



Verbal Bouts Mar K.M.C. Session (a news item)

ONLY YOU - A CITIZEN!

During the last four decades, Karachi has grown eighteen times, from a population of about 0.43 million in 1947 to over 10 million at present. Area-wise it has expanded from a mere 233 square kilometers in 1947 to 1300 square kilometers in 1988.

By the year 2000 its population may reach a mark of 11 to 15 million and double its present size in the next 14 years.

Citizens of this choked, beleaguered city have the right to ask the civic authorities which development plans in the past have been envisaged and implemented so far to meet the growing needs of the population?

Karachi is a city of millions. It is in fact the only city in Pakistan with a metropolitan character. Rich as well as poor reside in and around it. The largest section of the urban middle class, the proverbial backbone of the polity also resides in Karachi. Yet the living conditions, the environment and access to basic utilities is pathetic beyond words. On paper the metropolis boasts of several civic authorities seized with the crucial issue of running Karachi.

There is the K.M.C. with a domain covering about half the built up civic areas.

K.D.A. is responsible for the new areas coming up at an astounding rate. The Cantonment Board covers small areas under its jurisdiction.

What is the record of their glorious achievements so far?

Instead of co-ordinating with one another and bringing in a measure of sanity in the city's environment, they have been virtual rivals in defeating one another in whatever game of gore and red tape they are playing. Each agency and government department has its own rules and policies.

A peaceful residential area planned or cleared by one agency can be converted overnight into a noisy commercial haunt for hooligans when another agency allows shops, video game parlours, and fast food joints in the adjoining territory. Vital road links remain permanently dug-up because as soon as one agency completes a road, another agency begins to dig it up to lay its pipelines, cables, drains etc. As for their co-ordination with housing societies, a recent inglorious instance that has come to the notice of SHEHRI is the Water Board's warning to citizens through a press advertisement for an up coming residential colony. There is no allocation of water and citizens may book flats or shops at their own risk and fend for themselves as best they can. It is worth noting that the above residential project had been widely advertised in the press as well as through Radio and T.V. for at least 6 months. All through this period, while the Water Board enjoyed its deep, unperturbed slumber, hundreds of citizens must have already booked a flat or shop and paid the booking fees and the first few installments. Is there any recourse for them? Can anyone suggest to these conned citizens how they can get their money back, save for spending even larger amounts of money and embroil themselves in litigation which, if one goes by the record of such endeavours, are doomed to failure and frustration from the start. Who is going to account for this criminal delay in giving vital information to prospective buyers of flats and shops in the colony in the absence of co-ordination between housing societies and municipal authorities?

As the situation stands, for an ordinary legitimate service like a new water connection, the citizen has to run to K.W.S.B., K.D.A., K.M.C., the

concerned Cantonment Board and the relevant housing society.

As for the sewerage system, the less said about it the better. Overflowing sewerage is the most common sight in the city in the poshest areas. It is in fact so common and recurrent a feature that citizens have for long stopped noticing it. In the Karachi Master Plan there were certain schemes for treatment of sewerage through oxidation lagoons. One scheme with a capacity of 5 MGD is supposed to have been launched and completed with dubious results. Rest of the 295 million gallons of sewerage daily generated in Karachi which is often highly toxic, flows through open nullahs and rivers of filth and very often in the streets and lanes of Karachi, causing innumerable ailments and periodic, sometimes fatal epidemics to the unprotected citizens and mostly to their children.

The citizens of this metropolis have been relieving water so polluted that it is unfit for human consumption. Those who have hazard awareness, boil and filter the water daily to save the lives of their family members. The more affluent gladly substitute imported mineral water for tap water. But the millions of poor and middle class citizens remain prone to the devastation of unclean drinking water. Do the tax-paying, long suffering citizens have the right to enquire as to what happened to the plans of constructing water purification plants for Karachi consumers which were so widely publicised as the glory of Karachi Master Plan? Or what steps have been taken to meet the total need of water which between 1990 and 2000 is expected to rise to 820 MGD? As it is, the current deficiency of water both for primary and secondary uses is around 79 MGD.



INSIDE

- Our Heritage
- Drinking water in Karachi
- Courts And Building Law Violation.
- Book Reviews.

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

Editorial

The Urban Crises

All of us are painfully aware of the steady degradation of our environment. It is the impression of many citizens that professionals, policy makers, political parties, and the Government do not care at all for environmental and planning related issues.

It is our intention to generate ideas that will effectively make the overall environment more responsive to human needs and our country a better place to live in. We have launched a citizens' pressure group on the urban and rural environment to act as a citizens' watchdog and to educate and popularise ideas that can lead to better living conditions and environment. It is our belief that the welfare of the people is critically dependent upon this.

There has been little concern for the environmental impact of present urbanisation strategies. Noise and air pollution in Karachi and other major cities is way above the maximum accepted international levels. Lack of garbage disposal and poor sewerage is creating not only health problems but extensive environmental decay. Rampant rezoning is leading to the destruction of trees and green belts in the city. Changes in zoning bring about inflationary pressures in terms of land prices, create shortages of services and cause distributional imbalance and inefficiency. It has also transformed the character of our city and destroyed its heritage and beauty. Planning and building codes need to be examined and strictly adhered to in order to provide citizens a better environment to live in.

The urban problem is more confounded by the population explosion. It is anticipated that the country's population will reach 150 million by the year 2000. The impact of this demographic change on the environment will be severe. It places a heavy burden on the urban infrastructure, on land and services. In addition it is leading to severe overcrowding and urban strife. Crime, violence, depression, drugs, and social breakdown are directly related to the issue of too many people in a limited space. Poor housing, infrastructure and transportation facilities in addition to pollution and lack of recreational space add to mental and physical stress.

Any improvement in our physical quality of life requires more resources for growth or a better distribution of income. This additional financial burden requires better, more efficient and equitable resource mobilisation and allocation in addition to appropriate fiscal policies for urban centres.

Ultimately the urban crisis has deep political roots which need to be analysed and studied. To successfully deal with this crisis requires a political solution. Such a solution cannot come about without the use of the media to educate and inform the people.

Unless public representatives come to grips with the problem they will continue to play into the hands of those who have played havoc with our living space. There is thus a pressing need for an open public discussion on these issues. It is only through raising public consciousness and effectively articulating public pressure that there can be any hope of bringing about an improvement in our environment.

The Citizens for a Better Environment is the first step towards this objective. It aims to work as a public pressure and lobbying group. Through various media it intends to raise awareness amongst the public and the policy makers about these issues. It also intends to actively fight the process of the destruction of our environment through all available channels.

SHEHRI News Bulletin hopes to provide a forum for all conscious citizens to express their opinions, needs and grievances and also to make their valuable suggestions to solve the urban problem. Today we have made a beginning. It is only with the co-operation of the ordinary citizen that we may go a long way.

Karachi, the city from which the government treasury draws its largest chunk of revenue is without a single recreational facility accessible to an ordinary citizen. For this regard achievement, the city deserves a place in the Guinness

Book of World Records. Nature gave it a coastline. Our untreated, free flowing sewerage debouching into the sea has thoroughly polluted coastal water..... The British

See page 3 col. 1.

