Rural Karachi

A Case Study

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CITIZENS FOR A BETTER ENVIRONMENT

In collaboration with

Friedrich Naumann STIFTUNG FÜR DIE FREIHEIT

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By:
Shehri - Citizens for a Better Environment

Edited by
Farhan Anwar

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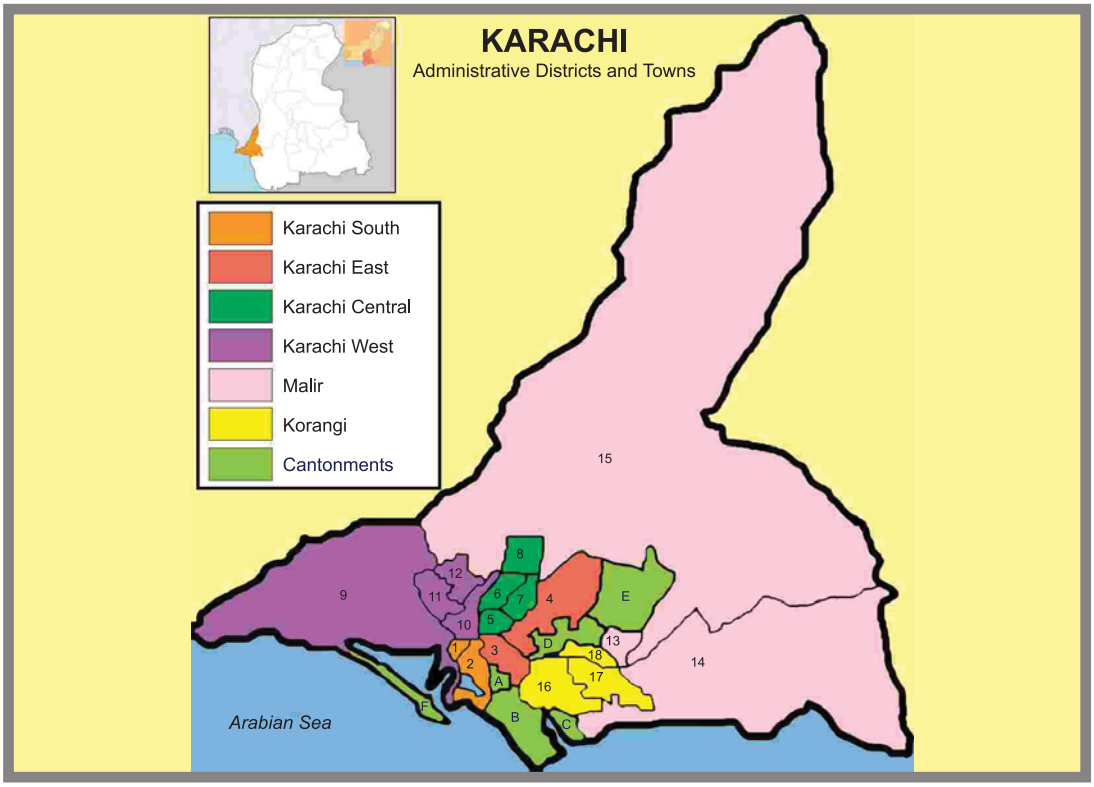

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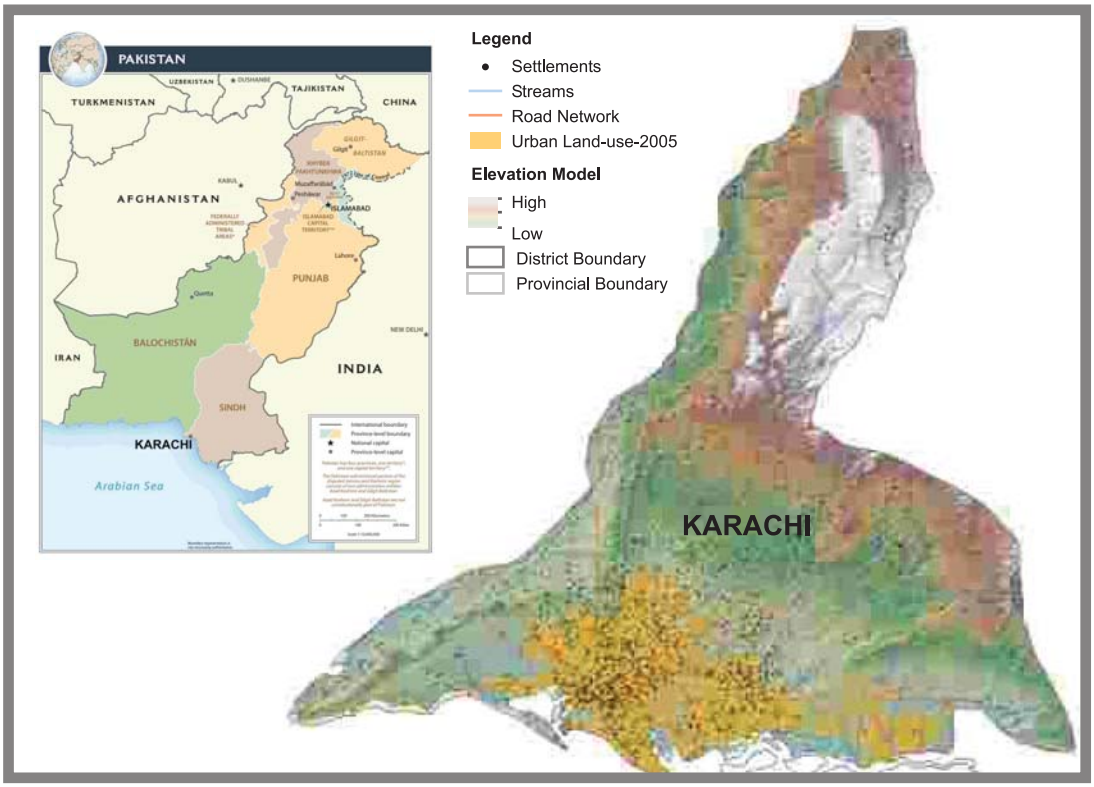
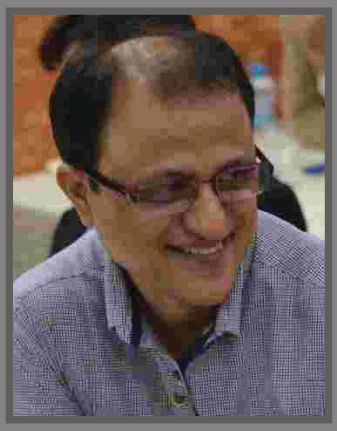


INTRODUCTION



When we have a scenario where urban and rural space are parceled together and are part of the same political jurisdiction, the dynamics of land management, usage and social, cultural integration or otherwise are factors that result in presenting a complex set of problems and challenges. The present *Study* tries to understand this relationship and the associated challenges within the context of Karachi. The research conducted for this study has evaluated the socioeconomic, political, environmental challenges, some recent land based legislations and the consequent forms of development taking place in the city that now threatens the sustainability of Karachi's rural land, environment and the livelihoods of population. This research has also taken into account relevant policy and strategic development interventions within an understanding of the prevailing political and economic processes in the hinterland. The analysis and resulting findings will therefore not just look at the services and entitlements dynamics but at the larger contextual space that would account for the encroachment of rural land.

Farhan Anwar
Urban Planner
December, 2014

Section 1:
A 'Goth' evolves into a 'Megapolis'

Karachi lies in the foothill of the Khirthar Range along the coast of the Arabian Sea however it does not constitute the area of Indus River delta. Kalmati Maliks[1] dominated the area from the 13th century up to the 17th century. The control was later observed by the Khan of Kalat[2] who then gave it away to the Talpurs[3] towards the end of the 18th century. It was in this age that Karachi got its first seaport.

The most important regional chiefdom rested with those who controlled the territories of Hub Malir and the Makran Coast. Although an area of Balochistan, it is dominated by Sindhi Speaking people right up to the 'Jamdom' of Lasbella. Other dominant ethnicities that inhabited the region included Balochis, Jokhios, Memons and Mir Bahars.[4]

1 Balochi speaking tribe
2 Local Sindhi tribe
3 Local Sindhi tribe
4 Local Sindhi Tribe

Section 1: A 'Goth' evolves into a 'Megapolis'

In the early periods, the settlement in Karachi was mostly characterized by fishing villages- a conglomeration of Goths, also confirmed by the British Commander Carless, who was deputed with the task of surveying the coast of Karachi in the early 19th century. He wrote, "The population of Karachi consists of seamen and fishermen, and their total number is nearly 14,000."[5]

Later on, the people of different castes and tribes sporadically settled in the area and started cultivation with simple contemporary tools on the available pieces of land, thereby, developing it into an agrarian society from the early hunter gatherer type. However, Karachi's historic evolution took place during the colonial era after its occupation by the British in 1839.

In the mid nineteenth century, the small fishing and agricultural society developed into an important trade transit route between the Indian Peninsula, and Central Asia, Africa and Eastern Europe nations through its port. It also became a Military base for British troops and armor, transported to Indian soil to counter Russian influence in Afghanistan.

In 1843, Sindh was also annexed to the British Indian Empire and Karachi was donned as the capital. Karachi thus became an important administrative center in those times. A local government system was established for the thriving town and several British companies opened their offices and warehouses in Karachi. All these facilities turned Karachi into the largest exporter of wheat and cotton in India (1868). The opening of Suez Canal in 1869 marked the recognition of Karachi as the first port call for Ships coming to India from Europe.

Furthermore, in 1870, a Railroad link connecting the fertile lands of Punjab with Karachi was developed. This significantly boosted the economic potential of the port, allowing it to become a major economic zone of India. By now Karachi had developed its unique urban and rural setup.

