

Save Gutter Baghicha

(1017 Acre) and make it a Public Park



What is Gutter Baghicha

Plot No. K. 28 / 108

Gutter Baghicha forms the lungs of old Karachi - the largest continuous open green space in this city of 13 million people. Located in SITE Town along the Manghopir Road, the most densely populated part of Karachi, Gutter Baghicha is a public amenity space. And it used to be bigger - 1017 acres of greenery in the pre-independence Trans-Lyari area.

If we do not act now, we will lose what is left of this Baghicha - approximately 480 acres. With this will go the opportunity of reviving the only open space in old Karachi that can be redeveloped as a green area and made into a recreation space for generations to come. Every moment is vital.

What it Was

A Karachi Municipality map of 1892 shows that Plot No. K 28 / 108 is 113 years old and (its surrounding area was transferred to the Karachi Municipality by the British Crown free of cost.)

Its appellation of 'gutter' originated from storm drainage channels of the Lyari River known as the Shone Drainage System. Later these channels also took the sewerage water, originating in the adjoining built up areas, which was then used to grow cereals, green fodder and vegetables. It later came to be known as the Sewage Farm.

At the time of Partition the Baghicha was referred to as 'the largest urban forest in Karachi'. Apart from the cultivated area, there were also large tracts of natural vegetation. Old inhabitants speak of deer roaming freely and of an abundance of flora and fauna. It was a place of natural beauty, recreation, peace and quiet.

In a 1969 map of Karachi, Gutter Baghicha is shown as a 'Municipal Garden' spread over an area of 1016.76 acres. Technically, it is still all government land, meant for public recreation.

What it Has Now Become

In the past three decades Gutter Baghicha has become less and less of a 'baghicha' and more and more of the 'gutter'. According to the Karachi Building & Town Planning Regulations (part II) of 1979 (page 61) and 2002 (Reg. 19-3-4) plots like Gutter Baghicha can only be utilized for common public welfare. Growing population, unauthorized housing and the failure of government to provide sanitation systems has led to sewage from large parts of the city pouring into the Baghicha. A treatment plant, developed in 1961 to treat the sewage water, is no longer in working condition. However the storm water channels built by the British are still being used to bring water from Lyari River and wastewater from the Site industrial area and this mixed untreated water, unfit for human consumption, is illegally used for cultivation.



Memories of an Old Man

Fateh Muhammad Nazar is 75 years old. A native of Old Golimar (situated near Gutter Baghicha), he remembers Gutter Baghicha as a place of comfort and recreation.

"Gutter Baghicha was like a jungle while I was a child, a very beautiful jungle. We used to sit under the trees. People who came from remote places, after long journeys on foot, used to take rest under the shady trees of Gutter Baghicha before continuing to their destinations. There were also deer in the area. I remember the shooting of two films, Ladla and Jaag Utha Insaan at this location.

Story of Gutter Baghicha

The story of Gutter Baghicha is a story of greed, connivance, and land grabbing by some citizens and officials of this city, and a story of apathy and indifference by the rest of us who call this city our home. A story where the poor have had no voice and a story of deafening silence in the corridors of power.

Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has.

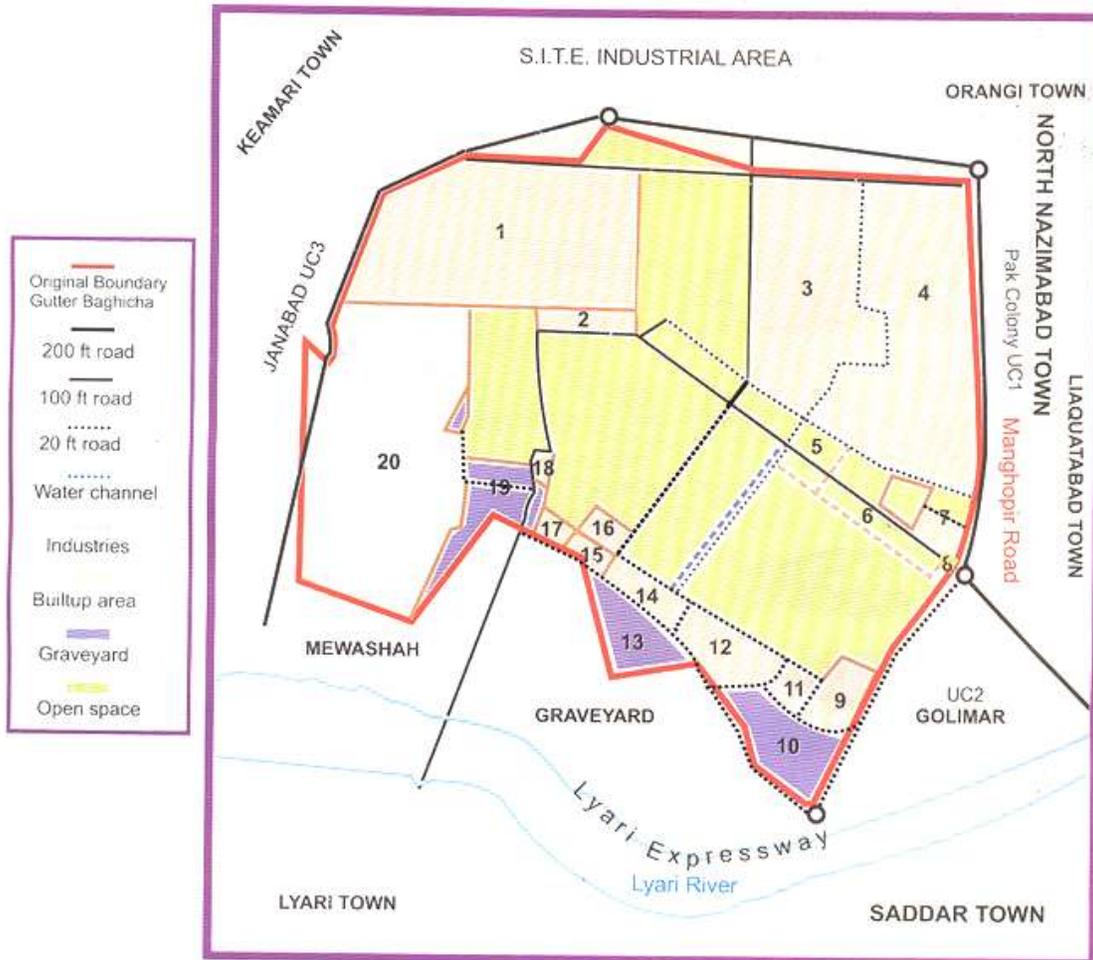
Margaret Mead



SHEHRI-CBE

Where is Gutter Baghicha

Plot No. K. 28 / 108 (1017 Acre)