The seed of the solution often lies within the Problem and can be discovered if the problem is dissected and analysed. It is not difficult to see that the urban crisis is man-made and has emanated from lack of planning and foresight on the part of the authorities, under-legislation for urban environment and corruption at

roads, parks and other amenities resources need to be generated. What are these? How can they be increased?

Planning Authorities and Municipal Agencies

Karachi is governed by sixteen authorities, KDA, KMC, KWSB, SITE and CANTONMENT BOARD are some. Who



Humaira Rehman, General Secretary, SHEHRI, speaking in a seminar.

all levels of civic, metropolitan and federal units entrusted with the task of providing humanly habitable environment to the citizens.

Another important factor that helps perpetuate this sorry state of affairs and needs to be tackled is pervasive public apathy and a sense of total helplessness to do anything about it.

It was against this perspective that some professionals and concerned citizens set out to form a small seed group to come to grips with the urban crisis. It aimed to operate as an effective pressure and lobbying group interacting with citizens and civic and metropolitan authorities.

This was the genesis of CITIZENS FOR A BETTER ENVIRONMENT or SHEHRI in Urdu. It is committed to fight the process of destruction of our environment and raise awareness amongst the people and policymakers about environmental issues.

Today SHEHRI CBE (CITIZENS FOR A BETTER ENVIRONMENT) is a registered, non-governmental organisation. It has a formal structure with a core group of office bearers and a general body of members. Membership is open to all concerned individuals and anyone who wishes seriously to work towards the goals of making our environment better can also apply to join the core group.

SHEHRI believes that all citizens, whatever their occupation, can play an effective role in improving our built environment and safeguarding our natural environment. However, in order to play an effective role, we must first educate ourselves and fully comprehend all the factors involved. Some of them are the following:

Population

Unplanned population increases pressure on urban utilities tremendously. A chronic state of sub-standard services exists because development and expansion of basic services lags behind the number of consumers.

Urban Resource Generation and Municipal Funds

Where does the money come from? To develop and maintain water supply, sewerage system,

and what are the others? What role do they play and what powers do they have?

Local Government

How effective are local councillors? What is their relationship to planning authorities?

Communication and Community Action

When citizens are worried or concerned they express their discontent to each other. When many people communicate, leadership emerges and community action takes place. In our cities where planning authorities and municipal agencies are weak and corrupt, it is community action alone that can improve the situation.

Other than the above factors, there are certain other fundamental planning principles essential for urban living. As some of you may be aware the growth of almost every city in the world is guided by a masterplan. This is essential because without a plan which determines the land use and population density patterns, civic utilities like water, electricity, etc, cannot be adequately planned. Also important facilities like recreational parks, schools and hospital cannot be rationally located. The masterplan department of the KDA has in the past prepared masterplans for the city of Karachi. However the masterplan has not only not been implemented in many ways but it has also been wilfully contravened. This has happened due to corruption whereby developers, speculators politicians and other powerful and moneyed people have been able to buy the favours of KDA officials. But the question remains how does the law allow this to happen? What are the legislative loopholes that make it possible for individuals to benefit at the cost of the general public. These and related issues will be regularly covered in our newsletter 'SHEHRI'.

At the same time, SHEHRI fully realizes that the most idyllic urban environments cannot be meaningful if there is insecurity and violence in the air. SHEHRI has a holistic approach towards the word "environment". Creation of a peaceful, violence free environment in our cities is also one of our major concern.

HOW SHEHRI-CBE WORKS

The programme and goals of SHEHRI : CBE, in a nutshell are the following:

1. To forestall the violation of urban environmental laws
2. To create public awareness of urban environmental issues
3. To generate citizen involvement in protecting and improving the urban environment.

The urban crisis facing our country demands innovative decisions in our urban policy before the 21st century. The problems of protecting and improving urban environment is growing increasingly complex due to the unforeseen growth of population and the ad-hocism practiced by civic and metropolitan bodies arising from political instability. These institutions remain isolated in their functioning thus excluding the public from meaningful participation. Yet social concerns are often as important as technical considerations in reaching equitable environmental decisions. Whether or not the authorities would succumb to the pressure of the violators of urban environment to relax existing laws depends on citizen involvement in the regulatory process.

SHEHRI - CBE, ACHIEVEMENTS.

SHEHRI - CBE strives to achieve its objectives through consciousness - raising seminars and symposia. Passage of resolutions in public forums can be an effective means in bringing the concerned local governments and metropolitan and federal authorities to pay immediate attention to pressing environmental issues. SHEHRI-CBE also undertakes signature campaigns thus obtaining consent of the maximum number of citizens for general but especially localized issues pertaining to specific zones and areas. Following are some of our past activities.

SEMINAR ON 'URBAN CRISES' PRE-ELECTION SEMINAR, DECEMBER 1988

After eleven years of unconstitutional rule, Pakistan was to have its first general election. SHEHRI wished to bring representatives of political parties and other opinion leaders on one platform to discuss ways and means of protecting the country's urban areas from the effects of misplanning and mismanagement, industrial pollution, overpopulation and crumbling infrastructure of all civic utilities. SHEHRI-CBE held a one day seminar in Karachi on the theme of 'URBAN CRISES'



WHAT IS SHEHRI: CBE

The Purpose of SHEHRI:CBE (Citizens For A Better Environment) is to improve the quality of living in the teeming towns and cities and to defend the right of the citizen for a better, healthier environment.

SIMINAR ON LAW AND THE URBAN CRISES

The seminar was addressed by a number of speakers, including Mr. Justice Dorab Patel, Mr. Pyar Ali Allana, Mr. Kamal Azfar, Mr. Javed Jabbar, and Mr. Aslam Azhar, as well as architects, economists and experts from other fields.

Major problems facing urban centres in Pakistan were analysed and the need for comprehensive and integrated solutions was emphasised. The seminar encouraged public spirited and affected citizens to move superior courts for the enforcement of Building Laws and Regulations, involving the media in raising public consciousness vis-a-vis environmental issues. One of the important resolutions passed suggested that for smooth and timely action on the part of civic authorities, the dual character of different bodies should be done away with and elected body such as Karachi Metropolitan Corporation should assume all policy planning whereas K.D.A. could be the implementing authority.

To stress the need to stem the social and environmental degradation, a seminar on the theme of 'Law and the Urban Crises' was organised in Karachi. Participants included eminent lawyers of the country. The seminar highlighted the need to check gross violations of Building Codes, land use and Zoning Laws.

The seminar condemned unwarranted delay in release of funds to Metropolitan civic organizations and called upon the judiciary to protect the citizens rights.

SEMINAR ON THE URBAN CRISES IN THE DEFENCE & CLIFTON AREAS.