The British surveyed the Goths of Karachi in 1885 and the maps were updated with information regarding these. Land allocated for these Goths was called Sakni in which cultivation was prohibited. However, separate agricultural and grazing lands were allocated to meet the increasing demand of fruits and vegetables in the city. With the constantly escalating demand, more and more grazing land was utilized for farming, resulting in a thriving agrarian society alongside the urban center.

5 Karachi: the Pearl of the Arabian Sea, Karachi, 1996

Table 1 - Areas and percentages of various types of land uses in Karachi				
Land use	**Urbanized Area 2006 (acres)**	**% of total Urbanized Area**	**KSDP 2020 Planned Area (acres)**	**% of Total Planned Area**
Formal Residential	35,206	27.0	69,369	12.00
Informal Residential	10,558	8.1	10,998	1.9
Goths (villages = residential)	2,043	1.6	13,126	2.3
Commercial	2,921	2.2	3,386	0.6
Health	685	0.5	729	0.1
Educational	3,320	2.6	3,495	0.6
Government	3,036	2.3	69,712	12.1
Other Institutional	1,218	0.9	1,450	0.3
Industries	9,285	7.1	26,919	4.7
Cottage Industries	28	0.0	28	0.0
Transport	723	0.6	4,296	0.7
Warehouses	563	0.4	2,670	0.5
Mining	166	0.1	167	0.0
Vacant Land	9,541	7.3	216,198	37.5
Open Space	13,439	10.6	26,655	4.6
Agriculture	7,296	5.6	56,256	9.8
Water	2,392	1.8	11,353	2.0
Road Space	23,089	17.7	54,036	9.4
Other Land Uses	4,660	3.6	5,003	0.9
Total	130,169	100.00	575,845	100.00
Source: Karachi Strategic Development Plan (KSDP) 2020				

In 1914, the First World War started and Karachi became the headquarters for British interventions in Central Asia, as a result, its cantonments expanded. Realizing the importance of the city and region, Sindh was separated from the Bombay Presidency in 1935 and was awarded the status of province deeming the Port city as its capital. Thereby, Government offices and trade organizations shifted to Karachi from Bombay and the first industrial estate was established in Karachi during those times.

Section 1: A 'Goth' evolves into a 'Megapolis'

Karachi in its current characteristics developed after the Partition of India in 1947 when it was declared the capital of the newly formed state of Pakistan.[6] Millions of refugees arrived in the state capital to rebuild their lives in the new country. Minority religious populace especially Hindus migrated to India leaving behind property which was later given to the *Muhajireens*.

This was the beginning of the development of an urban conglomerate. Karachi was now home to several ethnicities besides the native population and was quickly developing into a mega city. Alongside this urban population thrived, the agronomic society in its outskirts supporting the intensifying demand of agricultural produce in the area.

A decade later in 1958, Islamabad was declared as the state capital of Pakistan reestablishing Karachi's identity as the provincial capital of Sindh. After the war of 1971, another wave of Bengali and Behari refugees arrived in the cosmopolitan giving it more diversity in its culture and economy. The third wave of emigration was witnessed during the Soviet war in Afghanistan in 1979 which lasted over a decade. This migration resulted in the inhabitation of Pakhtuns in the city which was soon to become the largest Paktun metropolitan in the world after more refugees arrived during the year 2001 'War on Terror' in Afghanistan. Fourth wave of migration occurred very recently during the operation 'Zarb e Azab' by Pakistan Military in the north-western part of the state.

Unfortunately during all these incidences, the urban sprawl and need for residence usurped the cultivatable land around Karachi. Recent estimates project Karachi's population at an extensive 20 million plus figure challenging the urban and rural planners of contemporary times whilst the Goths and Villages alongside the city are quickly disappearing with the rising city population.

Types of Goths in Karachi

Historically the Goths in Karachi developed on the basis of caste, community or tribe. These Goths fall into the following three categories:

- Coastal Goths
- Rural Goths
- Urbanized Goths

a) Coastal Goths: are settlements along the coast where livelihoods are dependent on fishing and allied activities. These communities are considered the descendants of the original settlers of Karachi.

6 The Case of Karachi, Pakistan, 2003, Arif Hasan, Masooma Mohib

b) Rural Goths: are located on the fringes of the city. These form Karachi's hinterland with agriculture and livestock as their basic source of livelihoods. A small part of this rural population earns their living as laborers in the urbanized settlements of Karachi.

c) Urbanized Goths: formerly existed as purely rural Goths. Their current proximity to the urban sprawl has resulted in a significant impact on their livelihood, lifestyle, housing, etc. which now reflects the urban culture.

Table 2 - Population statistics of Karachi - 1931-2020

Years	Population	AGPR (%)
1931	2,63,565	-
1941	3,86,655	3.70
1951	10,68,459	11.50
1961	19,12,598	6.05
1971	35,15,402	5.00
1981	54,37,984	4.96
1998	98,56,318	3.52
2002	11,364,707	3.02
2005	15,120,000	4.15
2010	18,529,000	4.05
2015	22,594,000	4.05
2020	27,550,000	3.50

Source: The fast growing megacity Karachi as a frontier of environmental challenges: Urbanization and contemporary urbanism issues, 2010, Salman Qureshi -(a) Estimated population using annual population growth rate (APGR), (b) Projected population by CDGK-MPGO (2007)

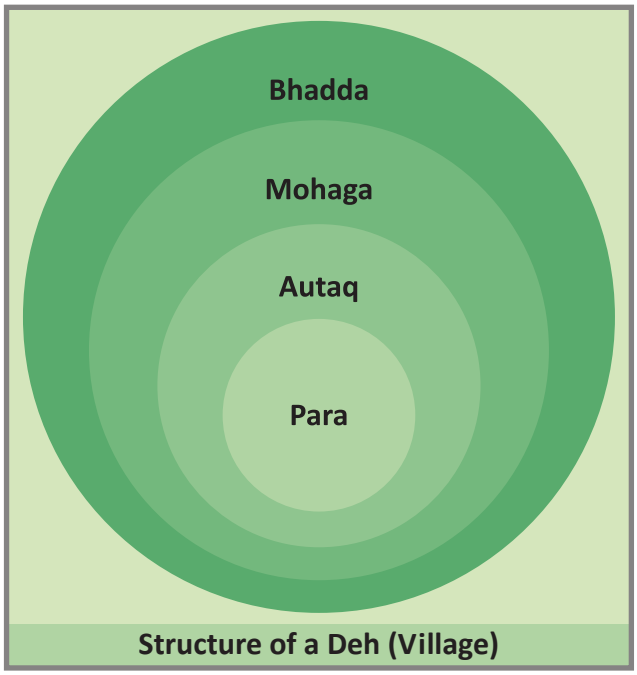
Section 2:
Rural settlement pattern: Sindh and Karachi

In Sindh, around 51 percent of the province's 40 million population lives in the rural areas. The smallest administrative unit of land in rural Sindh is called a deh. This term means village in the administrative vocabulary in many parts of South Asia. However, in Sindh, deh is merely a unit of territorial jurisdiction of the land bureaucracy.

Several dehs make up a Union Council which is the smallest unit of political representation in local government. The Goths that comprise the actual human settlements are smaller entities which have only notional linkages with the deh. It is common that the largest settlement in a deh will share its name with the deh. The Villages or Goths are often divided into sub-clusters called para that are almost always populated by extended families belonging to a caste or kinship group. Smaller villages might consist of only one para.

The land within a deh is administratively divided into two main parts: cultivable and non-cultivable. Cultivable areas are mostly owned by private individuals and are held as a freehold. Non-cultivable land, on the other hand, is usually owned by the state even if it is in private use and no land revenue or irrigation charges are payable for it.

A vast majority of the actual settlements are located on the non-cultivable state-owned land - known as bhadda. Side by side, individuals are allowed to setup homesteads on their privately owned land, or to make their land available for tenants' homesteads.



Structure of a Deh (Village)

There are customary norms recognized by the land administration that govern access to bhadda. Those who own cultivated area adjacent to the bhadda - the local term for such proximal land is mohaga - have the first right of use of the bhadda. Conventionally, the right of mohaga is interpreted as the entitlement to set up a homestead, or to provide space for a homestead to a tenant or other dependent. The right of mohaga is also utilized to convert non-cultivable state owned land to cultivable privately owned area, to favor the economics of the local community.

The division of space within a settlement is strongly influenced by patriarchal system of social organization. The para is composed of close relatives and there are no restrictions on the mobility of men and women belonging to a para within its confines. Para boundaries are often physically marked using thorn bushes, dividing public and private spaces. Adult women have very limited access to public spaces outside the para, while adult men from outside the para or village are generally not allowed to enter the para.

An important institution of a village is the autaq [male meeting place] where men from outside the village and para are received. It is also serves as an area for all economic, social and political consultations - including buying and selling of produce, population census, political affiliation and support, etc. Women generally do not enter the autaq and men from outside the village or para are not allowed to go beyond the autaq. The autaq might be a privately owned grand building or it could also exist in the form of a modest shelter. The owner of an autaq actively encourages the use of it as a meeting place to acquire social and political status and influence.[7]

Land reforms - Background and description of Sindh Goth-Abad (Housing Scheme) Act 1987
Sindh Goth-Aabad (Housing Scheme) Act- SGAHS was introduced in February 1987 with an object to provide institutional arrangements for the regularization of rural areas of Sindh including that of Karachi. This Act authorized the Deputy Commissioners to sanction the village and issue sanads[certificates][8] to the genuine persons residing in the village, since they were the *Tax*

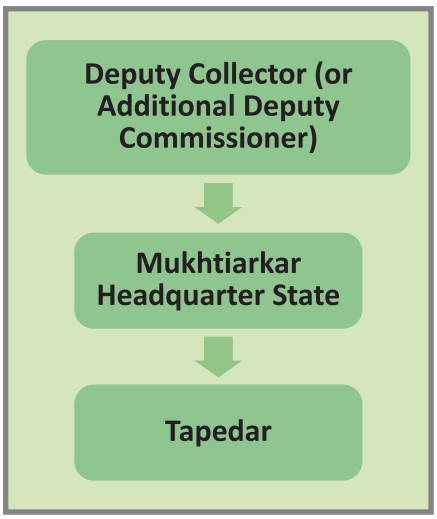
7 Residential Security, Marginalization and Social Protection, 2011, Haris Gazdar and Hussain Bux Mallah
8 Certificate of land ownership

Collectors of their respective Districts. *SGAHS* was basically aimed at improving the physical conditions of the villages along with granting tenancy status to the existing residents. This scheme validated the application of village regularization.