Open space remaining is approximately 480 acres

Carving up of Gutter Baghicha

1. Ex KMC treatment plant	11. Unauthorised Ali Mohammad village encroached by a chowkidar of KMC
2. KMC compost plant	12. KMC staff quarters
3. Amenity plot	13. Graveyard encroachment
4. Notified katchi abadis of Asif colony, Zubair colony and Hasrat Mohani colony	14. Unauthorised Katchi abadi-United colony
5. Illegal Allotted to Safia Begum & others	15. KMC fabrication plant
6. Illegal Allotted to Ismailia Garden Cooperative Housing Society	16. KMC asphalt plant
7. Coconut grove	17. ZMC workshop
8. Unauthorised petrol pump	18. Pumping station
9. Unauthorised Katchi abadi-Rexer village	19. Allotted & unallotted graveyards
10. Bohri Graveyard	20. Unauthorised Haroonabad industrial area

Abuse of Gutter Baghicha

There have been 2 managers of Gutter Baghicha during its 113-year history, the British who maintained it and KMC (predecessors of CDGK) who have abused it. Land grabbers, in the guise of CDGK officials, staff and politicians, have cut down trees and occupied the land to build factories, 'farms', residential houses, water hydrants, and petrol pumps.



1. Carving of Illegal Plots

Around 300 illegal factories in Haroonabad, (one sector of Gutter Baghicha), and vegetables grown on 300 acres (using toxic waste water of illegal factories) on land which is claimed by the City Government as 'open land'.

Collusion of CDGK, Land Department and patronage of Pak Colony Thana.

2. Water Tankers and Hydrants

2000 water tankers make 12 rounds every day to lift water from 22 illegal hydrants in Asif Colony and Misri Khan Village, who have built their water pipes such that they open onto Gutter Baghicha where the water tankers come to fill water then use the 20 ft wide small Gutter Baghicha road in front of the government public school to take it to S.I.T.E. The hydrants in Misri Khan Village use Manghopir road. The water is of the poorest quality unfit for human consumption.

Collusion of Tanker Mafia, SITE Association, CDGK, area police station and criminal dalals.

3. Dumping of Toxic Wastewater and Sewage

Gutter Baghicha is being used for dumping toxic waste:

- wastewater flowing from 2200 factories of S.I.T.E.
- highly toxic hospital waste.
- marble wastage dumped by marble processing factories (Rs. 250 bhatta is collected per truck to dump marble waste).

Collusion of CDGK, Land Anti Encroachment Department and Thana Pak Colony.



Gutter Baghicha Laments Unfulfilled Promises

On 28th April 2002, President Pervez Musharraf, in a public meeting at the Quaid-e- Azam's Mazar, promised to restore the glory of Karachi. The City District Government, Karachi (CDGK), then sanctioned Rs 10 lakhs in its budget of 2002-03 for the "Gutter Baghicha Project". No more has been heard of the project since ...

On 7th July 2003, Chief Secretary Sindh, Dr. Mutawakkal Qazi, directed concerned officials to chalk out a strategy to develop a park at Gutter Baghicha within 15-days. No more has been heard of the strategy since ...

On 25th September 2003, Prime Minister Mir Zafarullah Khan Jamali, directed Sindh Chief Secretary to take immediate steps for the establishment of a public park at Gutter Baghicha. No more has been heard of the immediate steps since ...

Gutter Baghicha is asking "who will save me from the troika of officials, bureaucrats and land grabbers that are eating me up?"

Illegal Leases in Guttar Baghicha since 1991

1. Illegal Lease to the KMC Officers' Cooperative Housing Society.

In March 1993, 200 acres within Guttar Baghicha were illegally leased to the KMC Officers' Cooperative Housing Society by CDGK. Shehri-CBE filed a Human Rights Case 6-K/93 under Article 184(3) of the Constitution against conversion of Guttar Baghicha amenity land to industrial, residential or commercial use, fearing consequential deterioration in the environment. In addition, on the orders of Chief Secretary Sindh and Chairman Anti-Corruption Committee 1 (ACC1), an FIR # 56/2001 was registered by Anti-Corruption Establishment u/s 409/4677A/34 PPC r/w Section 5(2) of Act-II, 1947 against two KMC officials.

In September 1993, Supreme Court restrained KMC or any other transferees from transferring or selling of Guttar Baghicha land. In September 2001, ACC1 cancelled the allotment.



2. Illegal Lease of Ten Industrial Plots.

During 1990-94, illegal leases of approximately 8.3 acres, were granted by S.I.T.E. (in collusion with KMC/CDGK officials) for ten industrial plots. In March 2000, an FIR was registered by Anti-Corruption Establishment against 18 S.I.T.E. and KMC officials for illegal allotments to private factory owners. The leases were cancelled, and factories closed, and only Munaf Industrial is operating illegally. The case is still under process in the Anti-Corruption Court I.



3. Illegal Lease of a Petrol-pump Plot.

In 1998 a petrol-pump plot was illegally leased by CDGK at the mouth of the 100-foot road which is the gateway of Guttar Baghicha. An application was lodged in the Anti-Corruption Establishment, Karachi and the case is in process for lodging an FIR.



4. Illegal Encroachment of 50 Acres by a Local UC 3 Janabad Nazim, S.I.T.E. Town.

In 2003 a local UC Nazim, Talib Brohi, encroached upon 50 acres of the Baghicha land. An FIR 107/2003 was registered. The case is under process in the City Court being prepared to be sent to Anti -Corruption Court and National Accountability Bureau.



5. Illegal Lease of a Plot to Ismailia Garden Cooperative Housing Society.

A Plot of 7.02 acres was illegally allotted to Ismaelia Garden Cooperative Housing Society. An application was lodged in the Anti-Corruption Establishment Karachi. The Society has agreed to move from this plot if alternate place is provided.