The seminar strongly condemned the mutilation of the recreational areas of Clifton by corrupt practices of property speculators and the K.D.A. It was also pointed out that Defence Society occupies a unique position similar to the Cantonment Board, as it is not answerable to local government. Citizens were called upon to act swiftly in order to stop illegal highrises within their areas. K.D.A's discretionary permission to commercialize large residential parts of Karachi and allow extra number

SHEHRI'S DEMAND ENDORSED

SHEHRI'S demand for effective laws to provide blanket cover to all those buildings over 30 years old was endorsed by 13 organisations including the Institute of Architecture Pakistan (Karachi chapter), High Court Bar Association and the Karachi Bar Association.

JOIN SHEHRI TO CREATE A BETTER ENVIRONMENT

If you wish to join Shehri please drop this card to:

Shehri, Citizens for a Better Environment

P.O. Box No. 8053, P.E.C.H.S.,

Karachi-75400. Tel: 442578

Name: _____

Address: _____

Occupation: _____

Tel: (Res) _____

Tel: (Off) _____

OUR HERITAGE

The need to preserve historical architecture in Karachi.

Architectural records of Karachi show it to be a city of elegance and an example of planning standards and municipal excellence. The city had a distinct character of its own. The architectural scale related to community needs. A cursory study of old Karachi is indicative of a developed architecture with a high degree of workmanship. The architecture responded to the humid maritime climate by depending on cross ventilation for relief.

The scale in itself was conducive towards promoting a community spirit and social harmony. These principles were to be found in all parts of Karachi because planning was carried out for human beings rather than for commercial incentive. Neighbourhoods had an architectural identity of their own. It is this heritage which has been largely lost that we are seeking to preserve and examine for its relevance to the present day Karachi.

For example, if we take the busy commercial area on the periphery of old Karachi, we would discover extremely interesting aspects of people and the built environment. "Kharadar" is a living phenomenon in Karachi. It pulsates with scenes of community. Many hundred year old buildings are still habitable. The communities that live here are rooted in traditions and the lives of the people are interwoven in their daily business.

A "L Section" of about 1 1/2 mile length bounded by Lea Market via the Max Denso Hall upto Mereweather Tower is a commercial district with specific public and private buildings highlights of which are as follows:

Lea Market: An important and busy commercial centre interwoven with housing, wholesale and retail markets etc.

Max Denso Hall: An important public building (1886) now in a state of neglect with a definite potential for restoration and reuse.

Mereweather Tower: A significant landmark that needs to be looked at and given back its historical stature.

Others: Number of commercial and residential buildings may be identified as well as the whole area to be renewed through policy enactments, upgrading of services and clearing encroachments.

Karachi has been undergoing steady environmental degradation at the hands of planning authorities and property speculators over the last twenty years or so. The mere fact that the last masterplan 1974-85 was grossly violated speaks for itself. There exist over a dozen building authorities in Karachi, each working at cross purposes with no co-ordination between them.

Practically every area of Karachi has undergone zoning violations with the result that these neighbourhoods have been de-zoned and are now prey to the ugliest form of property speculation. Planning authorities have a direct responsibility in the destruction of the city. It is all the more reason that these bodies be made accountable to the citizens.

When we speak of architectural heritage, we cannot isolate it from the basic issues of planning and zoning since these principles have a direct bearing on property values. If zoning is adhered to, it will forestall property speculation and keep property prices at a level where speculators or individual owners will not see any advantage in the destruction of buildings or neighbourhoods. On the other hand if planning authorities are corrupt and unaccountable to the citizenry, it will result in a free for all and promote the worst kind of an environment.

EXCERPT FROM A K.D.A REPORT

A comparative case study of successful conservation across the globe

For any preservation effort to succeed, the economic aspect must be taken into due consideration. For long range success, preservation and restoration must be economically viable.

It has been pointed out that perhaps the most ideal approach to historic and cultural preservation would be for the Government to place all significant sites and areas under public ownership and control. This however may neither be practical nor economically feasible for many places. It is essential that the Government seek cooperative actions with private owners and tenants to promote meaningful preservation.

The more successful approaches or techniques which have been used for preservation in various countries of the world may provide us with some guidance and are enumerated below.

Preservation Incentives: One approach to preservation is to encourage preservation through monetary incentives. Incentives normally take the form of tax exemption for a fixed period of time or availability of low interest, long term loans for restoration and improvement.

In Puerto Rico, as an example, to encourage the preservation of a historic portion of the city of San Juan, the Government established the San Juan Historic District and enacted a law granting some properties exemption from property taxes and income from the use of property for a ten-year maximum period when proper restoration and preservation were carried out by private owners or tenants. Owners and tenants were required to adhere to rigid standards to qualify for tax exemption.

This method has proved to be an effective tool for preservation in San Juan and in a number of locations in the United States. It could be used in the preservation of the old sections of some of our cities as well.

In the United States, which has a comparatively short historical heritage in architecture compared to us, the tax incentive has been used as an effective tool for historic preservation by private individuals, societies, groups and communities. The U.S. Tax Reform Act of 1976 encouraged local preservation ordinances by enabling owners of historic income-producing properties to amortize the costs of rehabilitation over 60 months or to take accelerated depreciation on their rehabilitation expenditures. These incentives also were available to state or locally designated historic buildings if the Interior Department certified that their ordinances provided sufficient protection for landmarks, and their designation standards were substantially similar to the National Register's.

These tax incentives were improved by the Economic Recovery Tax Act of 1981 which created a 25 per cent investment tax credit for the rehabilitation of certified historic structures. Since historic preservation was institutionalized in the tax codes, public interest in preservation has flourished in the United States.

The feasibility of such incentives could be considered by our Government, especially for the major cities where rapid commercialization and the pressure of economics tends to act against the existence of old buildings.

Financial Resources: To maintain buildings after their declaration as historic, considerable financial resources are necessary and inevitable. Here both public and private preservation efforts will require assistance through not only tax exemptions but also thorough outright grants or gifts from the government or from private groups, societies and foundations established for the specific purpose of preserving the architectural and cultural heritage or from national philanthropic organizations or

organizations connected with the building industries whose donations could be given tax exemptions. Such grants are not uncommon in developed as well as developing countries of the world. Some of these foundations funded by concerned philanthropists such as the National Trust for Historic Preservation in the USA have been instrumental in the preservation of numerous endangered sites throughout the United States through outright acquisition and restoration or by making monetary grants available for public restoration to the concerned agency.

Historical and Cultural Interpretation: Another method of raising funds would be to stage historical and culturally interpretive plays and shows at the site of the historically significant buildings/area. This would involve demonstrations, illustrations and performances of historic and cultural events and expressions, generally in a representative setting and environment such as those associated with the popular Sound and Light performances in many European countries.

These shows could also be staged at a cultural centre specifically constructed for the retention of cultural heritage through display, demonstration and performance. The centre can be operated by public or private agencies or donations and in many instances, a principal objective of the centre could be to provide research opportunities. In such situations, interpretive performances and displays can also become a principal means of generating revenues to support preservation and research activities. The Polynesian Cultural Centre on Oahu, Hawaii and the Maori Cultural Institute of Rotorua, New Zealand are examples of cultural centres which utilise tourist revenues to provide a continuing education programme of cultural preservation. Such programmes can become extremely popular in the Pakistan setting, as at Lahore Fort, Hyderabad Fort and even at the Mohatta Palace and Frere Hall, etc. in Karachi.