SGAHS defines a village as a 'settlement comprising of at least ten (10) houses located within a reasonable distance from each other, and at least five (5) kilometers away from the city center'.

Under the *SGAHS Act*, regularization of villages necessitates an application submitted by the villagers for its regularization to the *Deputy Collector* (or Additional Deputy Commissioner) who then forwards the application to the *Mukhtiarkar Headquarter State.*[9] The request is then forwarded to the Tapedar. Tapedars are *deh*-wise verification officers of the revenue department, in charge of collecting all required documents from applicants, surveying the land and houses in the village, etc.

Official data suggests that over 11,000 villages have been regularized through this legislation and individual leases have been allotted to over 700,000 households, benefiting over 4 million people. In 1993, the *SGAHS* office was authorized to purchase private and government land for regularizing villages and the compensation for *khatooni land* (i.e. land recorded on record of rights) was fixed by the revenue department in accordance with the revised land market rates. The same year, *SGAHS* became an autonomous directorate linked to the *Board of Revenue through the Government of Sindh* (Haris Gazdar and Hussain Bax Mallah). Later, the authority of *SGAHS* to buy public/private land for villages was rebuked since the money was being illegally doled out to private land owners.



Unfortunately, the broader socio-economic context defining the scheme's intervention was marred by the landlord driven economy where the landless tenants did not enjoy secure rights over their homesteads.

Village regularization: Process and Analysis

Application for the regularization of a village requires submission and authentication of the following documents:

1. Survey of the physical area, status of land and occupants, number of houses and total population of the village.

[9] Prior to the devolution plan implemented in 2002, there was one mukhtiarkar in each district for SGAS. The Mukhtiarkar Headquarter State (official title for the mukhtiarkar) is given different portfolios such as SGAS, katcha land (river banks), and barrage land

2. Map of the village.
3. In case of qabooli (i.e. private land), written consent of the owner.
4. In case of government ownership of land, a No Objection Certificate (NOC) from the concerned department.
5. National Identity Card (NIC) photocopies of village residents.
6. Report and list of residents provided by the Tapedar.
7. Voter list.

TAPEDAR is responsible for the collection and certification of the submitted documents. He also carries out the physical verification of the submission and notes the objections posed by the villagers. He is officially designated to generate a detailed village map with the demarcation of houses and plots. He is also assigned with the task of settling aasaish land, grazing land and other common land among the villagers before finally submitting the completed application documents back to the SGAHS Mukhtiarkar. If the land is state owned it is leased out to the applicants upon satisfactory completion of the administrative process. While privately owned land has been authorized for acquisition against payment of compensation to the owner, by SGAHS.

According to survey conducted in the year 1989-90 of the villages of Karachi, 808 villages were identified for regularization purpose, out of which 458 villages were regularized and 51421 sanads were issued to the beneficiaries, while 350 villages required completion of formal proceedings to undergo regularization through SGAHS 1987.[10]

Regrettably, the scheme was incriminated by the negative social elements as Arif Hasan documents in his recent publication, Karachi: The Land Use (2012), "the disposal of rural land, whose objective was to grant de-jure ownership to the Goth residents and pave the way for the provision of infrastructure and planning for the Goths, soon became accessible to encroachers who developed informal settlements in the rural areas of Karachi."

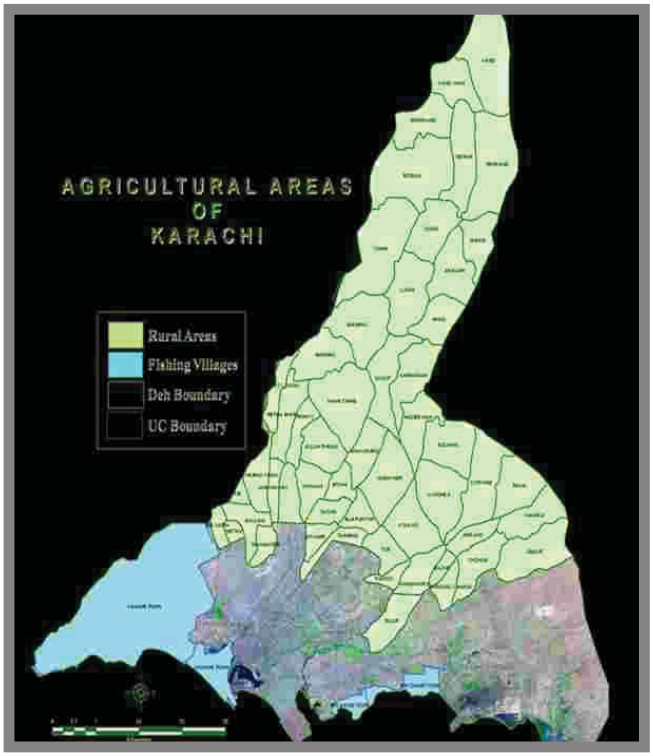
These encroachers enjoy support and backing from the various political parties and interest groups. Moreover, the land owners of these Goths often develop informal partnerships with urban land developers and utilize urban land sales schemes to giveaway rural land for urban constructions.

Sindh Local Government Ordinance (SLGO) 2001 further aggravated the situation as the rural district of Karachi was integrated into the towns of the newly created Karachi city district. As a result, the entire urban and rural areas of Karachi, barring a few sensitive locations, became available for urbanization and their planning and development became the responsibility of the Lyari Development Authority (LDA) and Malir Development Authority (MDA) as per the regulations of the Karachi Building Control Authority (KBCA). This accelerated the transformation of Gothabad Schemes into peri-urban housing locations. Malir, Gadap and Bin Qasim town depict an evidence of this trend.

The Orangi Pilot Project- Research and Training Institute (OPP-RTI), which supports the regularization and up-gradation of these Goths, puts the figure at 2,173. It is not clear as to how many of these Goths are genuine and how many of them have been created to grab land ownership. Media reports claim that most of these Goths have been created by encroachers to gain land proprietorship whilst enjoying support from the political parties (Arif Hasan, 2012).

10 Board of Revenue, Government of Sindh

Section 3:
Analyzing Agricultural Potential of Rural Karachi



Karachi Agricultural Area which was once boasting 88,830 hectares during the green revolution of 1970s has been diminished by 80.45% within a span of 4 decades-an alarming figure for a city which has witnessed an exponential population growth over half a century. The Agricultural area versus Built-up land ratio has also declined drastically from 5.17% (1948) to 0.42% (2010) revealing the ineffectiveness of rural land management policy of Karachi.

Historically, the agricultural areas of Karachi have been quite famous for their rich fruit and vegetable produce.[11] Malir and Gadap areas' Mango, Guava, Chikoo (Jujube), Bair (Mudapple) and Papaya are extremely well regarded and valued. Cereal and fodder are also cultivated in these rural setups. Moreover, citizens also utilize these farm houses as picnic resorts- a refuge from the busy life of Karachi.

Physical and natural resource base

Karachi's physiographic profile depicts it bound by hills on its three sides, while the fourth side faces the Arabian Sea. 18 perennial rivers irrigate the farmlands of Karachi. These streams are dry for most of part of the year and develop into an irrigation network only during the rainy season. Therefore most dehs in Karachi exist along the dry river banks.

Since centuries rainwater is harvested through the small bands (dams) in these areas which help recharge the underground water aquifers too. Traditional water wells have existed in these areas since the last two centuries providing access to the underground aquifers.

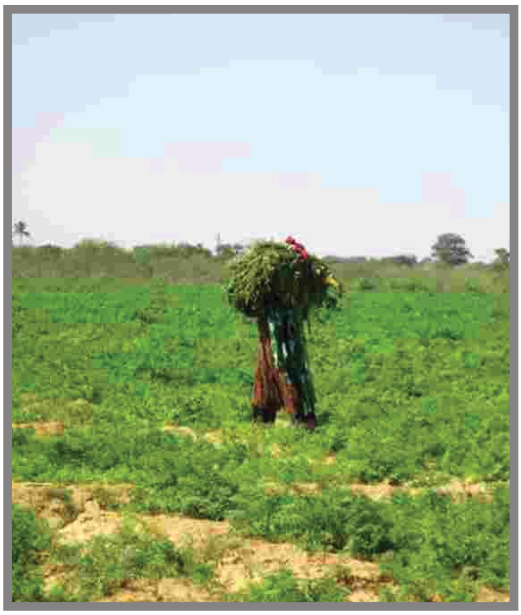
Water is conveyed to the agricultural fields through a network of small unlined canals. Initially 78, these wells drew water through hands. In 1950s diesel engines powered this water network which was later upgraded to electric tube wells in late 1970s.

Based on the topography and drainage pattern of Karachi, the potential agricultural areas of Karachi have been identified as Malir, Gadap, Darsano Channa, Kathore, Khar Nai, Hub and Band Murad.