6. Illegal Lease of Two Plots to Safia Begum and Others.

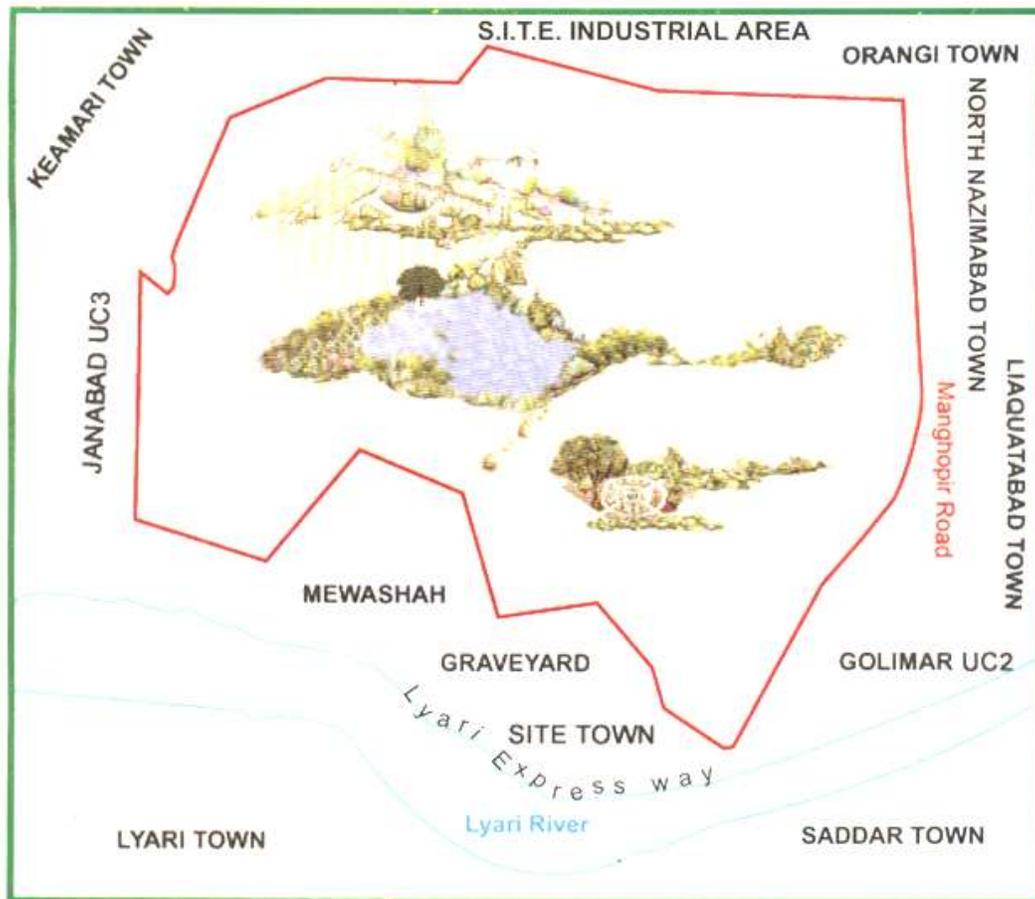
Two plots approximately 10.7 acres were illegally allotted to Safia Begum and others by KMC officials in February 1992. An FIR No 51/2000 was registered against the Secretary, KMC Officers Society but no one was arrested. The case is under process in the Anti-Corruption Court I.

What Gutter Baghicha Can Be

What remains of Gutter Baghicha can be developed again as a nature preserve and park for the people of Karachi. It can be replanted and forested (especially with local vegetation of this area). A botanical garden can be planted to display the variety of tropical and sub-tropical flora of the Asia Pacific region. This could be the first botanic garden of its kind in Pakistan. The Baghicha can have artificial lakes that will become the habitat for migrating birds and lake flora and fauna. There should be no further construction or cultivation and no commercial nurseries.

The replanted Gutter Baghicha should have the following public amenities

- o parking area
- o play spaces for children
- o study and research center on the flora and fauna of the Baghicha
- o internal water recycling plants
- o food kiosks
- o communication kiosks
- o toilets



Environs of Gutter Baghicha

The bastis and neighbourhoods of Gutter Baghicha are currently areas of unsatisfactory living conditions, low income, drug addiction, unemployment, ill-health, high infant mortality, and pollution. People living in Lyari and other adjacent areas have no recreation facilities and live with a sense of deprivation. Imagine what a peaceful green park in their midst would do for their psyche, health recreation and law & order.

Shehri's Perspective on Gutter Baghicha

Shehri-CBE is a civil society organization involved in the protection and conservation of the natural and built environment of Pakistan. Its perspective on Gutter Baghicha derives from its stated aim of research and action to promote initiatives in the areas of recreational development and heritage conservation.

Shehri's stand is that the 1017 acres of Gutter Baghicha, the pre-Independence municipal land located in S.I.T.E. Town along the Manghopir Road, is a public amenity space. Such amenity spaces cannot be converted to industrial, commercial, or residential use, but must be used for the public welfare of the citizens of Karachi in general and the residents of the surrounding areas in particular.

In keeping with the commitment of the government, as expressed through the promise made by President Pervez Musharraf on 28th April 2002 to establish a citizens' park in Gutter Baghicha, immediate steps need to be taken by CDGK, in coordination with the provincial government, to resolve all pending issues, including the ones listed below:

- CDGK shall ensure that no further encroachment on and misuse of the amenity space is carried out at Gutter Baghicha.
- The auction in 1993 by CDGK of industrial plots within Gutter Baghicha shall be declared null and void.
- The illegal lease in 1993 by CDGK of 200 acres within Gutter Baghicha to the KMC Officers' Cooperative Housing Society, along with any sub-leases, shall be cancelled - as ordered vide notification.
- The illegal leases granted over the period of 1990-94 by S.I.T.E. within the Gutter Baghicha for ten industrial plots shall be cancelled.
- The illegal lease by CDGK in 1998 of a petrol-pump plot on the 100 foot road at the entrance of Gutter Baghicha shall be cancelled.
- Other illegal leases issued within the amenity park space shall be cancelled, including plots allotted to Ismailia Garden Cooperative Housing Society and Safia Begum.
- The numerous water hydrants established along Gutter Baghicha boundaries by various parties, with or without the consent of CDGK, shall be removed.
- The discharge of poisonous/untreated effluents by S.I.T.E. industries into the Gutter Baghicha sewage system shall be stopped.
- The CDGK shall immediately prepare a master plan for the entire Gutter Baghicha amenity space, and then begin construction of a public park on the open 480 acres that is presently available and later include that land which becomes available after cancellation illegal leases and encroachments.

Donations to Shehri-CBE are approved under section 47(I) (d) of the Income Tax Ordinance, 1979. Shehri acknowledges the financial support of the Friedrich Naumann Foundation for this publication.

