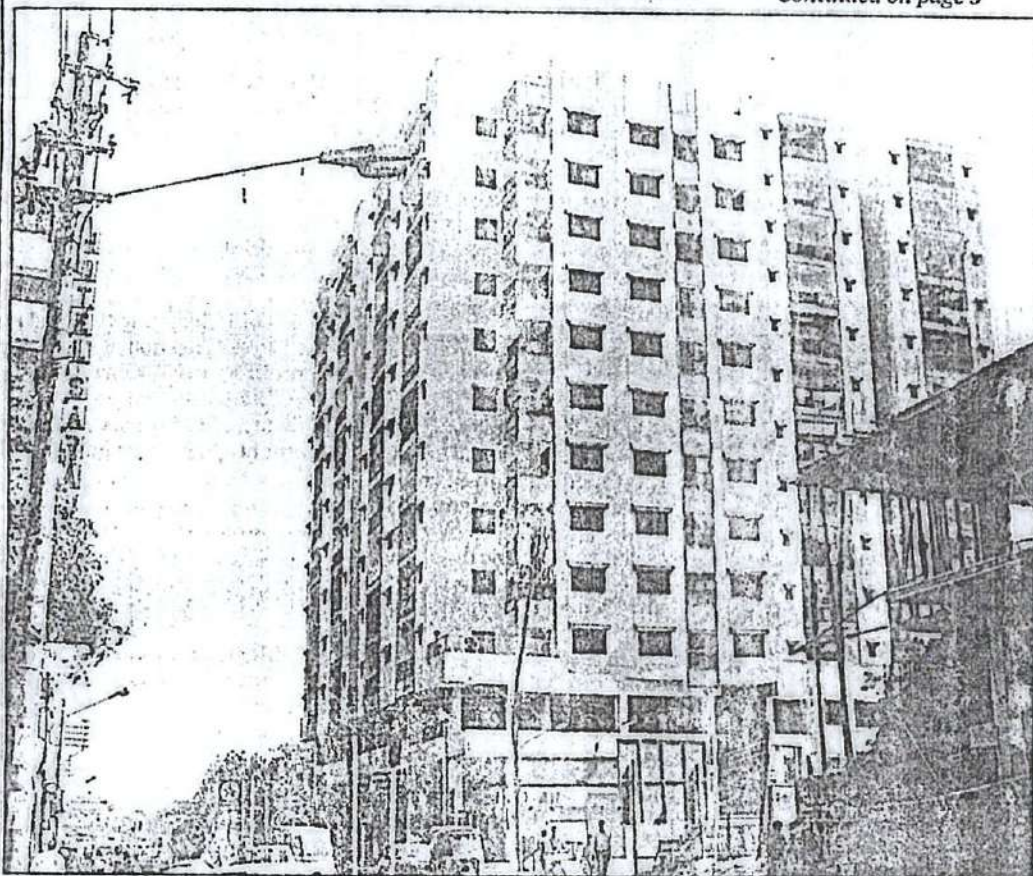
Plot 218 E.I. Lines originally consisted of a two-storey bungalow built on a fraction of the 1,638 square yard compound. Today a 14-storey building has

replaced it, without examining at the technical justification and feasibility of the conversion (availability of electricity, water, sewerage, garbage collection, parks, playgrounds, road capacity, etc) and without inviting or considering objections from the public. The process for the soliciting of public objections before effecting land-use change is mandated by law for the whole of Karachi (KDA Order No. 5 of 1957 and SBCO 1979 Regulation) but the Cantonment Board areas seem

to be exempted.

This exemption of the Cantonment Board areas from the town-planning laws that regulate the rest of the city is inequitable, and is leading to a lopsided development of the city. It will be observed that one side of the road, controlled by civilian authorities has four-storey buildings, while the other side of the same road, controlled by military authorities, has 15-storey high-rises. The present government should

Continued on page 5



"Jeddah Centre" on Raja Ghaznafar Ali Road in the Cantonment area has constructed twice the approved area, while the Karachi Cantonment Board authorities look the other way. Compulsory open space violations, fraudulent sale to the public in contravention of the Sale NOC, absence of an earthquake-resistant structural design are only some of the illegalities. KCB needs to demolish the irregularities, will it?—STAR photo

Karachi Cantonment Board looks the other way as illegal high-rises come up

Continued from page 1

take remedial measures in this respect quickly, in the interests of justice and in the interests of the environment of Karachi.