11 Kazmi and Ghori, 1994

Geology of Karachi Basin

The geological map acquired from the Geological Survey of Pakistan (GSP) was used for the study after some processing and updating through hyper-spectral and microwave data.



The Karachi basin comprises the drainage basins of Malir, Lyari and Hub. Major geological formations in the agricultural areas are the deposits of alluvium providing fertile soils for the cultivated areas. The terrain in the North, West and East of Karachi provides confluence of various streams.

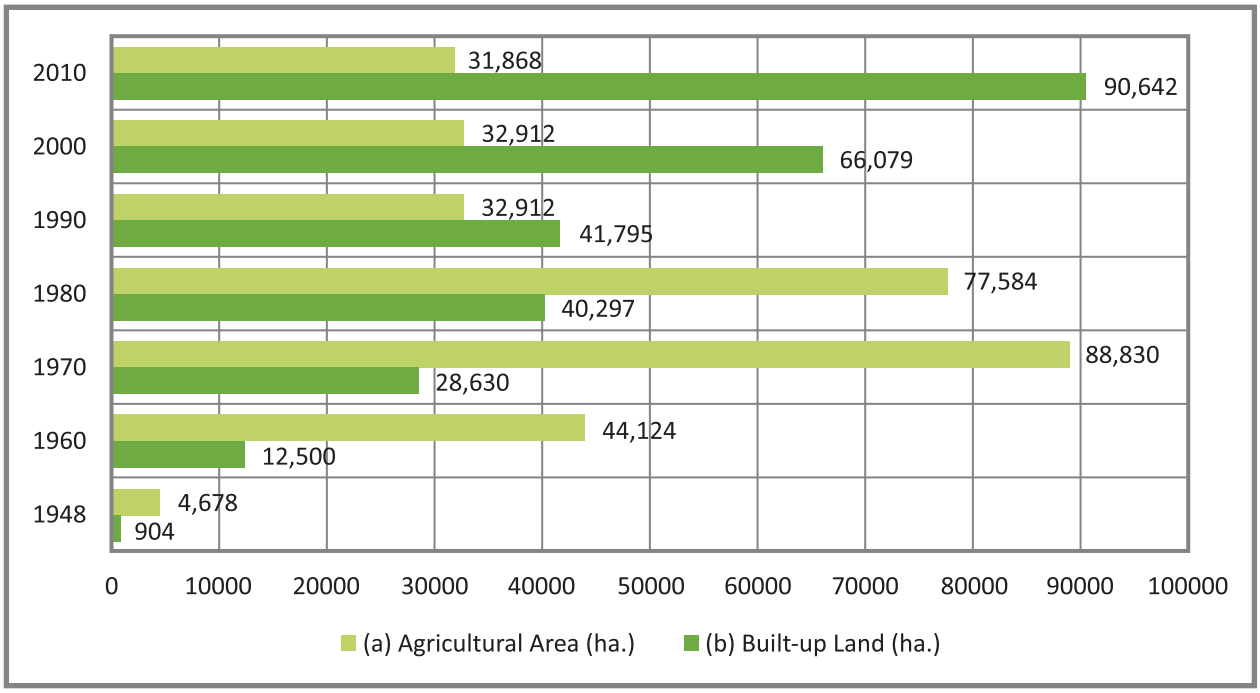
Diminishing agricultural productivity of Rural Karachi

As mentioned earlier in the Study, the economy of Karachi was initially based on agriculture and fishing, which gave birth to the Goths and fishing villages. Agricultural areas held significant importance even at the time of the creation of Pakistan in 1947.

The entire Gadap and Malir basin used to be abundant in orchards and farms as agriculture was the main occupation of the majority. Then in 1980's, serious drought and onset of unsustainable sand mining practices lowered down the indigenous wells to the levels where extraction of water was almost impossible, which resulted in the drying up of the fields and increase in unemployment and poverty.

The cultivable land has reduced from 61% in 1960 to only 19% in 2000! Percent cultivated area was almost identical in 1970s and then fell to 48% during the 1980's because of the long spell of drought and political instability in rural areas of Karachi. A positive wave of change of about of 69% was recorded during 1990s because of better rainfall, development of check dams (rain water harvesting) and disbursement of limited agricultural loans in the area. This figure drastically dropped to only 19% in 2000s, mainly owing to the haphazard expansion of the city, development of new residential schemes and un-checked sand/gravel mining practices. Although agricultural areas and number of farms, both have witnessed much expansion in 2000s as compared to 1960s, but with very little utility, i.e. the cultivated area did not increase in a proportionate manner.

During the last sixty years the agricultural land, especially cultivated areas have exhibited a highly significant decline. On the contrary, the built-up land/settled urbanized areas showed an exponential growth but at the cost of the agricultural land.



Urban Land versus Agricultural Land in Karachi (Data provided by the University of Karachi Geology Department)

The data plotted is obtained from Pakistan Agricultural Census of 1960, 1970, 1980, 1990 and 2000, whereas, the data for 1948 was developed from the historical map of Pithawalla (1948), and the data of 2010 was acquired from the Landsat TM Imageries.

Side by side, the built-up land data has been extracted from Pithawalla (1948), Aerial Photograph of Colombo Plan 1960, Karachi Development Authority (KDA) Master Plans (1974 and 1985) and Landsat TM imageries of 1990, 2000 and 2010.

Year	*a/b Ratio*
1948	5.18
1960	3.53
1970	3.10
1980	1.93
1990	0.79
2000	0.50
2010	0.42

The cultivated areas were about four times the built-up land in 1948, which remained consistent around 3 during the 1960s and 1970s. The agricultural areas were 5.2 times the urban built-up land in 1948 but drastically declined by 170% by 2010. The total area of about 6000 hectares of agricultural land is currently encroached by the built-up land, which is about 16% of the total agricultural land. In few UCs the encroached agricultural area exceeds 40% benchmark.

The main reasons contributing to good agricultural practices during the 1960's in Karachi can be attributed to the green revolution (through government policy, mechanization and modernization of agricultural practices) in Pakistan, very heavy rainfall during the entire decade (2539 mm), electrification of tube-wells and good local demand of truck farming which reflected the peak period for urban agriculture in Karachi. The trend slowed a little in the 1970s but

agricultural practices were still significant and viable - supported by the amount of heavy rainfall during the decade (2525 mm).

Drought and less rainfall during the 1980s, deteriorating conditions of law and order and heavy sand/gravel mining for newly planned areas were the main reasons for the decline in urban farming in Karachi, as they relate to the degradation of the natural resource base necessary for sustaining agricultural practices.

The changing pattern of crops, also reveal some interesting results. Till the 1980s rice had a good share in the total cultivated area since it requires good amount of water which was in excess due to heavy rainfall. From the 1990s fruits, fodder and vegetables were planted to match the climatic conditions of the area.

Degradation of land and resources

Some critically important factors that have contributed to the degradation of the land, and depletion of the physical and natural resources essential for maintaining the viability of agricultural practices in Rural Karachi are mentioned below:

a) Sand and gravel mining

The phenomenal rise in Karachi's population and the associated failure to effectively plan and manage the resulting development has served as the defining cause of degradation of rural land and resources. Subsequent mushroom growth of encroachers has further added to the misery of the village populace as lesser and lesser land is now available for cultivation and rural settlements.

Rural Karachi also served the growing demand of construction material. Huge quantity of sand and gravel was extracted to fulfill the requirement of building materials needed in the urban areas.

Legislation sans implementation

In the initial phase of excavation during 1960s, there used to be regular auction of sites by the local mineral department and permits and licenses were issued for the purpose of sand and gravel excavation. The miners were only allowed to extract within a depth of 2 - 6 feet of the surface of the river bed. Since then, the facility has been misused by the miners and much deeper extraction levels are routinely reached. This mishandling was noticed at an early stage by local farmers and they had protested against this activity. A protest was first organized and publicized by "Malir Zamindar Association" in 1962. Consequently, local government imposed section 144 on the gravel and sand excavation in the Malir valley (Section 144 is the power to issue order at once in urgent cases of nuisance or apprehended danger. It is applied in cases by the district Magistrate/ Sub-divisional Magistrate (SDM) where immediate prevention or quick remedy is desirable). No order under this Section remains in force for more than two months (Major acts, 1991). In Malir, the imposition of Section 144 instead of ensuring compliance has instead opened new avenues of bribes for the local law enforcement agencies.

***Source:** People and the Land - Empowering Communities for Social Justice: Rural Karachi A Case Study, 2012, Shehri-Citizens for a Better Environment*

Prominently, Malir River's alluvium and silt has been the prime resource of the construction industry regardless of the implications it has on the natural habitat of the adjoining area. The river has been serving urban Karachi's building needs since 1940s and the rate of excavation was effectively regulated and was fairly sustainable till the 1970s. However, with the exponential growth in the real estate/construction industry beginning in the late 70s, the sand extraction rate magnified manifold resulting in immense damage to the resource area.

This sand and gravel excavation played a vital role in the development of Karachi. However, on the contrary this phenomenon has also had a huge impact on the devastation of the fertile valley of Malir and Gadap basins. In the 1950's and 1960's excavation was allowed from Drigh Road area only. Now it has gradually spread in the entire Malir river valley upto Gadap, Darsano Channa, Kharnai and Kathore. An average truck approximately carries 318 cubic feet of gravel. On taking an average of 1000 truck per day the daily frequency of sand and gravel excavation amounts to approximately 318,000 cubic feet!

Karachi perhaps is the only big city of Pakistan where red-clay bricks are not in use due to the unavailability of river deposited silt and clay. Consequently, the buildings in Karachi contain a high percentage of gravel and sand.