Die Stiftung für liberale Politik

Friedrich Naumann
Stiftung

Friedrich Naumann Foundation
Pakistan Office
P.O. Box 1733, No. 40, St. 27, F-6/2
Islamabad, Pakistan
Tel: (+92)51-2278896-2820896
Fax: (+92) 51-2279915
Email: fnst@comsats.net.pk
Internet www.fnst-southasia.com



SHEHRI-CBE

206-G Block-2, P.E.C.H.S., Karachi-75400
Pakistan Tel: 4530646 Fax: 92-21-4530646
Email: info@shehri.org (web site) URL: <http://www.shehri.org>

Designed and Printed by CaligraphTech Graphics



Saga of Gutter Bagicha

Plot No K-28/108, Trans-Lyari Quarter

Date	Event	Attach																																										
Phase-I Establishment of Amenity Plot																																												
Circa 1890	Pre-independence Trans-Lyari Quarter boasts a large tract of open, green farm space admeasuring 1,216 acres: this is <i>Gutter Bagicha</i> Plot No. K-28/108. Established by the Karachi Municipal Committee to treat sewage from the town across the Lyari River, its surrounding area was transferred to KMC by the British Crown free of cost. Effluent from the sewage treatment plant is used to grow vegetables and fodder on plots rented to agriculturalists.	a																																										
1913	The 'Karachi Hand Book' describes <i>Gutter Bagicha</i> as an "... oasis in the desert and a paradise of insects, birds and naturalists" where cereals, vegetables, fruit and fodder are cultivated. Yasmeen Lari's 'The Dual City: Karachi during the Raj' describes the pre-Independence sewerage system.	b																																										
Phase-II Commencement of Encroachments																																												
1947 onwards	Influx of refugees from India settled in old Golimar and the first encroachment on <i>Gutter Bagicha</i> begins. Katchi abadis (like Asif Colony, Zubair Colony, Hasrat Mohani Colony, Wilayatbad), graveyards, industrial units (Haroonabad, marble factories) are established illegally over the next 45 years, on over 55% of the amenity space.	-																																										
1957	Chief Commissioner Karachi under Notification No. 6/14/56-LSG dated 24 th Jan 1957 resumes 200 acres of land from the northern part of <i>Gutter Bagicha</i> (which is eventually utilised in KDA's SITE Scheme), leaving 1,016 acres as the amenity sewage farm.	c																																										
03-05-83	By Resolution No.907dated 22-11-1982, passed under Clause (1) of para 3 of the Martial Law Order No.183, KMC regularizes katchi-abadis of Hasrat Mohani, Willayatbad Colony 1 & 2, Yasin Zubari Colony and Asif Colony off Manghopir Road (within <i>Gutter Bagicha</i>), and this is approved by the Land Utilization Department, GoS.	d																																										
1992	<p>KMC Officers' Cooperative Housing Society (KMC-OCHS) is registered as a <i>private</i> housing society (having nothing to do with KMC). 77 promoters include:</p> <ul style="list-style-type: none"> ✓ 46 KMC officials ✓ 14 government officials ✓ 17 builders/businessmen <p>Prominent among these are:</p> <table border="1"> <thead> <tr> <th>Name</th> <th>Service</th> <th>KMC-OCHS</th> </tr> </thead> <tbody> <tr> <td>Allaudin Sabir</td> <td>Municipal Commissioner, KMC</td> <td>Promoter</td> </tr> <tr> <td>S. Tanveer A. Naqvi</td> <td>Senior Director (Land), KMC</td> <td>Chairman</td> </tr> <tr> <td>M. Yasin Kiyani</td> <td>Legal Advisor, KMC</td> <td>Promoter</td> </tr> <tr> <td>Shafi A. Ansari</td> <td>Deputy Director {Land}, KMC</td> <td>General Secretary</td> </tr> <tr> <td>Abdul Hafiz Siddiqui</td> <td>Asst. Director, KMC</td> <td>Chief Prom./President</td> </tr> <tr> <td>Manzoor Ahmed</td> <td>EDO (Law), CDGK</td> <td>Promoter</td> </tr> <tr> <td>Altaf Ahmed Khan</td> <td>Asst. Director (Land), KMC</td> <td>Promoter</td> </tr> <tr> <td>S. Masood Alam Rizvi</td> <td>Administrator, KMC</td> <td>Promoter</td> </tr> <tr> <td>M. Adil</td> <td>Asst. Director (Land), KMC</td> <td>Promoter</td> </tr> <tr> <td>M.Siddiq</td> <td>Asst. Director (Land), KMC</td> <td>Promoter</td> </tr> <tr> <td>Rukhsana Saleem</td> <td>GoS</td> <td>Promoter</td> </tr> <tr> <td>Naheed Hyder</td> <td>GoS</td> <td>Promoter</td> </tr> <tr> <td>M. Siddique Dar</td> <td>Section Officer (Local Govt), GoS</td> <td>Promoter</td> </tr> </tbody> </table> <p>Amazingly, the office of KMC-OCHS is registered as "<i>4 KMC Flats, Nazareth Road</i>" in Garden East, a government residential accommodation.</p>	Name	Service	KMC-OCHS	Allaudin Sabir	Municipal Commissioner, KMC	Promoter	S. Tanveer A. Naqvi	Senior Director (Land), KMC	Chairman	M. Yasin Kiyani	Legal Advisor, KMC	Promoter	Shafi A. Ansari	Deputy Director {Land}, KMC	General Secretary	Abdul Hafiz Siddiqui	Asst. Director, KMC	Chief Prom./President	Manzoor Ahmed	EDO (Law), CDGK	Promoter	Altaf Ahmed Khan	Asst. Director (Land), KMC	Promoter	S. Masood Alam Rizvi	Administrator, KMC	Promoter	M. Adil	Asst. Director (Land), KMC	Promoter	M.Siddiq	Asst. Director (Land), KMC	Promoter	Rukhsana Saleem	GoS	Promoter	Naheed Hyder	GoS	Promoter	M. Siddique Dar	Section Officer (Local Govt), GoS	Promoter	e
Name	Service	KMC-OCHS																																										
Allaudin Sabir	Municipal Commissioner, KMC	Promoter																																										
S. Tanveer A. Naqvi	Senior Director (Land), KMC	Chairman																																										
M. Yasin Kiyani	Legal Advisor, KMC	Promoter																																										
Shafi A. Ansari	Deputy Director {Land}, KMC	General Secretary																																										
Abdul Hafiz Siddiqui	Asst. Director, KMC	Chief Prom./President																																										
Manzoor Ahmed	EDO (Law), CDGK	Promoter																																										
Altaf Ahmed Khan	Asst. Director (Land), KMC	Promoter																																										
S. Masood Alam Rizvi	Administrator, KMC	Promoter																																										
M. Adil	Asst. Director (Land), KMC	Promoter																																										
M.Siddiq	Asst. Director (Land), KMC	Promoter																																										
Rukhsana Saleem	GoS	Promoter																																										
Naheed Hyder	GoS	Promoter																																										
M. Siddique Dar	Section Officer (Local Govt), GoS	Promoter																																										
Phase-III Illegal/Fraudulent Allotment to KMC-OCHS																																												
03-01-93	KMC-OCHS applies to Minister (Local Government) for 200 acres of <i>Gutter Bagicha</i> land (deceptively calling it "abandoned & vacant land") for a housing colony	f																																										
06-03-93	M. Irshad Ahmed, Minister (Local Government) Government of Sindh (GoS) approves the proposal in principle to carve out 200 acres of allegedly " <i>waste KMC Land at Sewage Farm, Manghopir Road</i> " for housing purposes, to be leased to KMC-OCHS @ Rs. 10 sq. yd (occupancy value) and @ 15/ sq. yd. (development charges). These 'throw-away' rates violate Rule 15 of Sindh People's Local Councils (Land) Rules 1975. Following six KMC-OCHS members/promoters are present in this meeting (giving public land to themselves):	g																																										