Not being satisfied with having obtained permission from KCB for a 14-storey high-rise of 88,444 square feet, the builder proceeded to illegally construct around 182,000 square feet, which is over 100 percent extra area. He has unlawfully covered the compulsory open spaces on Raja Ghazanfar Ali Road and Inverarity Road, and has inducted some occupants without obtaining the necessary completion and occupancy certificate. Mr Jamaluddin Ansari (CEO) and the KCB building control department do not seem to have taken cognizance of these gross irregularities and, in spite of complaints, are actually looking the other way.

It is not known whether seismic-withstand capability has been included in the structural design of this mammoth. In the

KBCA-controlled areas, the law requires proof-vetted design and stability certificate in accordance with Zone 2 of the Uniform Building Code of the USA to ensure that high-rise buildings can withstand the earthquake tremors (Richter Scale 6) that obtain in the city. Unfortunately, the cantonment board does not have such a procedure on their books, nor do they have the in-house technical expertise to evaluate and implement such codes.

"Jeddah Centre" originally belonged to the navy's Bahria Foundation, and was designed and approved from KCB by Architect Ejaz Ahmed as a 1:6 plot ratio commercial-cum-residential complex. Now a grossly illegal 1:12 plot ratio dangerous and illegal high-rise stands on the plot. Most of the building is unoccupied, and the authorities must be persuaded to take law-ful action immediately and demolish all extra built-up area.

Another similarly illegality

builder has also covered the compulsory open spaces on all sides (may have even encroached on the public road/pedestrian footpath) and has started partial occupancy without the necessary completion certificate.

Additionally, when the KCB granted building permission for Phase-II of the project (8th to 15th floors), the builder has already over-built on the lower floors and covered all the internal open-to-sky spaces and COSs. Knowing of these violations in Phase-I, the further approval of Phase-II by KCB was not kosher.

"Navinta Mall & Apartments" on Plot 212 E.I. Lines is another example of a project where the unsuspecting public is being cheated and sold an illegal product. The approved plan and sale NOC shows two types of flats of sizes 799 and 1076 square feet. Instead, the builder, Chapal, has printed and advertised in

his sales brochure three types of much larger flats (over 2000 square feet).

The construction at site is at the first floor level and has already covered the compulsory open spaces on Dr Daudpota Road and Raja Ghazanfar Ali Road, and the sides of the plot. The height of the ground floor has been unauthorisedly increased to introduce an illegal mezzanine in the shopping areas. These are standard tricks of the building mafias of Karachi, and they share the illicit profits generated with the officers of the building control authorities.

As professional and citizen groups have been introduced into the KDA and KBCA land and building control committees, it is becoming increasingly difficult to violate the law in areas under KBCA control. Therefore, the builders' mafia is moving to the cantonment areas and is escalating their activities there, in collusion

with corrupt officers in the relevant departments.

Now is the time for the military authorities to set things right, investigate the past conduct of cantonment executive officers and their builders, control teams, rationalise town planning and building laws and regulations, and set up meaningful methods to ensure that the law is actually implemented. Although the KCB states that they are transparent and that copies of building plans are available (as is the practice in KBCA), the experience of applicants who have tried to obtain plans is a disturbing one. The establishment of an effective "Public Information Counter" and the regular publishing of information in the press about approved building details will go a long way towards protecting the general public from fraud, and reducing corruption in the cantonment departments.

THE STAR

259 Regd. No. SS-021, Price Rs. 6.00, Pages 6, Karachi, Thursday, November 4, 1999, F

Illegal & dangerous high rises

Citizens appeal to Musharraf to protect Cantonment areas

STAR REPORT

Citizens groups in Karachi have drawn the attention of the Chief Executive, General Pervez Musharraf, the Governor of Sindh, the Karachi Corps Commander, and the Chief Secretary to the proliferating illegal construction and unlawful change of land use in the cantonment areas of the city.