Estimates indicate that most of the river belt has now been excavated up to 20 feet depth. In some places like near Saleh Mohammad and Kohli Goth, the excavated depth has reached a dangerous level of 30 feet. Extraction has continued in the proximity of some very sensitive areas too, e.g. near natural gas and water pipelines. Extraction near Siphon 10 and 20 which provides approximately 75% of water to Karachi is also being carried out.[12] This extraction has exposed the water pipelines which may breach during any torrential rainfall and create a shortage of water in the city.[13]

However, the most alarming impact is the lowering down of the ground water table to an average depth of 300 feet! Due to technological advances, the withdrawal rate of water from the wells has fallen from 24 hours to a matter of minutes increasing the probability of exponential lowering of water table in the next few years.

It is worth realizing that the whole Malir River and its tributaries are rain-fed (Barani) and hence most of the cultivation is totally dependent upon the viability of the ground water reserves trapped in the aquifers. Imagining such defying quantitative facts about the water table in rural Karachi, one can easily interpret an alarming situation for agricultural economy of the area.

It is also important to remember that Malir river silt and alluvium provides the foundation to the agrarian economy as the fertility of the area depends on it. These extraordinary extraction rates are a threat to the land fertility of Rural Karachi.

12 Kazmi and Ghori, 1994
13 Daily Jang Newspaper, May 18, 1994

Provincial Assembly of Sindh: Notification Karachi, the 23rd October, 2003

NO. PAS/LEGIS-B 6/2003 - The Sindh (Prohibition of taking minerals including reti (sand) and Bajri from any land) Bill, 2003 have been passed by the Provincial Assembly of Sindh on 18th September, 2003 and assented to by the Governor of Sindh on 4th October, 2003, is hereby published as an Act of Legislature of Sindh.

THE SINDH (PROHIBITION OF TAKING MINERALS INCLUDING RETI (SAND0 AND BAJRI FROM ANY LAND) ACT, 2003.

SINDH ACT NO. IV OF 2003
(First published after having received the assent of the Governor of Sindh in the Gazette of Sindh (Extra-Ordinary) dated 23th October, 2003)

AN ACT

to provide the prohibition of taking mineral including reti (sand) and bajri from any land by excavation or otherwise, in the Province of Sindh. - Preamble

WHEREAS it is expedient to provide for prohibition of taking minerals including reti (sand) and bajri from any land by excavation or otherwise, in the Province of Sindh, and provide for matters connected therewith or ancillary there to; -
It is hereby enacted as follows:-

1. (1) This Act may be called the Sindh (Prohi bition of taking minerals including reti (Sand) and bajri from anyland) Act, 2003. - Short title and commencement

(20) It shall come into force at once.

2. In this Act, unless there is anything repugnant in the subject or context. - Definitions
   (a) "Government" mean the Government of Sindh;
   (b) "land" include the land beneath water and subsoil of land; and
   (c) "rules" means rules made under this Act.
3. Except with the prior sanctions of Government, no person shall take minerals including reti (sand) and bajri from any land by excavation or otherwise. - Restriction on taking minerals including reti (sand) and bajri

Provided that no sanction shall be accorded if it adversely affects the Topography, Archaeology, Ecology and Environment of that area

4. Whosoever contravenes any of the provisions of this Act shall on conviction, be punishable - Punishment
   (a) in the case of first conviction with imprisonment which may be extend to three months and fine, not exceeding ten thousand rupees, and
   (b) in the case of any subsequent conviction with imprisonment which may extend to one year and fine, not exceeding twenty thousand rupees
5. No court shall take cognizance of any offence under this Act except on a complaint in writing by any officer authorized by Government. - Cognizance
6. No suit prosecution or other legal proceeding shall lie against any person for anything which is in good faith one or intended to be done under this Act. - Indemnity
7. Government may be notification in the official Gazette, make rules for carrying out the purpose of this Act. - Rules
8. The Sindh (Prohibition of taking Minerals including reti (sand) bajri from any land) ordinance, 2003 is hereby repealed. - Repeal

By Order of the Speaker
Provincial Assembly of Sindh
Hadi Bux Buriro
Secretary
Provincial Assembly of Sindh

b) *Water resources*

Gravel is a permeable and porous rock which permits water to soak in the strata and acts as a water bearing medium. Consequently, if gravel is removed, as in the case of the project area, rain water either evaporates or runs off directly into the Arabian Sea without recharging the underground water reservoirs.

The removal of gravel and sand has therefore drastically depleted the ground water resources of rural Karachi. In addition, the erosion of productive and fertile land is increasing either in the form of sheet, gully and lateral erosion. Some early indications of impending desertification of land have also been observed. In some parts of Malir, especially on the river beds, accumulation of sand in the form of sand ripples has been noticed, which indicates an early stage of formation of sand dunes.

c) *Atmospheric pollution*

The mega metropolis of Karachi emits pollution at a drastic rate and air regeneration is slow due to lack of environmentally friendly urban planning. Not only this, movement of hundreds of trucks on a daily basis in the rural areas is further aggravating the situation. Furthermore, the removal of the topsoil, diminishing vegetation cover and Carbon dioxide emissions, create even more air pollution in the area. The excavation activity of sand and gravel also results in wind disturbance disintegrating the leaves of the plants and causing the development of unproductive plant species.

d) *Salt water intrusion*

Heavy extraction of ground water leads to aquifer depletion, subsidence (sinking of land when ground water is withdrawn) and intrusion of saltwater into the ground water aquifers. When freshwater is withdrawn from an aquifer near a coastal area faster than its recharge volume, sea water intrudes into the aquifer turning into a reserve of brackish water.

Salinity undermining soil fertility in Sindh (Photo Credit: Humna Mehwish)

Saltwater intrusion also threatens to contaminate the ground water in the Study area as first pointed out by Ahmed (1987) and further disseminated by SCOPE (local NGO) in various research news articles in the different newspapers. Pithawalla (1950) pointed out that in the porous alluvium of Malir an inexhaustible flow of fresh water is locked up however, the present research indicates that if corrective actions are not taken, in 30 to 40 years this inexhaustible water reserve will get totally exhausted!

It is evident from the analysis of water samples that the values of PH, Total Dissolved Solids (TDS), conductivity and chlorine levels expose traces of saltwater intrusion in the water wells of Malir. The values of these chemical indicators are alarmingly high especially in the lower part of the valley.

e) Extinction of wildlife and vegetation

Most of the fertile land of rural Karachi is located in the alluvium of the Malir River which is also evident from the studies of Chudhari (1960). The study area's resources have been documented to support more than 50 plant species.

It is also obvious through the recent research and available data, that there has been a sharp decline in crop area and production, crop pattern has also changed drastically and most of the delicacies of Malir like guava, banana and papaya are losing their ground.

Rural Karachi: Section of Malir River (Photo: Google Map 2015)

f) Effects on the river morphology

The effects of gravel extraction on river morphology, as determined by the Department of Geography of the University of Karachi, are listed as follows:

1. Extraction of river bed material in excess of replenishment by transport from upstream has caused the bed to lower (degrade) upstream and downstream of the site.

2. Bed degradation has undermined bridge supports, pipelines, and other structures.

3. Degradation has changed the morphology of the riverbed, which constitutes one of the most important aspects of the aquatic habitat.

4. Lowering of the water table has contributed to the destruction of riparian vegetation.

5. Rapid bed degradation and erosion by increasing the heights of banks.

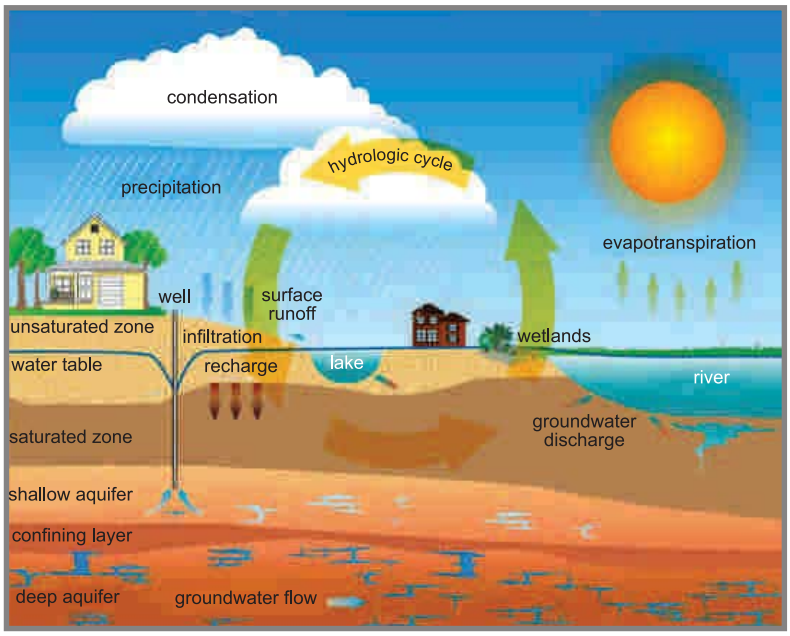
g) Overgrazing

After diminishing economic returns from the agricultural practices, people of rural Karachi are now focusing more on livestock especially goat ranging and cattle farming. This has created enormous pressure on the already diminished agrarian resources of Gadap. Moreover, overgrazing is also denting the viability of rangelands of many Goths of Gadap and Malir.