	Allaudin Sabir S. Tanveer A. Naqvi M. Yasin Kiyani. Shafi A. Ansari Altaf Ahmed Khan M.Siddiq	Municipal Commissioner, KMC Senior Director {Land & Estate}, KMC Legal Advisor, KMC Deputy Director {Land}, KMC Asst. Director (Land), KMC Asst. Director (Land)	
11-03-93	KMC Council Resolution #82 approves allotment /lease for 99 years (without mandatory auction procedure) in <i>Gutter Bagicha</i> to KMC-OCHS for residential purposes. This is a violation of Sections 45(4) and 45 (5) (i) of SLGO 1979 which is only applicable to land for “ <i>educational, religious and charitable institutions or for such other purposes for the benefit of the public</i> ”. (Over the next seventeen years, the shape and location of this 200-acre plot keeps changing to suit the circumstances!)		h
11-04-93	On a summary seeking approval of the Chief Minister to a lifting of the 11-4-1993 ban on allotment, the Chief Secretary, Syed Sardar Ahmed, opines “... <i>it would be unfair to convert the open park/farm into housing society. May be regretted.</i> ” This summary never reaches the C.M., Syed Muzaffar Hussain Shah, as the file, which in the custody of Altaf Ahmed Khan, Asst Director (Land) KMC (and founder/promoter of KMC-OCHS) goes “missing”		
06-06-93	KMC advertises auction of industrial plots in <i>Gutter Bagicha</i> @ Rs. 1000/sq. yd reserved price.		
15-07-93	Without mentioning previous unfavourable remarks, a fresh summary is floated by Municipal Commissioner KMC, Alauddin Sabir (a founder-promoter of KMC-OCHS), to C.M., Syed Muzaffar Hussain Shah, (three days later, C.M., Syed Muzaffar Hussain Shah’s government is dismissed), by-passing C.S., Syed Sardar Ahmed, which amounts to “ <i>cheating and concealing of facts</i> ”		
25-07-93	M. Siddique Dar Section Officer (Local Govt), GoS (and KMC-OCHS member/promoter) writes to KMC conveying fraudulent approval of KMC Resolution #82 dated 11/2/93 u/s 45(5) (i) of SLGO 1979 (which only applies to amenity land use and not to housing schemes)		i
29-07-93	Based on fraudulently obtained GoS approval, KMC Senior Director {Land & Estate}, Syed Tanveer A. Naqvi, (KMC-SDLE), a founder-promoter of the KMC-OCHS, writes to Shafi Ansari, Hon. Secretary of KMC-OCHS (and Deputy Director {Land} KMC), detailing payments to be made within 90 days: <i>Land Cost @ Rs 10/sqyd = Rs 9.680 million</i> <i>Development Charges @ Rs 15/sqyd = Rs 14.520 million</i> <i>Annual Land Rent @ Rs 0.25/sqyd = Rs 0.242 million</i> <i>Sanad & Search Fee = Rs 0.005 million</i> <i>Total Rs 24.447million</i>		j
29-07-93	<u>Replying on the same day</u> , KMC-OCHS writes ✓ one letter to KMC-SDLE asking for further extension beyond 90 days and phased payment schedule in 10 instalments of Land Costs of Rs 9.68 million, as Municipal/Govt. servants have “ <i>limited source of income</i> ” ✓ second letter to KMC-SDLE asking for deferment in Development Charges of Rs 14.52 million		k
29-07-93	<u>The same day</u> , KMC-SDLE write to KMC-OCHS informing them that the KMC Administrator has agreed to ten instalments for Land Costs, payable from 24/10/93 to 29/7/94. <i>Truly amazing efficiency in decision-making!</i>		l
29-07-93	ON THE SAME DAY AMAZINGLY, <u>DESPITE HAVING “LIMITED SOURCE OF INCOME”, KMC-OCHS PAYS Rs 1 MILLION (50% IN CASH, REST BY CHEQUE) AS FIRST PART PAYMENT OF LAND COST OF Rs 9.68 MILLION – THREE MONTHS BEFORE FIRST APPROVED INSTALMENT DATE OF 24/10/93!</u>		m*
02-08-93	KMC-OCHS writes to Administrator KMC Administrator thanking him for allowing 10 instalments (although they have already allegedly paid Rs 1 million the previous day!)		n
03-08-93	AMAZINGLY, <u>DESPITE HAVING “LIMITED SOURCE OF INCOME”, KMC-OCHS PAYS Rs 4 MILLION AS SECOND PART PAYMENT OF LAND COST OF Rs 9.68 MILLION</u>		o*
03-08-93	<u>THE SAME DAY, KMC-OCHS WRITES TO KMC-SDLE DETAILING 50% PART PAYMENTS FOR LAND COSTS OF Rs 5 MILLION ALREADY MADE BY THEM ON 29/7/93 AND 3/8/93, AND ASKS FOR HANDING OVER OF PHYSICAL POSSESSION AND ALLOTMENT OF LAND.</u>		p*
03-08-93	<u>THE SAME DAY WITHOUT RECEIVING FULL PAYMENT, KMC-SDLE ISSUES ALLOTMENT ORDER.</u>		q*
03-08-83	<u>THE SAME DAY WITHOUT RECEIVING FULL PAYMENT, HANDING-OVER OF LAND TO KMC-OHCS IS DONE BY ASST. DIRECTOR (LAND) KMC, M. ADIL, A PROMOTER /FOUNDER OF KMC-OCHS.</u>		r*
03-08-93	<u>THE SAME DAY, KMC-OCHS WRITES TO KMC-SDLE ACKNOWLEDGING RECEIPT OF ALLOTMENT ORDER AND POSSESSION ORDER, AND REQUESTS CHALLAN FOR</u>		s*