Giving some examples of projects in Karachi Cantonment ("Navinta Mall & Apartments"/212 E.I. Lines, "Jeddah Centre"/218 E.I. Lines, "International Centre"/268 R.A. Lines, "Naz Plaza"/Depot Lines), Clifton Cantonment ("Ashiana"/G-21/9 Clifton, "Metro Shopping Mall"/G-1/8 Clifton, BC-13/9 Clifton, "The

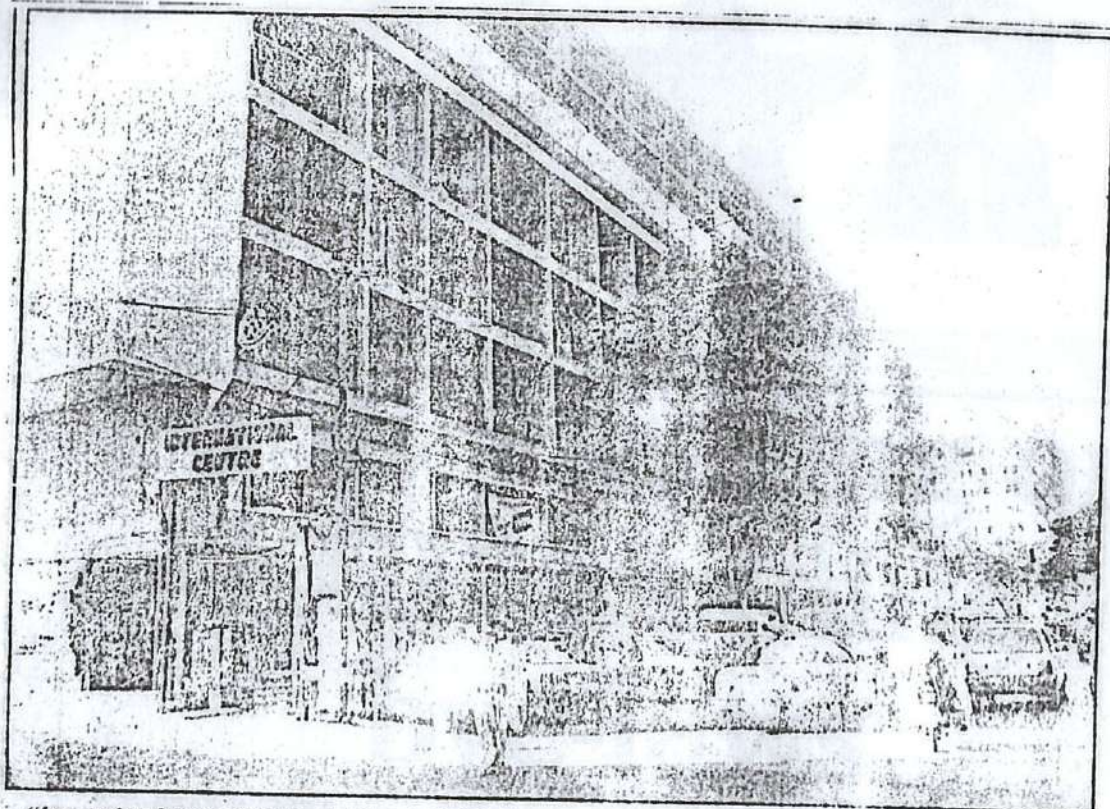
Plaza"/G-8/9 Clifton), and Faisal Cantonment (numerous multi-storeyed buildings in Block 10/Gulistan-e-Jauhar, Rashid Minhas Road), the citizens have requested the military authorities to investigate the increasing destruction of the built environment in their own backyard.

The contravention of the law that have been highlighted in the letter are 1. Construction of illegal buildings in blatant violation of approved plans. 2. High-rise buildings constructed without proper adherence to earthquake-resistant seismic building codes. 3. Excessive plot-ratios and over-building, which overloads the civic infrastructure and amenities (electricity, water, sewerage,

garbage collection, parks, playgrounds, etc.) 4. Change of land use ("commercialisation") without following lawful procedure.

The Chief Executive has been reminded of the terrible tragedies that took place a couple of months ago in Turkey and Taiwan, where tens of thousands of people died in earthquakes because over 100,000 illegal and dangerous buildings collapsed, leaving over 600,000 homeless. These calamities occurred because of corruption generated between the building mafias and the local building control authorities, where illegal and poor quality of construction went unchecked, and was later "regularised". The citizens feared that the next

Continued on Back Page



"International Centre" is being build on Abdullah Haroon Road in the Karachi Cantonment Board jurisdiction. The builder is constructing excess area and is not taking the necessary precautions to cater to Zone 2 of the Uniform Building Code of the USA that is applicable to buildings in Karachi. In spite of numerous complaints to the authorities, no action is forthcoming yet.—STAR photo

Citizens appeal to Musharraf

Continued from Page 1

earthquake in Karachi, which also lies in a seismic zone, will cause larger losses of property and life than Turkey owing to the mushrooming of unauthorised structures all over the city, including the Cantonment areas.