Desertification caused by overgrazing (Photo Credit: Humna Mehwish)

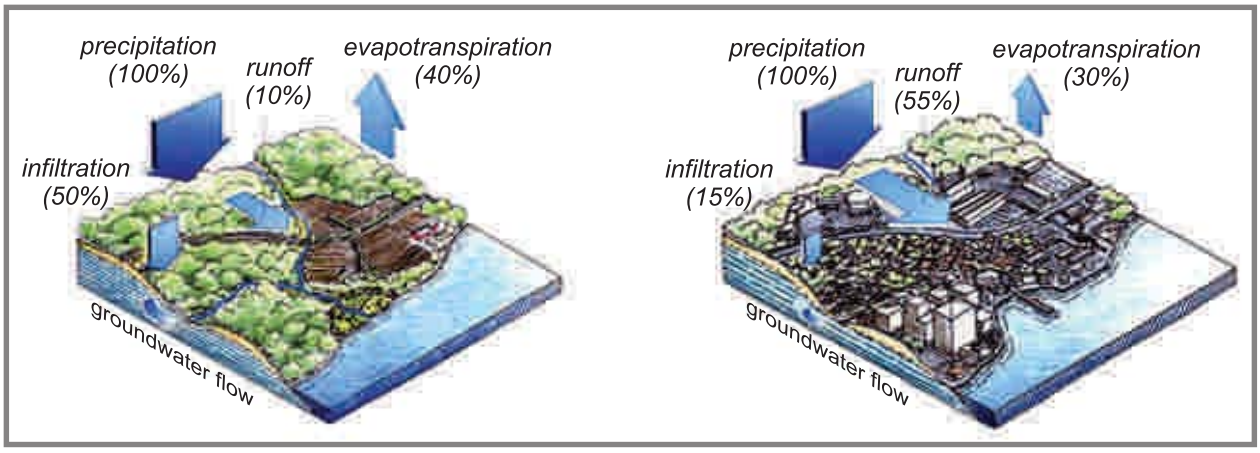
h) *Overexploitation of water resources*

During an earlier research carried out by the Department of Geography, University of Karachi, hydrological data was collected in the field (project area). The information related to construction of wells, cost of construction, rate of withdrawal of water, reason behind the decreasing water table, sources of obtaining water, depth of wells and changes in the water quality, etc. was collected and documented.



Water Cycle (Photo courtesy: myclearwater.com)

In addition to this, mapping of both dry and running wells of KDA constructed in the year 1971 was pursued. It is evident from these maps that there is a marked decline in the number of wells in the area and most of these have been abandoned which were once in running condition in 1971.[14] This data serves as an eye opener that the underground water reserves of Karachi are depleting very quickly.



Comparison between rain water rentention capacity of urban and rural area (Photo credit: Teachengineering.org)

[14] Information documented in this Section is courtesy of Dr. Syed Jamil Hasan Kazmi, Professor, Department of Geography, University of Karachi.

Section 4:
The dynamics of land ownership and the implications of Rural Land encroachment

Land ownership in Karachi is divided between a number of agencies and about 90% of the land is owned by the government entities. Though there is nothing wrong with the government agencies owning land per se, but when these public sector institutions do not respond or respond slowly and inappropriately to the needs and development trends of the population they serve, then there is a problem. Unfortunately, this is what has happened in Karachi. These agencies mostly own large tracts of vacant land in both the city center and in the suburban areas and unfortunately both are undermanaged.

The inefficacy of the government to effectively meet the residential, commercial and related demands of a very rapidly growing population has created a huge supply and demand gap of land

available for commercial and residential purposes. This in turn results in inflating real estate prices causative to pricing out of the average homeowner and small scale business operator from the market.

Simultaneously, the spread of slums and squatter colonies can also be partially attributed to the dysfunctional land management policy. Consequently, Karachi is witnessing the phenomenon of urban sprawl - that is adversely impacting the rural hinterland - an impact that is both significant in its scale and scope but more disturbingly is unplanned and unregulated.

Urban Sprawl near Shahra-e-Faisal Link road

Moreover, most land ownership by the government is shared by the public and quasi-public sector institutions, which has created a complicated land ownership structure and in the absence of an enabling legislative and communicative mechanism it has led to serious land market distortions. Lack of clear property titles in Karachi is also a derivative of multiple landowners, each with its own procedure to record and register ownership.[15]

The most commonly used document to establish ownership is the registered sale deed. However, the law is unclear about its status as an authentic document of title. The Registrar registers a document, and records a transaction but is neither empowered nor is required to go into the question of title and the legality of its transactions. Another widely used legal instrument that can be used as a substitute for title and for effecting property transfers is the power of attorney. This document allows owners of property to designate their representatives to conduct transactions on their behalf. While the power of attorney is commonly employed for reasons of convenience and to avoid stamp duty, it does not confer property rights, and evidence also suggests that it has been extensively abused.

15 This is unlike the rural areas where the Board of Revenue maintains the record of rights in all agricultural land

In Karachi, a large amount of land and property is in a flux, it is neither being developed nor renovated due to inflexible laws, protected tenancies, rent control, and low Floor Area Ratios (FARs). Side by side, the ceiling dictated by the byelaws of various land owning agencies regarding the height of buildings that operate through the permissible floor-to-plot area ratio is quite low relative compared to other mega cities. This factor has also led to urban sprawl and horizontal spread of population, for example, the development of strip business districts along major roads, as well as serious violations of the Floor Area Ratio and height restrictions by residents and businessmen in the city.

Moreover, the renting laws in Sindh favor the tenants making the property owners hesitant in giving out their property on rent. For example, the tenant has an automatic right to retain possession of the property and stay on despite a fixed period lease; an exception is only made in the case of landlord establishing his/her bonfide personal need for the return of property. The law also allows tenancy rights to pass on automatically to the legal heirs of the dead tenant. Therefore it is often difficult to recover rented properties and to increase the rent amount. Matters related to tenancy remain pending in court for years.

These unfavorable laws have inhibited the use of vacant urban land for residential use by tenants and vertical city development in Karachi, resultantly the city has expanded outwards to consume rural hinterland. Initially KDA managed these development schemes, now it is being regulated by informal actors in the land industry.

Table 5 - Population distribution by distance to CBD

Distance to CBD	Population (1972)	Percent Distance	Population (1981)	Percent Distance	Population (1987)	Percent Distance
0-5	999,801	30.3	1,316,937	27.9	1,401,063	18.8
5.1-10	1,088,588	33	1,124,913	23.8	2,085,778	28.0
10.1-15	472,732	14.3	910,065	19.3	1,832,009	24.6
15.1-20	411,198	12.4	882,492	18.7	1,273,400	17.1

Dr. D. Dowall in 'Karachi Land and Housing Study (1989)' documents that over 12,000 acres of land, sufficient to accommodate 1,200,000 people, lies underutilized in the heart of the city and in other parts of the built-up area.

According to him in 1985, only 75% of the core area (within 5 kilometers of the CBD) was urbanized compared to only 42% of the land (beyond 5kms to

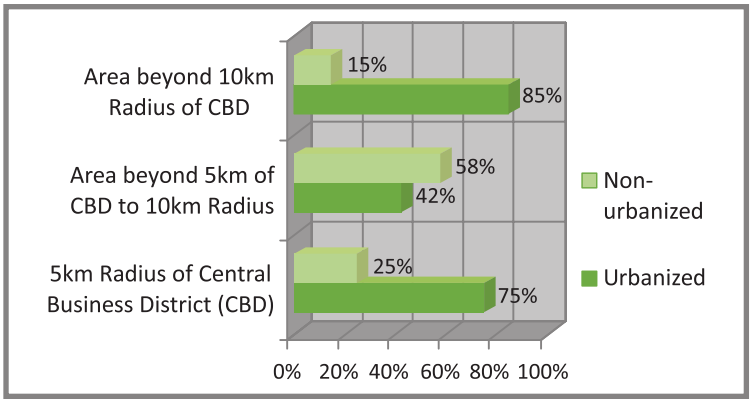


Figure depicting Statistics of Dowell's Study

10kms from the CBD) was urbanized. In contrast, nearly 85% of all urban land conversion took place beyond 10 kilometers from the city center. [See figure]

Another failing on the account of the administration was the incapacity of the development authority to understand the land market dynamics. KDA offered plots at one-fifth of their developed market value (average) as a result three key factors were brought into play that resulted in the distortion of the urban growth process.

Firstly, as KDA had to self-finance land development, the underpricing of plots meant that it effectively reduced resources available for infrastructure development. Secondly, it created powerful incentives for land speculation (the allottee was allowed to resell plots thereby introducing a powerful potential for land speculation) and thirdly, it forced low income households desperately in need of housing to seek alternatives in the informal sector.[16]

Katchi abadis at an average have had a less pronounced footprint in the urban sprawl and subsequent encroachment in the rural hinterland, however, the more recent informal component of the katchi abadi as represented by the illegal land grabber (illegal sub-divisions) is having the major impact.

It is clear that policy and implementation lapses in the KDA led development, mostly to meet the housing needs have facilitated the extension of unplanned urban growth in the rural hinterland. In addition, the land related policies being employed by the Board of Revenue (BoR) pertaining to rural land has also contributed to the conversion of rural land uses.

Until the early 1970's, land was allocated virtually free. The absence of any land allocation policy caused a lack of foresight in administration to capture the economic potential of the allocated land compounded with total ad-hocism in allotment at the district revenue official level. A large part of the land that BoR considers under its ownership is encroached upon, especially the area lying within the 15 miles of the Central Business District (CBD).

BoR's lack of responsiveness to the issue of encroachment and its practice of issuing short term leases for poultry farms and agriculture (thirty and ten years) has led to the creation of a major form of economic enterprise in the illegal *sub-divisions*.[17]

The political dimensions relating with the land ownership profile in Karachi can also be linked with its historical legacy. Government ownership of land finds its roots in the colonial legacy passed on to us that we have chosen to continue with. This has a larger footprint in Sindh in terms of percentage of land under government ownership.

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16 People and the Land - Empowering Communities for Social Justice: Rural Karachi A Case Study, 2012, Shehri-Citizens for a Better Environment

17 Urban Land Management Study, Karachi Special Development Project, 1990, World Bank

After the partition of India, Karachi served as the first capital of Pakistan which is why it houses major national institutions e.g. Pakistan Steel Mills, Pakistan Port Trust and Pakistan Railways that account for a significant percentage of federal government land holdings. Cantonment area is also part of our colonial legacy.