	BALANCE Rs 4.68 MILLION OF LAND COST/OCCUPANCY VALUE	
04-08-93	WITHOUT RECEIVING FULL PAYMENT, KMC-SDLE AND KMC-OCHS MAKE AGREEMENT TO LEASE 200 ACRES (PLOT 108/ 10) IN <i>GUTTER BAGICHA</i>. THE AGREEMENT IS BASED ON RULE 10 OF THE SINDH LOCAL COUNCIL (LAND) RULES 1975 (WHICH IS INVALID AS IT HAS BEEN SUPERSEDED BY SECTION 45 (5) OF SLGO 1979)	t*
05-08-93	AMAZINGLY, <u>DESPITE HAVING "LIMITED SOURCE OF INCOME"</u>, KMC-OCHS PAYS Rs 4.68 MILLION AS FINAL PART PAYMENT OF LAND COST TOTALLING Rs 9.68 MILLION (FULL PAYMENT IS MADE 2 1/2 MONTHS BEFORE 1ST INSTALMENT IS DUE!)	u*
05-08-93	<u>THE SAME DAY</u>, KMC-OCHS WRITES TO KMC-SDLE ASKING FOR 99-YEAR LEASE AS FULL LAND COST/OCCUPANCY VALUE HAS BEEN PAID	v*
09-08-93	AMAZINGLY, <u>DESPITE HAVING "LIMITED SOURCE OF INCOME"</u>, KMC-OCHS PAYS Rs 0.247 MILLION AS LAND RENT AND SANAD SEARCH FEE	w*
11-08-93	ON BEHALF OF KMC, ALTAF AHMED KHAN, ASST. DIRECTOR (LAND), WHO IS ALSO CHIEF PROMOTER KMC-OCHS, EXECUTES 99-YEAR LEASE (WITH EFFECT FROM 25-7-1993) WITH KMC-OCHS THROUGH SHAFI A. ANSARI, SECRETARY KMC-OCHS WHO IS ALSO DEPUTY DIRECTOR (LAND), KMC. (OVER THE NEXT SEVENTEEN YEARS, THE SHAPE AND LOCATION OF THIS 200-ACRE PLOT KEEPS CHANGING TO SUIT THE CIRCUMSTANCES!)	x*
16-08-93	KMC-SDLE WRITES TO KMC-OCHS ACKNOWLEDGING RECEIPT OF Rs 9.927 MILLION FOR OCCUPANCY VALUE (LAND COST), LAND RENT, AND SANAD SURVEY FEE. REQUESTS Rs 14.52 MILLION AS DEVELOPMENT CHARGES SO THAT DEVELOPMENT WORK CAN BE STARTED AT SITE.	y*
16-08-93	<u>ON THE SAME DAY, AND IN TRULY AMAZING CONTRADICTION TO ABOVE LETTER</u>, KMC-SDLE WRITES TO KMC-OCHS AGREEING TO DEFERMENT IN DEVELOPMENT CHARGES TILL TIME WHEN DEVELOPMENT WORK IS UNDERTAKEN AS " THE PERIOD FOR THE PAYMENT OF DEVELOPMENT CHARGES HAS NOT BEEN MENTIONED IN SINDH LOCAL COUNCIL (LAND) RULES 1975" (ARE SUCH CONCESSIONS AVAILABLE TO OTHER PRIVATE HOUSING SOCIETIES?)	z*
19-08-93	KMC-SDLE GIVES PERMISSION TO KMC-OCHS TO SUB-LEASE PLOTS TO MEMBERS	aa*
Phase-IV Human Rights Case 6-K/1993 filed in Supreme Court		
23-08-93	Shehri-CBE files Human Rights Case No 6-K/93 under Article 184(3) of the Constitution in the Supreme Court against conversion of <i>Gutter Bagicha</i> amenity land to industrial, residential and commercial use, challenging consequential deterioration in the environment.	-
14-9-93	Justice Saleem Akhtar of the Supreme Court issues interim stay-order to KMC, its administrator, officers and employees restraining them from sale or transfer of leasehold rights in any manner of any part of <i>Gutter Bagicha</i>; delivery of possession or any other steps are also restrained. Transferees are also restrained from transferring or dealing with the land.	ab
13-09-93	In violation of status-quo order of SC, KBCA approves KMC-OCHS town-planning layout plan of 200 acres on payment of Rs 0.4 million as KBCA fees. This town-planning approval is unlawful as only the then Master Plan Department of the KDA (now MPGO, CDGK) has the mandate to approve town-[planning layouts. KBCA is merely a building control authority under SBCO 1979.	ac
20-11-93	IN VIOLATION OF STATUS-QUO ORDER OF SC, KMC-OCHS, <u>DESPITE HAVING "LIMITED SOURCE OF INCOME"</u>, PAYS Rs 3.5 MILLION AS PART PAYMENT OF DEVELOPMENT CHARGES OF Rs 14.52 MILLION	ad*
27-09-93	Five local/community-based NGOs from around the <i>Gutter Bagicha</i> area apply to become intervenors in HR Case 6-K/93 in the Supreme Court	-
__-09-93	Sindh EPA recommends to the Supreme Court that a public park be established on the <i>Gutter Bagicha</i> plot.	-
28-09-93	Supreme Court restrains GoS from granting approval to the illegal KMC Resolution.	-
20-12-93	CM Abdullah Shah announces that all <i>Gutter Bagicha</i> allotments will be cancelled.	-
14-1-94	Agha Shahabuddin, Secretary (Local Government) GoS floats a detailed summary giving all facts of the KMC-OCHS scam, including: <ul style="list-style-type: none"> ✓ Violation of conditionalities (change in plot sizes, and creation of commercial and flat-site plots) of KMC Resolution #82 of 11-3-93 ✓ Violation of sections 45(4) and 45(5) of SLGO 1979 (extremely low rates fixed w/o auction, non-amenity use of land, etc ✓ Violation of Rule 15 of Sindh Local Council (Land) Rules 1975 (occupancy value and land rent determination improper) ✓ Issue of KMC lease for 200 acres while Rs 11.02 million payment is still outstanding ✓ Fraudulent by-passing of Chief Secretary in Summary to C.M. and recommends: <ol style="list-style-type: none"> a) Await result of Supreme Court case, 	ae