Hotel Bed Tax: In some countries a nominal bed tax is levied on each bed per night per person occupying the hotel on a sliding scale for 5- to 3-star hotels. In our case Rs. 15 to Rs. 5/- would draw in sufficient funds from the major centers to restore, preserve and maintain at least one building each year in each of these centers.

Development Rights Transfer: In this method the owners of important buildings unable to take full advantage of the potential of their sites because of their being declared protected can sell or transfer these rights to owners of other nearby sites.

Don't Destroy! YOU CAN RENEW.

SHEHRI'S URBAN RENEWAL PROPOSAL Encouraging The Builders of Tomorrow

As part of Shehri's (Citizens for a Better Environment) efforts to improve the quality of life, the organization has invited proposals regarding Urban Renewal from students of architecture and architects under the age of 30 years. The underlying idea behind this proposal, drawn up with the co-operation of the Architecture Dept of Dawood College and Alumni Association, is to show property developers/speculators the viability of maintaining and reusing old buildings instead of tearing them down and putting up shoddy apartment buildings or shopping plazas and violating zoning laws, building codes and master plans.

In civilized countries it is not permissible to destroy old buildings. Abroad old buildings may be gutted out and redesigned internally for reuse while strictly maintaining the facade of the old building. With this in mind "SHEHRI" (with the assistance of the Friedrich Naumann Foundation, a leading proposal for the reuse of Quatre Maillon in Suddar. Re-augmentation of Rs. 3,000/- in the best proposal Rs. 2,000/- in the second Rs. 1,000/- to the third and Rs. 500/- to two proposals as incentives will be given out by "SHEHRI" (Citizens for a Better Environment). The building is left in a state of obvious neglect as it seems to be doomed for destruction.

The proposals should address the following issues:

- 1) Sell the idea of conservation/reuse to the property speculator/developer as an economically viable proposal and compare the costing of this with the demolition and reconstruction of a new building.

- 2) Make the plan appealing to users by projecting new apartments in a gutted building. These apartments would have all the amenities of a new building with the added charm of living in a building of tremendous character. (Think of how to reduce the floor heights in order to create more apartments) and make the openings sympathetic to the elevation.

- 3) The ground and perhaps mezzanine floors for commercial purposes.

The proposal will hopefully point towards a new direction for property speculators/developers, architects, users and the building authorities that there is a crying need for conservation/reuse of buildings. The best proposals will be printed in the newsletter and given maximum publicity in the national media.

NEWS FLASHES

CAN THE CAR BE ENVIRONMENTALLY FRIENDLY?

Beijing's Environmental Sanitation Bureau estimates that by the year 2,000 total wastes generated will be 5 million tonnes a year. HESB is planning five more landfills similar to the one being established on the northern side of Beijing, due to receive 2000 tonnes a day of waste. Present disposal methods have involved piling refuse until it is rotted, and using the resulting material as a fertiliser. This low-technology method is cheaper than more advanced treatment methods like incineration, but waste volumes are increasing, and along with them the problems of managing the refuse.

Moves to reduce environmental damage from

considerations. Plastics in automobile manufacture are likely to have an increasing, beneficial effect on our environment; not only can they be recycled from the scrap vehicles, but their energy consumption during manufacture is approximately one third that for steel.

And at the end of their useful life, plastic car components will still yield their original energy value while steel will cost further energy to recycle.

In Norway, Nkr 1000 tax is charged at the point of purchase of a new car. That sum is refunded when scrap cars are delivered to an approved scrap dealer. This process aims to encourage the

The greatest damage to urban environment in the metropolis is caused by vehicles by air and noise pollution. Success in the West for an environmentally friendly car can lead to creative application on motorised vehicles in Pakistan. Attention, Pakistani scientists!

cars have already begun to reduce their impact. West Germany and Scandinavia have for some years been encouraging catalytic converters, lead-free petrol, lower speed limits - all aimed to bring down emissions. Now legislators are beginning to address another polluting aspect of the car, its disposal.

Herr Klaus Topfer, West Germany's Secretary for the Environment, has announced a new programme of measures designed to promote recyclability and greater ease of disposal for scrap cars.

The West Germany automobile industry, along with their colleagues in the plastics industry, are addressing the new requirements, one of the most major of which is a reduction of material used in car manufacture. Ease of dismantling scrap cars will be a major factor in their recycling.

Promoting the greater use of recycled plastics in new cars, plus energy recovery from the non-recyclable parts, are two other important new

return of scrap vehicles to an authorised site, promote recycling of components, and perhaps even save lives by encouraging drivers of unroadworthy vehicles to dispose of them more quickly. British Department of Transport officials are looking at aspects of the Norwegian system to see whether there are lessons transferable to the UK.

Dr. Sonia Boehmer - Christiansen of the Science Policy Research Unit at Sussex University published a study in February 1990 from which the following quote purports to state the automobile industry's point of view: "Environmental taxes on fuel consumption or emissions are not opposed by the industry provided the income thereby created is spent on making the environment more car friendly". Environment Friendly Cars versus Car Friendly Environments - A European Problem, SPRU, University of Sussex, Brighton BN1 9RH England TEL: +273 686 758.

1. Hope For Biodegradable Plastic from Japan

The scourge of the unsightly "black polythene bags" drifting on the roads, hanging in the trees, clinging to every nook and cranny is now a permanent feature of Karachi. If polythene is made biodegradable, there is hope for all.

Japan's Ministry of International Trade & Industry has set aside, 15 million yens for a seven year research project into development of biodegradable plastics, reports. *The Japan Economic Journal*

BOOK SHELF

ENVIRONMENT WITH A CONSCIENCE
RED AND GREEN

The New Politics of The Environment edited by JOE WESTON

First published in 1986 by PLUTO PRESS LTD. UK, the book is an excellent expose of the often very limited and convenient preception of the trendy environment bull who seems to believe that environment is all about trees and oceans, completely forgetting the human factor for whom, in the final analysis, we need the trees and unpolluted oceans. Every single day, more than 40,000 children under the age of 5 die because of hunger and poverty. The majority of the people in the Third World traverse their lifespan in squalor without any hope of ever changing their destiny. The environment of the poor in inner cities is of as much concern for the environmentalist as the protection of trees and the one is not possible without the other.

RED AND GREEN is a compilation of very readable yet scholarly articles by seven eminent British ecologists and social environmentalists. It addresses fundamental issues of people in the context of nature and energy conservation, thus redefining the environmental "Crisis" in the Third World. Although the radical socialist stance of its authors may appear somewhat outdated in the post-Gorbachev world of the nineties, yet in view of the persisting and widening gulf between the developed and poor nations of the world, the same and humane orientation of these environmental scholars remains extremely relevant for charting out desirable priorities of environmental campaigning for decades to come.

In SHEHR's opinion, RED AND GREEN should be prescribed reading for all who claim to be interested in environment.