Professional, educational, citizens groups, and a number of concerned citizens like PEC, PCATP, NED University, and Shehri: CBE, are involved in the KDA and KBCA and are helping to monitor the performance of these land and building-control agencies. Slow improvements are being brought about, and a number of environment-related problems are being tackled: much, however, is left to be done.

The Cantonment authorities must also clean up their act, especially now that they are

showing the civilian population how the city and country is to be run free of corruption. The upgrading of rules and regulations, the control of populations densities in residential and commercial areas, the implementation of earthquake-resistant building codes for highrises, the elimination of illegal buildings constructed in contravention of approved plans, the sale of flats and shops in strict accordance of "NOCs for Sale", the conversion of land use after proper technical justification and public approval, are some of the measures that must be promptly adopted.

It is also understood that many builders' mafia members who have retired majors or colonels on their staff, or have "good contacts" with serving personnel, feel confident that they can exploit the present situation to their advantage.

THE STAR

No. 37 Regd. No. SS-021, Price Rs. 6.00, Pages 6, Karachi, Monday, February 15, 1999, S

Public hearing on KCB building bye-laws

STAR REPORT

The Building & Sanitation Committee of the Karachi Cantonment Board held a public hearing at 259, Sarwar Shaheed Road, to consider the objections/suggestions made to the proposed amendments in Chapters, I, II & III of the "KCB Building Bye-Laws, 1983".

On January 10, the Karachi Cantonment Board, through advertisements in the daily press, had invited the general public, particularly the residents of the Karachi cantonment areas, to obtain copies of the proposed amendments, along with the original bye-

laws, from the KCB office and submit objections/suggestions within 30 days.

On February 13 those who responded were invited to a public meeting at 11 a.m. which was presided over by Ch. Nisar Ali Khan, Vice President KCB, and other members of the Committee, including Cantonment Executive Officer, Jamaluddin Ansari, and KCB Chief Engineer, Hamidullah Khan.

The response of the stakeholders and public could generally be considered as poor: three or four builders, four citizens and a representative of Shehri: Citizens for a Better

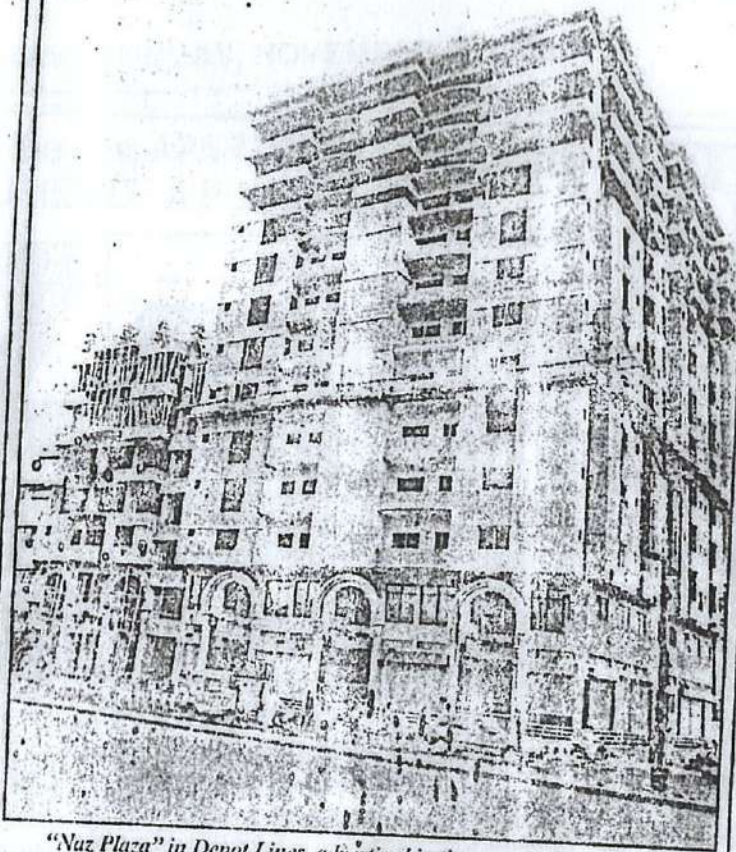
Environment were present. The concerned building professionals like engineers and architects, or their statutory bodies, Pakistan Engineering Council (PEC), Pakistan Council of Architects & Town Planners (PCATP), or institutions like Institute of Architects (IAP) and Institution of Engineers (IIEP) were conspicuous by their absence.