Land - the legislative context

In the Sindh's land management scenario, a critical shortcoming is the absence of an urban land disposal law. In order to regulate the disposal of urban land in Sindh, an Ordinance, titled the Sindh Disposal of Urban Land Ordinance 1999, was promulgated on May 20, 1999. This ordinance expired after three months and as of today, the provincial matters related with land are managed in the absence of an umbrella urban land disposal law!

In the past, the Special Sindh Development Project of the World Bank had recommended streamlining of issues and procedures of land management in the province. World Bank had identified that state land, particularly around urban centers, was a significant resource for the government which it had not been unable to capitalize on. What was worse was that the land mafia was capitalizing this public resource. On the other hand, the government's land disposal policy was leading to a paradox, with huge vacant plots of land on one end, and with people demanding housing and land, on the other. The government had failed to provide low cost land and housing to people of low income groups, and many of their schemes had been hijacked by land grabbers and speculators.[18]

In the light of these findings, the World Bank proposed a land management policy backed with specific legislation. The legislation was designed to determine the value of government land on market prices that could reduce land speculation, ensure security of title through a proper record keeping system and provide a workable system where the low income groups could have fair access to shelter. The World Bank had also suggested that the Sindh Disposal of Plots Ordinance and the Sindh Land Consolidation Act, should be amended in light of the demands of a growing population and the complexity of new realities, in which several actors (land grabbers, speculators and builders) have come to play a decisive role, undermining the authority of the government as well as its source of revenue.

a) Land revenue laws

Land revenue laws apply to the non-urban lands. These laws determine the rental status and schedule of land taxation that apply on various categories of land. The land revenue is based upon land categorization. Before 2001, the rural areas of Karachi were clearly demarcated in the district and union council jurisdictions. However, the promulgation of SLGO 2001 caused the amalgamation of the entire area in Karachi Division into the newly constituted Karachi district.

[18] Government of Sindh Task Force on Municipal-Services - Setting directions for good governance, 1999

The applicable classes of land include barani (dependent on rainfall), sailaba (flooded or kept permanently moist by river), abi (watered by lift from tanks, jheel streams or flow from streams), nahri (irrigated by canals by flow or lift), chahi (watered from wells), banjerjadid (land unsown for eight successive harvests), banjarqadim (land unsown for more than eight successive harvests) and ghairmumkin (land which has become uncultivable due to any reason, such as land under roads, buildings, streams, canals, tanks, or land which is barren sand or ravines).

Much of the peri-urban lands in Karachi belong to banjarqadim, banjarjadid and ghairmumkin class. This land is incrementally incorporated into urban development through formal and informal processes and procedures.[19]

b) Land Acquisition Act

The Land Acquisition Act has been used to provide land for questionable development projects of government and powerful interest groups, and in the process has displaced a large number of poor settlements. Since 1992, 40,900 houses have been demolished dislocating 286,300 persons.[20]

The Land Administration Manual (2011) lays down the system of land management of such lands utilized for agricultural production. Record keeping, maintenance of crop production statistics, filing of agricultural returns and mutations are the common functions assigned to relevant staff in this respect. The Land Record Manual lays down the procedure for listing, updating and revising the land records in a tehsil / taluka / town.

The statute also possesses the binding clauses for transfer / alteration of shamilat lands. This category refers to lands under community ownership and use. Grazing grounds, sand or stone quarries, clumps of trees to provide fuel wood or construction timber etc. were the usual functions for which these lands were used.

The key functionary in land administration in a rural territory is a patwari or village registrar cum accountant. Land Settlement Manual (2011) also lays down the outline of various kinds of rights and privileges of village communities pertinent to land.

Tenures are categorized as Zamindari (full proprietary rights), pattidari (land is divided amongst different proprietors according to ancestral or customary shares) and bhaichara (normally inferior lands are held on customary basis). Regular updating of records is denoted as the essential requirement for carrying out land settlement. Land survey unit constituted under Provincial Board of Revenue is the key functionary in discharging this essential responsibility.[21]

19 Arif Hasan, 2012
20 Arif Hasan, 2012
21 Arif Hasan, 2012

Where the City Government stands?

When it comes to ensuring good governance, the institution most likely to guarantee protection of a city's interests is a strong city government. This institution has never gained the level of empowerment and capacity to make them truly viable and effective in Pakistan. Even the much trumpeted Devolution Plan and the subsequently enacted Local Government Ordinance failed to do that and the institution continues to function as an appendage of provincial governments.

Prior to the enactment of the Sindh Local Government Ordinance 2001 (SLGO 2001) relevant functions were performed under the umbrella of the Sindh Local Government Ordinance 1979 (SLGO 1979). In that system the council of the Karachi Municipal Corporation (KMC) was an elected body. However, the planning and implementation agency for Karachi's development was Karachi Development Authority (KDA) that was a parallel agency run by the technocrats and was in no way accountable to the KMC and hence to the people.

KDA Land Department Office- Civic Center Karachi

The city residents had no direct or indirect say in the manner in which their city developed. In addition, the KMC Council could be dismissed by the Secretary of Local Bodies-a government servant, if the provincial government felt that the council had failed to discharge its duties and obligations.

There is little autonomy in what the local governments can do and their existence is dependent upon their relationship with the provincial governments. A number of functions that ought to be performed by the municipal governments are actually taken care of by various departments of the provincial government.

Land owning agencies other than CDGK, besides controlling their operational areas continuously extend their civilian areas, thus increasing the burden and pressure on the CDGK. In addition, they extend their jurisdiction beyond their original areas by including more civil areas through issuance of notifications.

CDGK's Land Use Plan proposed that since land use controls would be the most powerful tool for it to control the physical development of Karachi, therefore, the development activities in the entire jurisdiction of the City District need to be regulated through it and it should be binding on all the stakeholders irrespective of their jurisdiction. It defined the KSDP-2020 Development Zone, and controlling land allotment within the zone. In the proposed zone boundaries various rural areas were bifurcated so that they were partially included in the Protected/Interim Control Zone.

In addition, no master plan has enjoyed legal cover or mandate. This has been mainly due to the fact that land has come to be associated with corruption, political patronage and has since long been considered as a financial commodity rather than as a means to deliver social good. Providing legal cover to the planning document deprives the corrupt political and bureaucratic entities of the discretionary powers that they would otherwise enjoy to by-pass rules and regulations. These discretionary powers are essential to buy and reward political support and use land as a financial commodity as well.

If we relate these fault lines with the focus of this study, then the Karachi Development Plan 1974-1985 is a classic case in point. This Plan laid out detailed and comprehensive recommendations for promoting urban agriculture integrating planning and development of the agriculture sector with appropriate urban sectors such as economy and water resources. However, the recommendations came to a naught as no implementation was undertaken.[22]

[18] People and the Land - Empowering Communities for Social Justice: Rural Karachi A Case Study, 2012, Shehri-Citizens for a Better Environment

Section 5:
The Challenges Ahead

While the existing threats faced by the rural settlements in terms of conversion of their land for ill-planned urban development were serious enough, some recent legislations, acts, rules and regulations enacted by the Sindh Assembly have raised further concerns regarding the future. These legislations and their likely impact in the increasing the urban sprawl of Karachi have been discussed below:

The Sindh Special Development Board Act 2014

On November 13, 2014 Sindh Assembly notified the Sindh Special Development Board Act 2014. It mandates to, *"facilitate and undertake low cost housing schemes, rehabilitation of Katchi Abadis, slum areas,* ***gothabad schemes,*** *multi-story and high rise buildings in the Province of Sindh, and to provide for matters connected therewith or ancillary thereof…"*

There are a number of alarming aspects related with this Act. The Board that is headed by the Chief Minister Sindh has a bevy of government officials, representatives of military lands and Cantonment Boards but no member from the civil society. This raises serious doubts about the legitimacy and transparency of actions taken through this act.

The key roles to be played and powers to be vested within this Board have been given to the Sindh Building Control Authority (SBCA) and the Association of Builders and Developers (ABAD). The Director General, SBCA, shall act as the Secretary of the Board while the Board will consider proposals submitted by ABAD through the SBCA. This nexus in itself is enough to ring serious alarm bells about the future of land management in Karachi given the history and background of these two institutional entities playing havoc with the land and environment of the city.

Table 3 - Distribution of Katchi Abadi residential areas - 1970 and 1988, by distance to CBD

Distance to CBD	1970 (acres)	Percent Distance	1988	Percent Distance	Change (1970-85)	Percent Distance
0-5	2,700	41.5	2,800	21.5	100	1.5
5.1	3,100	47.7	3,800	29.2	700	10.8
10.1-15	400	6.2	5,100	39.2	4,700	72.3
Over 15	300	4.6	1,300	10.2	1,000	15.4
Total	6,500	100	13,000	100.0	6,500	100.0

Source: S.van der Linden, 'Low Income Housing Market in Karachi': 1988 Conspectus,' Tech. Note 20; UNHS Karachi. Master Plan 1986-2000, Strengthening of Planning Process, PADCO, August 1988

The functional role in terms of execution of projects will be transferred to ABAD from the SCBA. For example in the section on Rehabilitation of Katachi Abadis and slum structures, it is stated, "the Board shall appoint a developer from amongst the members of Association to execute the project who shall put his resources in form of money, men and material for construction of free units in such Katchi Abadis or slum structure…."