Available for reading from GOETHE INSTITUTE Library, Karachi

PORTRAIT OF A FEMALE GREEN FIGHTING FOR HOPE

By PETRA KELLY

Originally published in Germany. Published in English in 1984 by CHATTO & WINDUS. HOGARTH PRESS

In the late seventies, an interesting development on the European scene was the emergence of the environmental activists as a political force contending for state power. Originating in Germany, they called themselves the anti-party party, the GREENS. They demanded

a radical re-thinking of all the fundamental issues facing society on the part of the established political parties, declaring that "this alone must be the condition for any talks with the GREENS."

PETRA KELLY, the author of FIGHTING FOR HOPE was one of the founder members of the GREEN PARTY. In the West German elections of 1983, she was among the twenty-seven GREENS elected to the BUNDESTAG. Her outstanding performance had made her quite a celebrity in Europe in those days and she was given the ALTERNATIVE NOBEL PRIZE established by Jakob von Uexkull in Stockholm in 1982.

These random articles by a famous activist written during the heydays of the movement that she had spearheaded offer a touching overview of what the movement was all about. An interested reader can glean an insight of the dominant motivating forces among European youth during the last decade. Leafing through the book what one can hear clearly is the flutter of the sweet bird of youth with all its idealism. The Peacekeepers and the Greens of the seventies, who believed in the "Power of Non-Violence" read like echoes from along bygone era in this post OPERATION DESERTS-TORM year of our Lord. It presents a ghastly contrast between the naive longings of some youthful activists and the hard realities of global power-politics.

However, one cannot feel antagonistic towards the well-meaning articles even if one

smiles through most of the pages, sometimes wistfully. The several dimensions of the movement reflected young, sensitive, poetic minds and deeply felt concerns of a young generation in Europe including ecology, feminism and sex (There is a chapter here entitled "FOR AN EROTIC SOCIETY") who have perhaps all ended up in some banking or insurance company in the European Common Market. That youthful movement has disappeared without a trace.

The articles are widely interspersed with quotations from poems. They make rather interesting reading if only for this enviro-feminist poetry such as this poem by JOAN CAVANAGH.

I am a dangerous woman
Carrying neither bombs nor babies
Flowers nor Molotov cocktails / I won't live in your ditches
Nor dig your ditches for you
- I won't live with you
And I won't die for you
But neither would I deny that we are of the same earth.

I am a dangerous woman
Because I will tell you, Sir,
Masculinity has made of this world a living hell
And made human survival beyond the year 2000 an open question

I am dangerous because
I won't give up or shot up
Or put up with your version of reality

Bravo CAVANAGH!
Where are you today. And
Whatever happened to PETRA KELLY, the firebrand Bavarian exponent of the GREENS of yesteryears.
(SHEHR)

EXCERPT

"Under Development & The Environment"

The picture is often a confused one, and environmentally minded individuals are unlikely to find in the third world situation an unequivocal commitment to environmental goals. Most of those who are blamed for causing ecological problems, especially the rural poor, are illiterate and powerless. They seldom have the support of middle class activists or a media committed to publicising their case. Conservationists frequently regard them with disdain as a threat to other species and to their habitat. A holistic concern with what improves environments reveals the role played by international capital, trade relations and high technology agriculture. But this concerns meets with ideological objections from most wealthy people in developing countries, who have a considerable stake in the development process. In a global ecological problems suffer from "redundancy". If we seek explanations at a sufficiently local "micro" level, it is the rural poor who often destroy nature.

In most cases the poor are not only blamed for ecological degradation but they are the losers by it. People are brought into opposition with their own environment in attempts to meet household necessities or finance delicate budgets. Those who control better land resources make greater use of chemical inputs and mechanical traction. The struggle for livelihood - which characterises most interaction with the "natural" environment in developing countries - becomes increasingly dependent on inappropriate technological forces. As ecological degradation proceeds, through desertification, desertification, or the privatization of irrigation systems, indigenous knowledge or lost. It becomes more difficult to see the relevance of practices designed to remain sustainable future production when the agricultural credit bank is leaning heavily on you today. In extreme cases, when the environment offers no hope of a solution, indigenous knowledge is simply irrelevant. This is the case in many areas of Africa where pastoralism has declined in the face of the combined effects of governmental authority, urban policy bias, export cash cropping and severe drought. It is not the effect of economic structural policies alone which accounts for the human casualties of ecological degradation, but it is not "natural" disasters either. It is a potent combination of structural and environmental factors.

RED AND GREEN

SHEHRI-CBE also undertakes signature campaigns thus obtaining consent of the maximum number of citizens for general but especially localized issues pertaining to specific zones and areas.

of floors in violation of original plan was also strongly criticized. The seminar placed maximum emphasis on the aspect of the interest of the masses and common people in developmental planning.

SEMINAR ON SOCIETY AREA & KDA SCHEME NO. 1

The seminar drew urgent public attention to land misuse in PECHS area and K.D.A. 1 and the illegal encroachment in the few open areas adjoining Jheel Park and other smaller parks and playgrounds for children. Mr. Ardeshtir Cowasjee, eminent citizen, presented to the people a model 'Success' campaign launched in his area that stopped dozens of speculative building projects. A prominent advocate, Mr. J.H. Rahimtoola, gave an expose of the loopholes by which speculators/builders violate plans regularised.

It was demanded by SHEHRI that the Pakistan Council of Architects and Town Planning penalise architects who were adding to environmental degradation by violating the Master Plan.

PRE-ELECTION SEMINAR ON URBAN POLICIES AND POLITICS

As part of SHEHRI's ongoing activities, it organized a 1990 pre-election seminar in collaboration with the Goethe Institute to provide an opportunity to the contestants for power and the public to have a better overview of the urban situation and possible solutions to urgent problems. The participants included representatives of major political parties in the country and eminent citizens from various walks of life. Vital issues such as the legal position of the Municipal Council, budgets of civic bodies, delimitation of the city electoral procedure for the Mayor and the need for legal cover for urban masterplans were brought under discussion. The seminar passed resolutions calling upon all political parties to ensure control of Masterplans by the Municipal Council for which legal cover is provided. It resolved that enhanced charges on services were unjustified as citizens were already paying for over-staffing and institutional corruption.

CURRENT PROGRAMME

● SHEHRI: CBE scored a worthwhile victory when through its intensive signature campaign it helped the residents of PECHS and Clifton area to prevent the construction of illegal highrises. DOLMEN CENTRE and DOLMEN CITY that could deprive them of the already scarce civic utilities and services and would mutilate the beach, the only recreational area in Karachi. But conditions being what they are, we cannot be sure of the permanence of this 'success'.

SHEHRI-CBE intends to keep up the pressure on the authorities not to succumb to the string-pulling/intimidating tactics of vested interests to violate building laws and to protect the rights of the residents. Working on similar lines, SHEHRI-CBE will be taking up specific, localized instances of contravention of building laws and persuade the authorities to take correct measures in the public interest.

● SHEHRI-CBE continues to be the only environmental organisation working for the cause of utilities and services for the urban population. SHEHRI consistently makes comments before the government about

the state of civic utilities and services and seeks to make representation before the authorities to represent public interest.