The KCB was complimented on their policy of public transparency and their attempt to involve the affected parties and citizenry in the decision-making process was appreciated by

Continued on back page



Site of proposed "Cambridge Shopping Mall & Apartments" which is to be built over the existing Allahwalla Hall. The teachers and students (over 150 signatories) of St. Joseph's College for Women had sent a complaint to Commander Mehmood Haidar over two months ago apprehending "a culture of hooliganism that will mushroom in



"Naz Plaza" in Depot Lines, advertised in the press in November as approved by KCB for a G+M+5 floor building has now reached G+M+11 floors. Will this over-built structure not play havoc with the parking, traffic flow, and utilities (electricity, water, etc) in the locality and on the major artery of M.A. Jinnah Road?—STAR photo

KCB building bye-laws

Continued from page 1

all present.

A number of useful representations were made. Shehri very forcefully stated that Town Planning Regulations and Plot Lease Conditions were an essential prerequisite and basis for the design and approval of buildings.

Shehri pointed out that lack of such coordinated planning had led to a host of problems like playing of cricket on the roads, conducting of schools in residential houses, lack of parks/playgrounds and open spaces, etc.

They gave as an example the recent preposterous proposal by the KMC that parts of Jehangir Park and Aram Bagh be converted into multi-storeyed car parks. These localities were already acutely short of open spaces, recreation areas and "lungs" for the benefit of the local residents, and, additionally, the law (KDA Order No. 5 of 1957) did not permit change of land use of parks and

other amenity spaces.

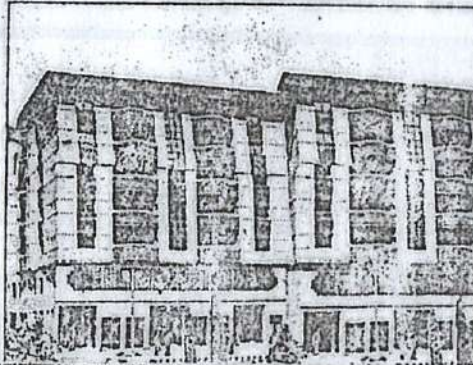
It was pointed out that the existing 1:6 "blanket" plot-ratio allowed in the existing KCB Bye-Laws was in contravention of the KCB lease conditions, and the proposed increase to 1:8 for 2000 square yard plots on 200 feet roads was unworkable. The overall Master Plan of Karachi needed to be considered and the environmental impact of increasing population densities in existing schemes carefully studied.

The citizens also stressed the need for absolute transparency and freedom of information to reduce corruption and malpractices. It was suggested that a Public Information Counter.

It was also emphasized that there should be an elimination of discretion in the implementation and application of the bye-laws that only those deviations from the approved plans will be considered for "regularisation" that are within the Bye-Laws.

Right in the heart of the city, APARTMENTS OFFERING
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2-3-4 AND 5 ROOM APARTMENT

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ELEGANT MODERN UNIQUE

NAZ

SHOPPING MALL

PRICES :
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PHONE :

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19000 From
45000 Rupees

Monthly Instalment

From **5000**
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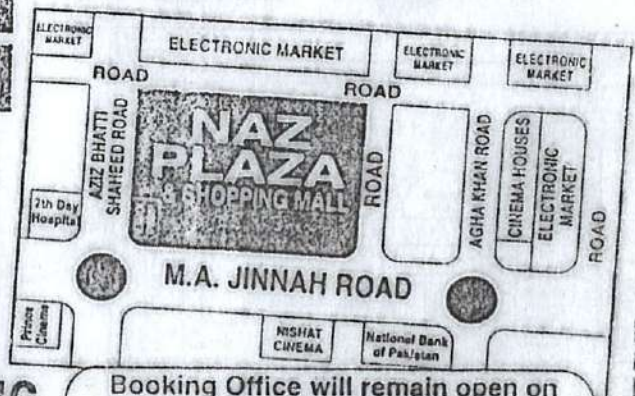
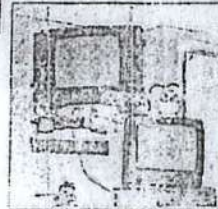
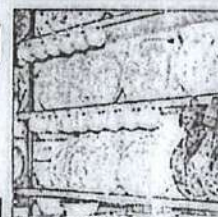
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780000 (Excluding Loan)