ABAD representatives are being given all kinds of benefits and facilities to build aplenty. For example, the Act states that:

"The developer shall be compensated for his efforts and investment in the form of free land out of the Katchi Abadis or slum area where he may build a commercial project for public sale…"

The focus on **commercial development** is further reinforced in quantifiable terms too as the clause enforces:

"The developer may be facilitated in the form of additional incentive of 12.5% commercial area available in the project…"

Then quite amazingly, the developers are being given the responsibility to provide services normally not associated with them and for which they have no expertize. Like education and health by providing insurance coverages. However, if all these things are not provided, and the housing facilities are not of the required quality then the user has been given no discourse to claim damages

through a legal action as the Board has protected itself through these clauses in the Act:

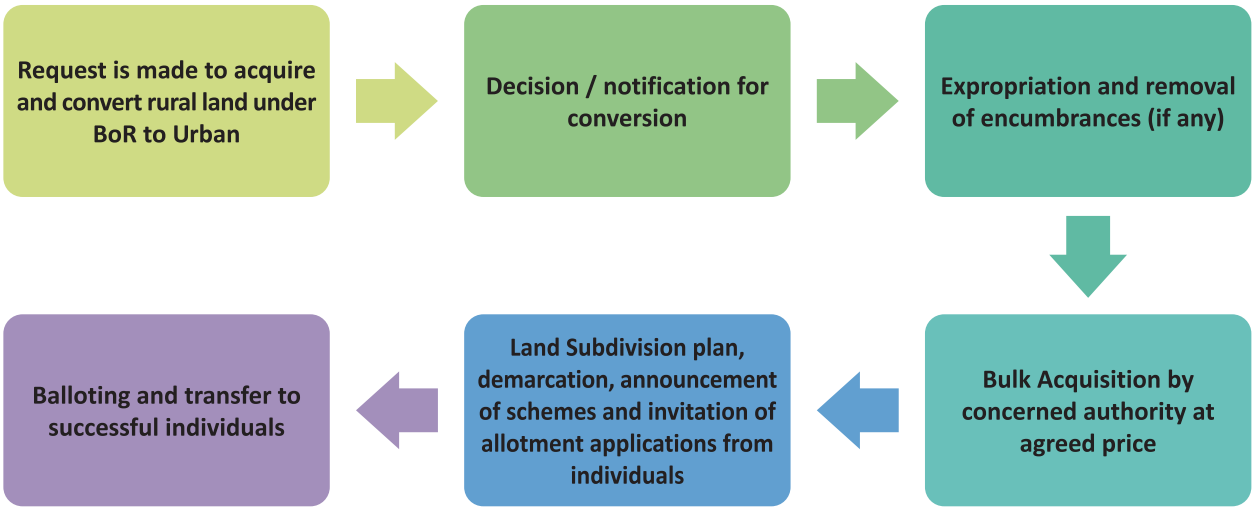
"No act done or proceedings taken or order passed under this Act shall be rendered invalid merely on the ground of the existence of any vacancy in, or any defect in the Constitution of the Board…"

"No suit, prosecution, or any other legal proceedings shall lie against the Board, the Chairperson or any member, officer, servants, advisors or consultants of the Board in respect of anything in good faith done or intended to be done under this Act or the rules and regulations made thereunder…"

And as mentioned earlier, the Board has no member of the civil society to oversee the decisions taken by the entity thereby it is extremely difficult to keep track of whatever actions are being performed under its jurisdiction. Furthermore, only half of the total membership of the Board shall constitute a quorum for a meeting.

Then as always, no consideration has been given to the stresses such an ambitious development process can pose on the already fractured and inadequate civic infrastructure and utility services. According to the Act, the powers and functions of the Board shall be:

"To issue instruction to concerned utility agencies for provision of utility connections as one window solution and to provide infrastructure in accordance with international standards… "

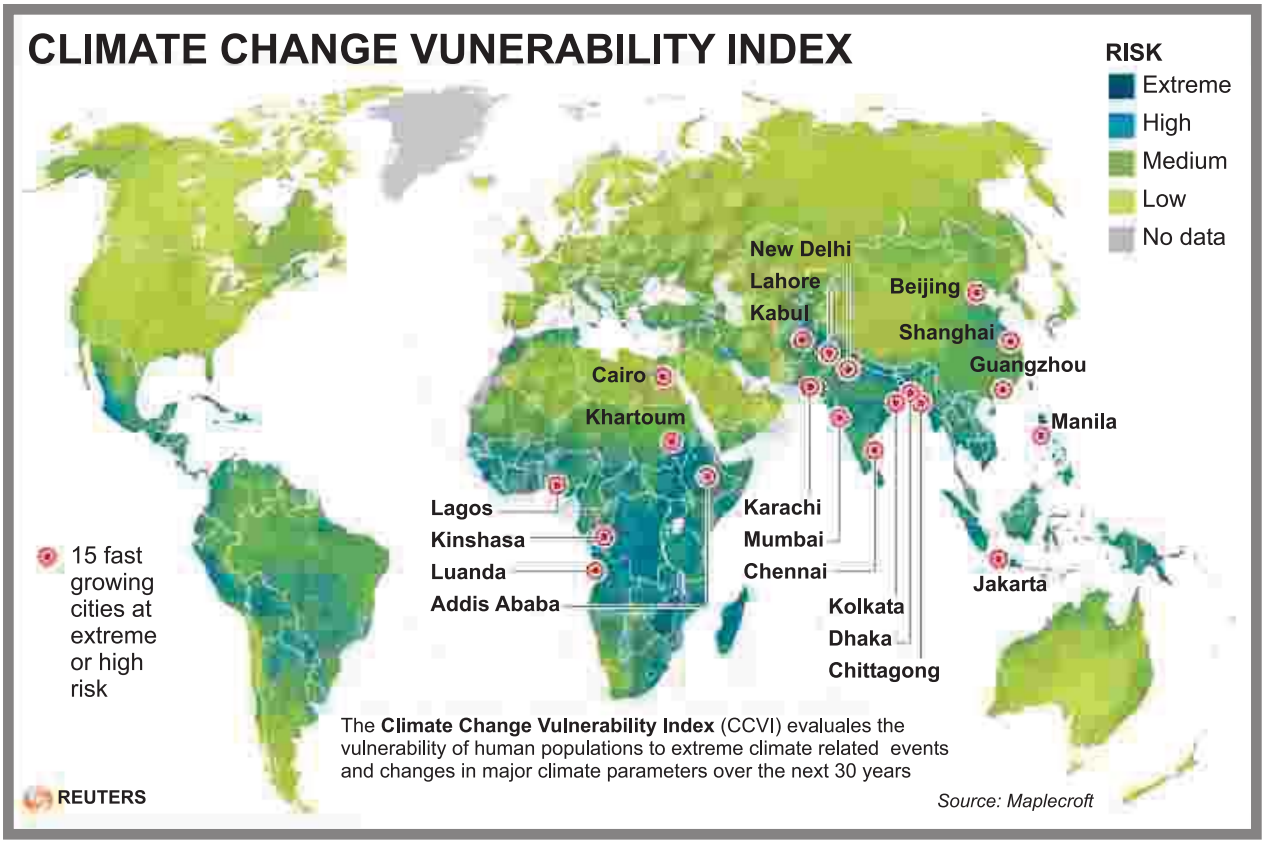


The road map to rural land use conversion
Source: Karachi: The land issue, Urban research & development cell, NED University/11ED, 2012

The fear that rural land will be threatened from implementation of this Act stems from the clear mention of Gothabad schemes that will fall under the mandate of this legislation and that the Director Generals of the Malir and Lyari Development Authorities have been made the members of the Board.

Apparently the focus has been set on providing affordable and viable housing options for the marginalized communities but it is important to understand that commercial development of a significant scale is condoned under this Act too. Simultaneously, vertical development in slum areas is also approved under this Act.

Unfortunately, this Act can sanction or 'regularize' the presently unregulated and unplanned urban sprawl, while the world is now moving on to the development of compact cities for ensuring environmentally sustainable practices and is discouraging all forms of urban sprawl whether planned or unplanned.



Karachi is one the 15 fastest growing cities of the world subject to extreme climate change risk. The need to support environmentally friendly growth has never been more important for this financial capital of Pakistan.

SHEHRI - CBE
CITIZENS FOR A BETTER ENVIRONMENT

Shehri-CBE's mandate to work for the betterment and protection of the environment does not simply mean tackling air and water pollution or growing more trees; it means promoting all those laws, policies and actions of government which make our living environment conducive to happiness. In our quest for a better environment, Shehri's group of volunteers has, for the past two decades, with help from within and outside Pakistan, raised awareness among the citizens, judiciary, professional bodies, press / media, politicians and other concerned institutions about the problems facing our urban landscape and how closed-door discussions and non-transparent decision making processes employed by pubic servants and elected representatives continue to play havoc with our daily lives.

Shehri-CBE has exposed through advocacy efforts, using social accountability tools public interest litigation (PIL), citizens' help desk, seminars / workshops, newsletters / brochures, press statements and website, the lack of transparency and accountability within the system which thwarts the citizens' attempts to get good governance. In 2007, we used the Freedom of Information (FOI) Ordinance 2002, including an appeal before the Federal Ombudsman, and were successful in obtaining relevant information that was successfully used in a high court petition against violations of the town-planning rules. Since then, we have used the FOI Ordinance 2002 where necessary to obtain similar information.

As happens in all developing countries, especially where corruption is high, awareness of people's rights among citizens and government department is extremely limited. Our government officials are so used to violating laws-they simply are unwilling to accept requirements of FOI legislation.

The recent inclusion of Article 19-A in our Constitution has generated an opportune moment to promote awareness about FOI as a universally accepted tool for good governance.

"Our detractors give us credit for making building violations an issue that the entire country is now aware of".

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CITIZENS FOR A BETTER ENVIRONMENT

SHEHRI - CITIZENS FOR A BETTER ENVIRONMENT

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