	<p style="text-align: center;">OR</p> <p>b) Cancel KMC-OCHS leases</p> <p>c) Proceed against KMC Municipal Commissioner, Alauddin Sabir and Senior Director Land, Tanveer Ahmed Naqvi, under E&D Rules for causing loss to the council and violating approved conditions of Resolution</p> <p>d) Issue warning to Administrator Alauddin Sabir for allowing execution of lease without full recovery of the dues</p> <p>e) Withdraw Government of Sindh approval of the scheme</p>	
01-08-94	PM Benazir Bhutto orders KMC to cancel illegal allotment of 200 acres to KMC-OCHS, and directs Administrator KMC, Fahim-uz-Zaman, to withdraw earlier order: <i>Gutter Bagicha</i> land to be used for its recreation purpose as a park.	af
02-02-94	Law Secretary, A.Q. Siddiqui, recommends that KMC concedes before SC that lease of <i>Gutter Bagicha</i> to KMC-OCHS is "patently illegal" as it violates the provisions of SLGO 1979	ag
24-08-94	415 sub-leases are issued by KMC-OCHS in violation of Supreme Court stay order, (On 10-12-1998, KMC-OCHS members try to obtain bank loans against these illegal sub-leases. Local residents protest to State Bank, and bank stops loans)	-
06-12-97	KMC-OCHS files Suit 1646/97 against Cooperatives Department, GoS and local area residents. This is decreed on 18-12-98 on the technical grounds that enquiries against a cooperative society can only be undertaken on complaint of a member of the society, not outsiders (Section 47(2) of the Act 1925). This court order is grossly misused by KMC-OCHS to deceive the public	-
12-09-01	Acting on Compliant GO-50/97, the Anti-Corruption Committee-1, which include the Chief Secretary, Chairman (Enquiries & Anti-Corruption Establishment), Chairman (Governor's Inspection, Enquiries & Implementation Team) and Secretary (Local Government), direct: <ol style="list-style-type: none"> 1) Registration of a criminal prosecution case against <ul style="list-style-type: none"> ✓ Allaudin Sabir, Municipal Commissioner, KMC ✓ S. Tanveer A. Naqvi, Senior Director (Land), KMC 2) Cancellation of the allotment of 200 acres to KMC-OCHS in <i>Gutter Bagicha</i> 3) Open enquiry against Shafi Ansari, D. Director (Land) KMC 	ah
20-10-01	ACE registers FIR # 56/2001/u/s 409/468/477A/34 PPC v/w sec 5(2) of Act II of 1947 against Allaudin Sabir and S. Tanveer A. Naqvi of KMC	ai
05-11-01	Special Case # 50/2001 is filed in Court of Special Judge Anti-Corruption (Provincial) against Allaudin Sabir & Ors.	aj
Phase-VI CDGK / KMC-OCHS nexus noora-kushti		
26-11-01	Director ACE sends reminder to Secretary (Local Govt) to implement Chief Secretary's ACC-1 decision to cancel allotment to KMC-OCHS of 200 acres. This is followed up with numerous reminders from the ACE and CS's office dated 28-8-2003, 4-10-2003, 31-10-2003, 15-11-2003, 10-12-2003, and from the Local Government ministry to the KMC/CDGK dated 2-6-2003, 6-10-2003, 12-2-2004, 27-2-2004.	ak
19-04-02	D.O. (Parks & Horticulture) KMC, Hanif Nasir, deposes before ACE I.O. Mangi that entire <i>Gutter Bagicha</i> was under the jurisdiction of KMC Parks & Horticulture Department from 1947 to 1993, when he was directed not to give the land in future for cultivation. He states that any allotment of <i>Gutter Bagicha</i> for housing or industry is unlawful, and that no NOC for this purpose was issued by the KMC Parks & Horticulture Deptt.	al
28-04-02	Chief Executive Pervaiz Musharraf, at the Quaid's Mazar public meeting, promises to " <i>restore the glory of Karachi</i> ". He commits that <i>Gutter Bagicha</i> will become a garden.	am
04-05-02	CDGK floats a park-naming competition for 13 parks in Karachi. <i>Gutter Bagicha</i> is shown as only 300 acres!	an
Phase-VI CDGK manipulates Supreme Court case		
05-05-03	EDO (Law) CDGK, Manzoor Ahmed, approaches Shehri about CDGK's intent to resolve all outstanding issues, and Shehri gives him a draft of 13 points that CDGK must submit as an undertaking to the Supreme Court. DCO, Mir Hussain Ali, is unable to finalise this issue before the next SC hearing.	ao
29-05-03	Supreme Court of Pakistan disposes off Human Rights 6-K/1994 case on the basis that CDGK is reaching understanding with citizens and NGOs, and directs CDGK to submit compliance report within three months. The Court states: <p><i>"The parties have stated at the Bar that this Human Rights Case be disposed of because the matter is being settled and negotiated among them. Mr. Najmul Hasan Kazmi, ASC has moved an application for being imploded as a party. We are not in a position to pass any order there on. However, during settlement he and all other interested parties can be associated. In the above terms this Human Rights case stands disposed of. The City District Government Karachi shall submit compliance report before this Court within three months."</i></p>	-
02-06-03	Secretary (Local Government) writes to DCO CDGK, Mir Hussain Ali, that ACC-1 order dated 12-	-

	09-01 to “cancel allotment of land, and report compliance” be done immediately.	
31-07-03	Shehri writes to remind Secretary, Local Government, to implement the decision of ACC – 1 for cancellation of unlawful KMC-OCHS allotment.	ap
31-07-03	Shehri’s lawyer reminds DCO, Mir Hussain Ali, and DG, Sindh EPA, about submission of compliance report to the Supreme Court.	aq
16-08-03	Local Government ministry, GoS informs Shehri that CDGK has already been directed to cancel 200-acre allotment to KMC-OHS.	ar
28-08-03	Director, ACE writes to Secretary (Local Government) --- with c.c. to CDGK---referring to earlier letters dated 10-10-2001 about the decision of cancellation of allotment of land to KMC-OCHS.	as
04-10-03	CS writes to City Nazim, Naimatullah Khan , attaching a letter and telling him that the GoS has already cancelled the 200-acre allotment , and asking for a progress report from CDGK/KMC. Yet the noora-kushti goes on and on	at
06-10-03	Secretary (Local Government) writes reminder of 2-6-2003 letter to DCO, CDGK that as per directive of ACC-1, allotment of 200 acres to KMC-O CHS must be cancelled.	au
31-10-03	DS (Admin) ACE writes reminder of three previous letters (10-10-2001, 26-11-2001, 28-8-2003) to ACS Local Government regarding cancellation of allotment of <i>Gutter Bagicha</i> land to KMC-OCHS.	av
15-11-03	ACE writes to ACS (Local Government) once again reminding him to cancel the allotment	-
10-12-03	Brig (R) Mukhtar Ahmed Khan, Chairman, ACE writes to CS, Mutawakkil Qazi, to direct ACS (Local Government) to implement decision of ACC-1 without further delay.	aw
19-04-04	Ex-DG (Parks & Horticulture), KMC Hanif Nasir in his affidavit to Anti-Corruption Estates confirms that “ <i>Gutter Bagicha</i> (sewage farm) is an amenity and was under the jurisdiction of KMC, no NOC was taken from us.”	-
18-05-05	CDGK submits unilateral one-sided report to SC (through EDO (Law) CDGK Manzoor Ahmed, who is also a founder/promoter of KMC-OCHS) without informing Shehri, SEPA or other NGOs, and without obtaining Shehri’s signatures on this so-called “ <i>settled and negotiated</i> ” document. This report has been prepared by EDO (Law) Manzoor Ahmed, a founder/promoter of the KMC-OCHS . In this report the shape of the 200-acre plot has changed!	-
Phase-VII Shehri attempts to rescue the situation		
21-06-05	Shehri & others file Contempt of Court application against CDGK in HRC 6-K/93 in SC, stating that the disposal order of 18-05-05 was obtained through fraud.	-
c. Nov ‘05	CDGK starts construction of 163-acre ‘ <i>National/City Park</i> ’, but leaves north-east corner near Hasrat Mohani Colony undeveloped.	-
19-12-05	G.H. Mangi, Investigation Officer ACE, submits Final Report against Allauddin Sabir & Others	ax
01-02-06	A.D. Khowaja, Director ACE, files his report on KMC-OCHS scam	ay
___-01-07	Shehri & area NGOs file CP 17/2007 in SHC and obtain ad-interim stay on the grounds that CDGK committed fraud in obtaining compromise order dated 29-5-03 without any intention of entering into a compromise	-
13-02-08	SHC dismisses CP 17/2007, essentially on basis of alleged <i>res judicata</i> and SC decision of 1-11-06.	-
18- -08	Shehri & area NGOs file appeal CP 210-K/2008 in SC and obtain ad-interim stay	-
28-05-08	KMC-OCHS files Suit 768/2008 against Shehri, Cowasjee, Nisar Baloch, Police and CDGK and obtain ad-interim order against obstruction of its project	-
19-08-08	SC refuses leave to appeal CP 210-K/2008, holding that the compromise creates a new cause of action which requires evidence, and states: “ No conclusive findings were arrived at by this [Supreme] Court in the said HR Case [6-K/1993]. Albeit the cause for future action for a proposed settlement with the association of interested parties was recorded while disposing off the case. Such a cause of action involving factual controversies and resolution of facts involving detailed factual and fact findings on the basis of evidence, record and materials.... applies to proceedings in a suit between the parties”	-
Phase-VIII Shehri files new Suit & Park is invaded		
23-10-08	Based on SC order of 19-08-08, Ardeshir Cowasjee, Abdul Sattar Edhi, Shehri & local NGOs file Suit 1484/2008 against CDGK, GoS, KBCA and KMC-OCHS and obtain status-quo order.	-
18-05-09	Charges are framed against Alauddin Sabir & others in Special Case 50/2001 in Anti-Corruption Court	aj
28-05-09	President Asif Zardari includes ‘ <i>National Park</i> ’ at <i>Gutter Bagicha</i> as part of <i>Green Karachi Project</i> and sanctions Rs 400 million for development	az
c. mid-	SITE Town Nazim organises invasion (ENCROACHMENT-1) of northern part of <i>Gutter Bagicha</i> that has been set aside by CDGK for (Musharraf’s/Zardari’s) ‘ <i>National Park</i> ’. This is in violation of	-