● As a consciousness-raising organisation, SHEHRI: CBE will continue to identify the environmental problems and seek their solution through seminars and discussions. In the past SHEHRI has received the cooperation of eminent experts, public figures and professionals to give in-depth, research-based analyses and offer valuable suggestions. SHEHRI will convey the same to concerned authorities and to be able to make meaningful contributions in safeguarding urban environment, SHEHRI will try to become part of the steering committees of urban development authorities.

● SHEHRI-CBE will establish a resource centre containing information, data reports and studies on the urban environment and its problems.

● SHEHRI-CBE will organise events and activities for urban conservation and preservation of architectural heritage.



● SHEHRI-CBE will organise events and activities for urban conservation and preservation of architectural heritage.

● SHEHRI-CBE will campaign for the more effective, clear and comprehensive environmental legislation in the country.

● SHEHRI-CBE will play a catalytic role in creating a violence free environment.

From page 1.

ONLY YOU — A CITIZEN.

raj left Clifton Beach for Karachiites. It is now a picture of neglect and apathy and in this city of ours, exists no reliable transport service that can take an ordinary family to and from the beach without burning a big hole in their pockets. While the heart warming, starry-eyed 'plans' for parks and playgrounds and gymnasiums wilt and quietly expire in the files of KDA, the existing parks that we inherited from pre-independence days are lying in a pathetically dilapidated state. Gandhi Gardens, the Zoological Garden of Karachi that once was such a great attraction for children is in such a stinking mess that it can well be termed the saddest testimony to neglect apathy and rampant corruption.

The evident collapse of the existing amenity infrastructure of the city is the wild mushrooming of highrises all over the city for which KDA has been issuing NOCs without a thought to the hazard they are going to perpetrate on the water sewerage and power supply facilities. Apparently highrise construction has been now for some years a safe haven for the business community to launder its black money and turn it into yet another money minting asset. What happens to the city in the process is their least concern.

It is an insufferable state. It is not likely to change as long as you tolerate it. It would turn into a treasure-trove for all kinds of fortune seekers if these issues are politicized and emotionized (one can envision with horror some

kind of a factional, religious-political squabble over a park).

Only you as an ordinary citizen can help change the quality of life in your city. It is only the free citizens organizational endeavour that can exert the needed pressure to shake the development and municipal agencies from oblivion and force them to perform the function for which they are paid from your tax money.

From page 5. K.D.A. Report.

As an example, if the owner of a double storied historic building is not realizing the full value of his investment and he wishes therefore to demolish the building and replace it with a four storied building, he has the alternative of selling the development rights of the two stories above his building at a fair market price. The air space above the historic building would be sold to developers who want to build more than current zoning permits on their own lots. In this manner the owner of the historic building would be compensated and motivated to retain and restore his local landmark building and the developer to whom the development rights have been transferred would be able to take full advantage of his site.

In this system a Development Rights Bank could also be established with a revolving fund, where unused rights would be deposited and later sold under the guidance of the city government.

Levy on approval of New Plans: Another source of funding could be established by imposing a nominal levy of 0.5 to 0.10 paisa per sq ft of built up area in large size residential

plots and all commercial plots in the city. This amount could be collected with the Scrutiny Fee at Karachi Building Control Authority and handed over to the Agency made responsible for the preservation and restoration of old buildings. This is likely to raise not only sufficient funds but also develop a vested interest for preservation of old buildings among the payers of the levy.

Funds from the Sale of Petrol: A .05 paisa per gallon surcharge on the sale of petrol in the country can be levied and the money realized can be diverted towards a Historic Building Preservation Fund. In this way huge amounts can be raised each year.

Now if, you can look into the mirror of relationship exactly as you look into the ordinary mirror, then there is no end to self knowledge. It is like entering a fathomless ocean which has no shore. Most of us want to reach an end, we want to be able to say, 'I have arrived at self knowledge and I am happy', but it is not like that at all. If you can look at yourself without condemning what you see, without comparing yourself with somebody else, without wishing to be more beautiful or more virtuous; if you can just observe what you are and move with it, then you will find that it is possible to go infinitely far. Then there is no end to the journey, and that is the mystery, the beauty of it."

KRISHNA MURTI

CITIZENS FOR A GUN FREE ENVIRONMENT

Dear Citizens,

Over the last few years the easy accessibility of guns has added a new element to our lives that has affected all sections of society. The use of arms to settle political, ethnic and religious disputes has on many occasions brought parts of Pakistan, the province of Sindh, especially Karachi and Hyderabad to an absolute standstill whilst claiming thousands of lives.

Urban dwellers are terrified so what to speak of the rural poor in Pakistan who have no police protection. Large areas of Sindh are inaccessible to local landlords and businessmen who feel threatened. This means lower investments and decreased production or yields and therefore increasing unemployment. Other provinces are also going through increasing lawlessness.

The latest element to armed terrorism is the kidnapping of school children and this is not restricted to just upper income groups. Many reported incidents of rape during armed holdups have taken place. Daily during the best of times at least half a dozen cars are stolen at gun point.

To date not a single person has been awarded capital punishment for the loss of lives due to ethnic, religious or political violence. Billions of rupees have been lost in government revenues and losses in business. Similarly flight of capital has resulted in increasing unemployment which results in more crime.

Big and small businesses, shopkeepers and in some cases residents are having to pay monthly protection money to armed groups. While the well-off can afford armed security guards, which under the circumstances no one can begrudge, they are the most affected in monetary terms, what can the middle class and poor do? Can we afford to see a country held hostage to the greed, political ambitions, ethnic and religious intolerance of a tiny minority?

Join the 'Citizens for a Gun Free Environment'.

Support:

Democracy,
Law and Order,
Decency and Human Values,
Ethnic and Religious Tolerance,
Prosperity Through Peace.

KDA in need of a major surgery

By Ishaqul Hasan Burney

ZMCs in need of more powers for effective administration

A 'developed' scheme that is an eyesore

By Our Staff Reporter

Uncertainty shrouds park scheme

By Nighat Akmal

Karachi's water scene

Site plans of ill-fated building seized

Public parks being misused

Lack of civic amenities in Lyari resented

By Our Staff Reporter

Well water not fit for consumption

By G. M. Chauri

Financial tension mars KMC, ZMCs relations

Water delinked from sewerage

Protest against water shortage

By Our Staff Reporter

KBCA fails to check ads of highrises

From Our Staff Reporter

Builder issued notice on 'illegal publicity'

Dirty water cause of 50 pc diseases: Ansari

Dirty water cause of 50 pc diseases: Ansari

Buffer Zone receiving dirty water

DRINKING WATER IN KARACH

Dangers of Commercial Hydrants

A SHEHRI REPORT

Though ground water in Karachi is said to be unfit for human consumption, some private organisations and individuals are thriving by operating at least nine commercial hydrants, parallel to those of the Karachi Water and Sewerage Board, to supply sub-soil water for use in deficit areas as shortfall in water supply has risen to about 130 million gallons daily.