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- GIVE-AWAY ITEMS

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available under one roof!**

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students,
in the heart of
Saddar's
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Books, Uniform, Shoes, Bags, Computer &
Stationery, every thing

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Cambridge

Mall & Apartments

Best for investments, and good for profitable business

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floor of 15 ft high in just
Rs.2,50,000/-
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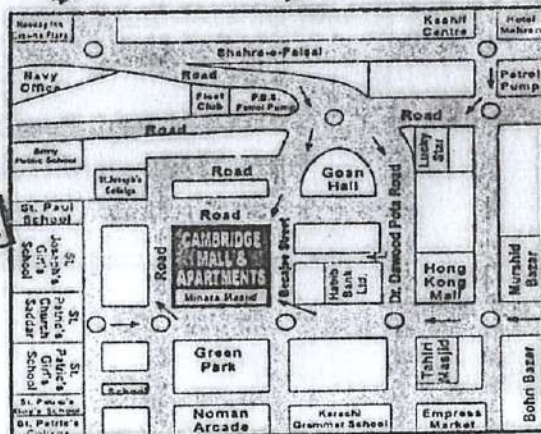
For further details please contact:

Cambridge Mall & Apartments

171- Opp. St. Joseph's College, Off:Shahra-e-Iraq-Karachi

Ph: 7783292, 7785291, 7785294

Office timings 10:00 a.m. to 12:00 mid-night
Office will remain open on Sunday & holidays



Office will remain open on Sunday & holidays

DAWN SUNDAY, NOVEMBER 21, 1999

Karachi Building Control Authority K D A

Civic Centre Annexe, Gulshan-e-Iqbal, Karachi.
Ph: 493-6981, 493-2263

ATTENTION CITIZENS

To assist the citizens of Karachi and to help establish transparency, the KBCA has been maintaining a

"Public Information Counter"

at the Civic Centre Annexe 1st floor for the past two and half years.

The general public is advised to visit the Counter and:

- register written complaints of any kind (which will be answered in writing within 10 days).
- obtain (within 5 days) copies of any approved building plans and related documents at nominal charges.
- obtain written information (within 10 days) on citizens' problems/issues relating to the built environment.

Citizens are strongly advised not to invest in building projects (flats, shops, offices, godowns, bungalows, etc.) without first inquiring at the KBCA "Public Information Counter" and obtaining written information about the nature and extent of the "NOC for Sale". A copy of the "Model Agreement with Builder" is also on display at the Counter. Information of pending litigation on projects is also available.

Citizens are also cautioned that it is a criminal offence under SBCO '79 to occupy any premises (flats, shops, offices, etc.) without a KBCA "Completion / Occupancy Certificate". Penalties include fines and/or imprisonment.

The KBCA is here to serve and protect your interests. Visit the "Public Information Counter" and obtain the relevant information before investing your hard-earned monies!

This is your city! Preserve its built environment!

Karachi Building Control Authority

KBCA

Public Information Counter

A Service to the Citizens of Karachi !

Ph : 493-6981

Fax : 493-2263

Timings : 10:00 am - 1:00 pm

Saturday to Thursday

Karachi Building Control Authority

PUBLIC NOTICE

4100200
4100300

Name of the Project

CITIZEN PRIDE

The Karachi Building Control Authority hereby informs the general public that this Authority has issued, NOC No. KBCA/KDA/DCB(D-II)/434/Adv-32/99 dated: 17-11-1999, for sale and advertisement of Flats/Shops to Mrs. Gul-e-Rana, on behalf of M/S Citizen Builders on their project CITIZEN PRIDE situated on Plot No.S.No.- 47, Sector- 20/D, Scheme- 25/A, Shah Latif Town, Karachi.

Unit Price offered by Builder are as follow:

Category	Nos.	Covered Area	Total Amount
A	24	607.29 sq.ft.	Rs. 4,55,000/-
A-1	04	554.10 sq.ft.	Rs. 4,15,000/-
B	35	458.78 sq.ft.	Rs. 3,43,000/-
C	80	346.63 sq.ft.	Rs. 2,60,000/-
D	60	312.28 sq.ft.	Rs. 2,34,000/-
Shops	07	2000.00 sq.ft.	@ Rs.2,000/- Per sq. ft.

Architect : Mr. M.Younus

Engineer : Mr. Anis Ahmed

Note : Above mentioned prices are fixed on average. Documentation, floor, road facing, corner and connection charges are not included in these prices. Further payments will be made in accordance with the construction schedule approved by the Building Control.