June 09	the status-quo order dated 23-10-08	
30-06-09	FIR # 156/2009 is filed at Pak Colony PS against encroachers/land-grabbers at (ENCROACHMENT-1)	ba
15-07-09	Ardeshir Cowasjee, ex-senator Nisar Memon and EDO (Revenue) CDGK, Sajjad Hussain Abbasi, inspect the ENCROACHMENT-1 (about 10 acres at this time) who are constructing under protection of armed men in the 'National Park' section of <i>Gutter Bagicha</i> .	bb
29-07-09	About six weeks <u>after the invasion</u> , Resolution # 544 is passed by City Council providing plots (on 'National Park' land!) to alleged old residents of Hasrat Mohani Colony who were displaced 27 years earlier (!) when the katchi abadi was regularised, allegedly on the basis of old City Council Resolution # 336 of 3-5-81	bc
25-08-09	Shehri files Contempt of Court application in Suit 1484/08 against CDKG, City Nazim and SITE Town Nazim and TMO who are supporting the encroachers at ENCROACHMENT-1	
26-08-09	Encouraged by the non-implementation of law and defiance of the court orders, in Suit 1484/08, KMC-OCHS also starts illegal construction on their 200 acres (ENCROACHMENT-2). Rioting breaks out in Golimar.	bd
27-08-09	SITE Town Nazim, Izharuddin, in presence of Kamran Dost (Special Home Secretary), Col. Sohail Malik (Pakistan Rangers), DIG/West Sardar Dasti (Karachi Police), and EDO (Revenue) Sajjad H. Abbasi, threatens Shehri & <i>Gutter Bagicha</i> Bachao Tehreek (GBBT) members saying " <i>Hum tum ko dekh lein gay</i> ". The next day, Shehri writes a letter to all concerned with copies to attendees.	be
__-08-09	Shehri files another/new Contempt of Court application against KMC-OCHS and CDKG on ENCROACHMENT-2	-
08-09-09	On directives dated 1-9-09 of SHC, Nazir conducts inspection of <i>Gutter Bagicha</i> , but (at the urging of EDO(Law), Manzoor Ahmed) confines himself only to the 200 acres of KMC-OCHS, i.e., ENCROACHMENT-2	-
26-09-09	On renewed directives dated 10-9-09 of SHC, Nazir conducts second inspection of the north ('National Park' area) of <i>Gutter Bagicha</i> (ENCROACHMENT-1), but is mobbed by hundreds of women and others (who have been brought to the location that day in vans and on motorcycles) and is not allowed to examine the ongoing illegal construction, which has now spread to about 30+ acres. CDGK submits a new layout plan of <i>Gutter Bagicha</i> to the Nazir (different from the one submitted to the SC on 18-5-2005 & 18-2-2006) where the area of <i>National Park</i> has been reduced to accommodate ENCROACHMENT-1 . The collusion of CDGK with the encroachers is transparent. Additionally, the shape of the 200-acre KMC-OCHS plot has changed again!	-
Phase-VIII Nisar Baloch of GBBT/ Shehri is murdered		
06-11-09	Nisar Baloch, a committed <i>Gutter Bagicha</i> activist since the 1990s, and others of GBBT hold press conference at Press Club and identify City & SITE Town Nazims of MQM as being behind the invasion of <i>Gutter Bagicha</i> (National) Park. This is reported in the press (<i>Daily AWAM</i>) the next day	bf
07-11-09	Nisar Baloch, while riding his motorbike near his house on Lyari River bridge, is shot and killed. FIR No 331/2009 is filed at the Soldier Bazar PS.	bg
10-11-09	Nisar's widow appeals for justice to CJ SC, and identifies threats hurled by SITE Town Nazim on 27-08-09	-
15-11-09	Ardeshir Cowasjee writes in <i>DAWN</i> about SITE Town Nazim's threat and widow's appeal to CJSC, but newspaper censors out the relevant incriminating passages	-
16-11-09	<i>The NEWS</i> publishes images of Shehri's " <i>Hum tum ko dekh lein gay</i> " letter of 28-8-09 and widow's appeal to CJ SC	bh
17-11-09	EXPRESS prints translation of Ardeshir Cowasjee's original column	bi
07-01-10	Nadir Baloch, another activist of GBBT who took over from Nisar Baloch, is shot and killed.	-
11-01-10	Nisar Baloch's brother and Shehri file complaint before GoP Interior Ministry team Investigating targeted killings in Karachi. No concrete action has been taken by police over past two months in connection with Nisar's murder.	-

18-8-2010