According to rough estimates, about two million gallons of sub-soil water in being consumed daily in the city. Some are getting ground water from private hydrants, while other residents have drilled their own wells to meet their necessities. Majority of the residents who live in high plazas have no alternative but to drill wells on cooperative basis to meet the requirement. The other reason for drilling wells in many highrise

apartments is that the builders who obtained permission for small water connections for construction purposes did not bother to obtain the bigger one though they collected full payment from allottees for constructing under-ground reservoirs and to lay pipe lines to supply them full quantity of water.

After giving possession of apartments in prospective buyers, the builders had no connection with them. Therefore, the residents themselves drilled wells to meet their requirements.

Some residents admitted that they were aware of the health hazard through the use of sub-soil water, but they had no alternative. However, as a precaution, they boiled it before use. In most of the cases sub-soil water was used for cleaning purposes, they said.

The private organisations taking advantage of water shortfall have set up four major hydrants along the Lyari river bank, while the remaining are operating in other parts of the city.

These hydrants get the sub-soil water by drilling soft surface on river banks where a number of water tankers operate.

The hydrants are mostly located near Novelty cinema, Tin Hatti, Garden Road, Dhobi Ghat and Gharibabad. Sub-soil water is also supplied from Chakraborty in Korangi area, at 9,000 Road, linking Korangi with its industrial area, and in Pak Colony, opposite Sewerage Farm (Gohe Baghicha).

Over 150 trips are made daily at these hydrants and the charge of each trip ranges from Rs. 150 to Rs. 250 depending on the distance.

The filling charges for a tanker per trip vary from hydrant to hydrant and are generally in the range of Rs. 25 to Rs. 35.

The tanker drivers maintain that they usually supply sub-soil water to factories, industries, beverage firms etc. and sometime to needy consumers.

The KWSB or the KMC health department never collected samples from these sources to ascertain their suitability for human consumption.

KWSB sources said that the operation of unauthorised hydrants was a clear violation of municipal laws and KMC could take action against the. The collection of samples was also the responsibility of the KMC Health Department. But the department appears to be unconcerned about the whole affair.

KWSB sources said that functioning of illegal hydrants has been known to them for quite sometime. But it was always assumed that this water was being supplied for industrial use. But there are reasons to believe that this sub-soil water is also being used for drinking purposes, they said.

Since many tubewells and hand pumps are operating in big plazas to overcome persistent shortage of water, the desperate consumers cared little for undertaking a laboratory test of the samples.

A former Managing Director of the KWSB had conducted a number of such laboratory tests. The samples collected from various city areas were found harmful for human consumption.

Consequently, the KWSB had warned the people not to use this water for drinking purposes. But the warning, by and large, went unheeded because of a chronic water shortage leaving the consumers with no option but to install tube-wells to get additional supplies. Some of them, however, did use it for gardening and cleaning purposes. But most of them drink it. No method has been devised to ascertain how much sub-soil water is used for drinking and how much for other purposes.

As a majority of people, residing in big housing schemes and in outskirts of the city, use sub-soil water, it is doubtful if they boil it.

A survey conducted by UNICEF consultants recently of ground water in various city areas showed that it was unfit for human consumption. It contained high degree of salinity and was also not bacteria-free they maintained.

The residents who are totally dependent on sub-soil water should boil it before use, they advised.

KMC or KWSB has not levied any tax on the hydrants selling sub-soil water though the Board recovers water charges at fixed rates even from houses or shops which have no water connections.

Many hotels, restaurants and tea stalls and the flat dwellers in Burns Road area and at some other places are forced to use sub-soil water as they have no other means to meet their requirements.

KWSB itself operates about a dozen hydrants to supply water to the people. Commercial vehicles are also allowed to get water from these hydrants for supply to deficit areas. The bulk of commercial tankers get their supply from Muslimabad and LSR hydrants.

COURTS AND BUILDING VIOLATIONS

by Qazi Faiz Isa

If one views the buildings coming up in Karachi, one is drawn to the irresistible conclusion that there seems to be no laws or government policy regulating, directing, supervising or allowing such construction activities. However, there are laws governing construction but unfortunately are more observed in the breach.

The Karachi Development Authority (K. D. A.) came into existence by virtue of the Karachi Development Authority Order, 1957 (PLD 1958 Central Statute page 159). In its preamble the 1957 Order stipulated that it was for making provision for the development and improvement of the city by 'opening up congested areas, laying gardens and play-grounds, executing work for water supply and sewerage or by demolishing, improving or constructing buildings'. Laudatory intentions of which the citizens of Karachi still await implementation.

The management of K. D. A. vests in its governing body which in discharging its function is supposed to 'act on sound principles of development, town planning and housing' and 'on question of policies by such directions as Central Government may from time to time give' (Section 4 (2)). The governing body comprises of five members of which not less than two members must be wholetime members. The government makes these appointments (Section 5).

In 1979 the Sindh Building Control Ordinance, 1979 was promulgated to provide 'for regulation of the planning, construction, control and demolishing of buildings and disposal of buildings and plots'. By section 4 of this Ordinance

the government was given power to appoint any body, corporate or council, or any department of such body corporate or council or any government department or functionary or any organization to act as the Authority. The K. D. A. was appointed as the Authority under the Sindh Building Control Ordinance, 1979. As such the government virtually merged the planning and building control authorities into one. This merger has with the test of time proved detrimental for the interests of the citizens of Karachi. The system of checks and balances which may have evolved with each of the two authorities operating in their respective fields, instead created an all powerful monster with absolutely no public representation dictating our living environment.

The plan of every building that is proposed to be built in Karachi has to be approved by the Building Control Authority (Section 6). No building can be

built without first obtaining the approval of the KBCA. Section 21-A (3) of the Building Control Ordinance stipulates that 'The Karachi Building and Town Planning Regulations of 1979 (The Regulations) shall until the regulations are framed under this section be deemed to be the regulations so framed'.

The Regulations are very detailed regulations governing the construction of buildings within Karachi Division. These Regulations amongst other things provide for inspection of building sites, method of measuring clear space, minimum floor area and minimum width of shops in commercial buildings (respectively 9.5 and 2.5 sq. m.), maximum height of boundary walls (2 m.), foundations and structures, drainage of roofs and balconies, requirements for fire extinguishing, hoarding of building sites etcetera.

These Regulations specifically provide that 'no change of land use or conversion of amenity, utility or other plots... shall be allowed except in accordance with the following procedure', that is, application to the Commissioner Karachi for conversion 'with full justification and details'. The Commissioner upon receipt of the application has to 'invite objections from the general public through a notice published in one English and one Urdu leading local newspaper' at the expense of the applicant. Thereafter, the Commissioner considers the objections, if any received, and forwards his recommendations alongwith the application and other connected papers to the Government for orders. The Commissioner is also required to consult the Master plan and Environmental Control department and the concerned Authority before he submits his recommendations to the Government.