Proposed date of completion : 30-09-20002

The Building consists of HP +Ground + 4 Floors.

K.B.C.A. advises the general public that before Booking in any project they should go into a written agreement with the Builder/Developer on a stamp paper of Rs. 20/- as per the clause mentioned in K.B.C.A. Agreement Form, otherwise KBCA will not be a party to any dispute. The copy of the model Agreement Form and further information can be obtained from K.B.C.A. Information Counter, 1st floor, Civic Centre, Annexe Building, Gulshan-e-Iqbal, Karachi. (This is your city. Preserve its built environment).

Karachi Building Control Authority

DAWN MONDAY, JANUARY 12, 1998

KARACHI BUILDING CONTROL AUTHORITY

PUBLIC NOTICE

(Attention Buyers)

The Karachi Building Control Authority informs the general public that unauthorised construction in violation of approved buildings plans, are being carried out on the following plots in the City:

GARDEN EAST

539, 188/1, 550,
272/D, 511/18, 540,
338, 259, 360, 88/1,
258.

GARDEN WEST

265/1, 64/1,
96, 303/2,
16 Rehmanabad 322,
68/2, 78, 68/2/9-B,
114, 119, 144, 97.

SOLDIER BAZAR

B-2/19, 32, 33, 34.

P.I.B. COLONY

1105, 3 New Jail Old
Survey No. 769, 288/1,
SR-41 Goharabad.

HYDERABAD COLONY

1064 (Ex No. 128-A),
96, 995 (Old No. 14815)
Muslimabad.

JAMSHED QUARTERS

136, 710/81, 634/1,
451, 671 St. No. 3,
883, 99 (Old No. 113,
402-A (Old No. 182/8,
633/2, 381, 84, 126.

**PAKISTAN EMPLOYEES
COOPERATIVE HOUSING SOCIETY**

21-A, 190-A, 35-C, 56-S, 61-S,
125-H, 90-F, 18-F, 172-L, 180-A,
123-R, 58-P, 60-L, 48-W, 73-O,
55-F, 102-K, Block-2, 165-B,
165-F, 166-C, 171-A, 165-C,
162-G, 126-H, 83-F, Block-3, 7-A,
16-A, 244-B, Block-6.

**KARACHI COOPERATIVE
HOUSING SOCIETY**

125-BYJ, CHS, 3 Jinnah CHS,
390-BYJ, 2 New Karachi,
52-Maniya CHS, Block-3, C-5,
Central Commercial Area,
Block 7&8, KCHS Union

The KBCA (KDA), hereby warns the general public in their own interest not to book/purchase any flat, shops, godown or townhouse in any of the aforesaid plots/projects. If anyone moves into any illegal building without a completion or occupancy certificate from the KBCA, he is liable to criminal prosecution under the Sindh Building Control Ordinance, 1979 & 82.

Please enquire at the Public Counter of KBCA at Civic Centre before investing in any of the above projects.

CHIEF CONTROLLER OF BUILDINGS
KARACHI BUILDING CONTROL AUTHORITY

INF/KRY: 69/98

(5068-Y)

KARACHI BUILDING CONTROL AUTHORITY

PUBLIC NOTICE

REGARDING PENDING CASES IN HIGH COURT

The General Public is hereby informed that the following list of C.P/Suit No. with Plot No. are pending in the Honourable Sindh High Court.

PLOT NO.	PROJECT NAME	OWNER'S NAME	CASE NO.
PECHS 43-1-A Block-6 7-A Block-6 171-A Block-3 21-A Block-2 168-D Block-3	Fortune Tower Al-Kamran Centre Faisal Shopping Mall Four Square Rabla Square	Muhammad Usman & others Nasreen Pervez Butt Hamida Suleman Kamran Feroz Nelofer Sikindar	1596/98 1572/98 471/96 877/97 1503/98
SHARA-E-FAISAL R-2 to 9, 13, 39, 42, 53, 56, 80 83, 109 Survey No. 92 & 93 Deh Digh Tappo Malir Survey No. 248, Deh Safooran 3, Survey No. 185 & 186 Deh Safooran Com-1 Survey No. 185 & 186 Deh Safooran Survey No. 164 Deh Safooran Com-245 Survey No. 164 Deh Safooran	Onion Villas Falaknaz View Falaknaz Pride Rafi Mansion Falaknaz Plaza Rafi Star	Barkatullah Khan Riaz Ilyas Aqeel Ilyas Abdul Rehman Riaz Ilyas Abdul Rehman	997/98 716/96 58/97 52/99 1629/98 85/99
SCHEME-33 Sector 13-A 1 to 46 NC No. 21, 14 Acres Sector 36-B, 37-B 6 16 Acres Sector 13-A	Rufi Bara Market Memon Bara Market	Manzoor Ahmed Abdul Jabbar Rizwan Rafi	181/99 256/99 350/97
GULSHAN-E-IGBAL G-1 behind Stadium Bl-17 G-7-A Bl-17 P-14 Bl-17 ST-10 B-17 Survey No. 77	Aashina-II Aashina-I A One View Own Associate	Sajid M. Ibrahim Sajid M. Ibrahim S. Ali Zaher Hachmi Haji Gasim Subman	3060/92 & 3061/92 311/97 837/97
SCHEME-7 D-15 Al-Hilal Society D-9 Bl-IV & V Al-Hilal Society R-17 Bl-IV & V Al-Hilal Society R-16 Bl-IV & V Al-Hilal Society	Residential Bungalow Residential Bungalow Residential Bungalow Residential 120 sqyds	Zahab Hussain Zeenat Naseem Zeenat Naseem Ananullah	1621/96 682/97 1358/97 1371/97 1373 & 1374
SADDAR BAZAR 69 SB-4 11 SB-8 80 SB-1		Shahida Feroz Sohail (AU) S. Anwarul Hasan	810/99 550/99 528/99
GARDEN EAST/WEST 322 GRE 427 GRE 163 GRE		Mohd Zafar Abdul Rehman Hyder Ali	1001/99 767/99 532/99
JAMSHED QTRS. 131-134 J.M. 84/1 Muslimabad		Mst. Hameeda Bai Mst. Farzeen Agha	4/98 711/99
OLD CITY AREA 25 PR-II 6/10 PR-II 4 PR-II G 57 PLOT 97, 98 KC-5 Runchore Line 7 PR-II Preedy 2/1 w.o. 5 Wadhawal Odharam 2/3, 4/3 Old Town Qtrs 54 MR-5 Market Qtrs 53 MR-5 Market Qtrs 4 TL-2 Tahulram Qrt 31/1/15 LR-9 Lawrence Qrt 8/2 Firdous Colony, Liaquatabad	Kohinoor Centre Rubi Plaza	Akhlaq Ahmed Jawad & others Mohammad Salman Haji Ilyas Shahid Hasan Ali/Aslam Raza Suleman Habib Ahmed Mian & others Abdul Razaq Mst Zahra Bai Abdullah Murad Baloch	1102/95 990/94 1103/96 D-908/99 731/99 1250/98 742/97 1030/98 1090/98 833/98 554/96 836/96

The Karachi Building Control Authority therefore advises the General Public in their own interest not to involve themselves in any kind of booking/purchase in the above-mentioned plots.

By Order of
Chief Controller of Buildings
Karachi Building Control Authority

KBCA Oversee Committee Resolution No. 5/99 dated 8-9-99:

" On all unauthorised construction, within 1 week of action becoming due and observing violations, the DCB and ACB shall take the following steps:

- i) Serve notice u/s 7-A of SBCO' 79 (in approved format) on owner/ builder & architect/ engineer (with copy to PEC/PCATP, DC, High Court)
- ii) Demolish the unauthorised construction (after notice period) and withdraw the approved plan
- iii) Seal the unauthorised premises, and inform DC, SDM, SHO
- iv) File criminal prosecution (under SBCO' 79) of owner/ builder & architect/ engineer
- v) Lodge FIR against seal violators (owner/ builder, any occupier/ tenant)
- vi) Write to lessor (with reminder on weekly basis) to forfeit/ resume plot lease
- vii) If owner/ allottee files Suit/ Petition, submit counter-affidavit (with copy of notice u/s 7-A, all details of violations, photos of unauthorised construction, list of other cases/orders on the same plot, etc.) and written statement within one week.
- viii) Publish warning (within two weeks) in newspapers (DAWN/ JANG/ MILLAT) so that public does not invest
- ix) Suspend licence of architect/ engineer (within 2 weeks) if satisfactory response not received.
- x) File contempt of court application (within one week) in builders/ allottee's Suit/ CP, where builder has violated Courts order

Failure to comply or delay in complying with the above procedures will result in immediate suspension of the concerned officers, and action under Efficiency & Discipline Rules."