Additional Regulations which pertain to KDA schemes are the Karachi Development Authority Zoning Regulations of 1972. Under these regulations there are different conditions applicable to different K.D.A. schemes. To take one example, the conditions applicable to Scheme No. 5 (Kehkashan) stipulate that all residential plots of 200 sq. metre shall not cover more than 60% of the land. Progressively as the plot area increases the portion of the covered area reduces. In this scheme there are eight residential category of plots, designated by the alphabets 'A', 'B', 'C', 'D', 'E', 'F', 'G', 'H', and 'K'. The highest

building in the residential category of plots can be built on an 'H' type plot. 'H' type plots have area of 3360 metres and above and on such plots not more than 1/4th of the area can be covered by the main building and not more than another 1/8th by ancillary structure. The maximum height of buildings in respect of such plots is 22 metres or six stories whichever is less. The minimum width of open space that have to be left is 10.7 Metres in the front and 9 metres in the rear and not more than one flat can be allowed for each 120 sq. metres.

There are three other category of plots in the Kehkashan area, the commercial, amenity and 'FL' plots meant for multistoreyed flats. In the case of commercial plots the permissible number of storeys and height is dictated by what was so prescribed at the time of auction/allotment. For multistoreyed flats sites the built up area plot ratio has to be 1 is to 1.75 and a compulsory open space of 6 metres around has to be left except if the plot area is less than 0.2 hectares when it has to be a minimum of 3 metres.

Virtually every high rise complex coming up in the Kehkashan area violates these specific provisions of law. The unfortunate and tragic fact is that most buildings are being constructed after having obtained a no objection certificate (N.O.C.) from the K.D.A. When laws are openly flouted there can be only one conclusion that there is corruption.

The question which arises is when there are building violations, what can the citizens do to prevent such breaches of the law. There is no doubt any longer that the Courts will not grant an injunction against a builder who is proceeding with construction without having obtained approval of the building plans or is constructing in violation of the approved plan. Some recent authorities on this aspect of the law are given below:

Hawa Bai vs. Haji Ahmed - 1987 CLC page 558

Yaqoob Ahmed vs. Jason Construction 1989 CLC page 739

Sayed A. Shaikh Vs. Siddiq 1990 CLC page 628

In the case of Hawa Bai the builder was prepared to give an undertaking to the Court that if ultimately in the suit it is established by the plaintiff that the construction raised by the defendant violates the plaintiff's easement right to air, light and privacy the defendant shall demolish such construction at his own cost.

The proposal of the builder was not acceptable to the Court which held: 'In my view in such disputes, if on such undertaking construction is allowed to be raised which is not according to situation, it will amount to bypassing the mandatory requirement of law of obtaining approved plan before raising construction and cloths it with legitimacy under

the order of the Court.... To lay down a rule to allow construction, particularly unauthorised, on such undertaking as in the present case, is likely to encourage raising of the planned structures and would amount to creating dangerous precedent which may ultimately result in legal complications and multiplicity of litigation in which innocent third parties will be more affected if the construction has been raised on commercial basis. Such constructions are not beneficial to the parties and obstruct planned development of a locality.'

All the above cases were suits filed against builders. However, another manner in which a stay can be obtained is by going in a writ to the High Court. On a writ court fee of Rs. 100/- per petitioner is payable whereas on a suit court fee on the valuation is payable. In the High court this can range from about Rs. 3,000/- to Rs. 15,000/-. A writ is maintainable against a statutory body such as the KDA or the KBCA in respect of rights or interests of an individual which may not be a personal legal right by enforcing compliance of the Authority's rules and regulations. Previously the trend of the High Court was against giving an injunction for stay of construction in its writ jurisdiction. However, aggrieved citizens amongst us will be happy to know that the Sindh High Court is more amiable to grant such injunctions now. The following two cases reflect the recent trend and the concern of the High Court to thwart illegal constructions:

Abdul Waheed Butt vs. Mrs. Asma 1989 CLC page 1936

Suleman Mala Vs. KBCA 1990 CLC page 440

In the case of Abdul Waheed Butt the High Court took judicial notice of the fact that, 'it has now become common practice in the Karachi city that unauthorised constructions in the form of multistoreyed buildings are being raised which affect the neighbours and the other residents of the locality as the supply of water and electricity are affected.' In this case the builder was raising construction contrary to the approved plan and building bye-laws. A prohibitory interim injunction restraining the builders from raising further construction was granted.

I shall conclude by quoting the observations of Mr. Justice Wajihuddin Ahmed from the case of Suleman Mala, where his lordship stated, that, 'we cannot fail to observe that a tendency has, lately, developed in taking the law for granted and in violating it in the expectations that, on passage of time, matters would ease and conditions would be allowed the stamp of continuity, if not for anything, but default on the part of all concerned. This is a very sad state of affairs and the entire society appears to have been stricken with it. Law, thus, is observed only in its breach. Therefore, unless strict observance is enforced no respite from the present day situation appears to be in sight'.

KARACHI DEVELOPMENT AUTHORITY: STRUCTURE AND PERFORMANCE

The Karachi Development Authority (KDA) is authorised to deal with development, improvement and housing Schemes. KDA was created under the Karachi Development Authority Order 1957. By the Sindh Building Control Ordinance 1979 an Authority was established to regulate the planning, quality of construction, prices charged and publicity made for disposal of buildings and plots by builders and demolition of dangerous buildings. However, the Authority has never performed its functions independently since KDA has been designated as the Authority under the Sindh Building Control Ordinance 1979. The KDA, therefore, performs the dual functions of town planning and building control. This state of affairs is most unsatisfactory especially in view of the following facts:

1. KDA has no public representation at any tier.
2. KDA is under-staffed.
3. KDA is under no legal obligation to 'publish its development Schemes'.
4. The public neither has notice of the development Schemes undertaken by KDA nor any opportunity to raise objections or make suggestions.
5. KDA has evolved a practice, not sanctioned in law, whereby violations of building plans are punishable by payment of light fines, which encourages builders to construct just as they please.
6. KDA is grossly inefficient and thoroughly corrupt which makes a mockery of building rules & regulations.

Violations of building regulations, for instance in the case of high-rise buildings, may affect the light and air of adjoining properties. If the aggrieved owner can prove that his rights to light and air are bound to be affected he is entitled to an injunction. However, the courts have given a very narrow interpretation to the term 'aggrieved' and almost restricted it to immediate adjoining property owners. Moreover, the courts will only grant an injunction if the aggrieved person has wasted no time in coming to the court, despite of the fact that the defendant may know that he is in breach of the relevant regulation. These impediments coupled with the fact that litigation is expensive and time consuming and the aggrieved person invariably has limited resources whereas the high-rise complex builder next door has limitless funds at his disposal makes the chances of success for the solitary crusader negligible.

The remedy from the present impasse is that public spirited citizens or associations move the superior courts for enforcement of building laws and regulations. This concept has evolved and has been recognised in other countries following the Common Law

TESTIMONY OF NEGLECT AND APATHY

The Society and KDA are considered to be comparatively affluent residential areas in Karachi. These pictures however tell you the reality of living environment in these so-called posh areas.



Artificial Rezoning by KDA and Property Speculators Along Drigh Road.



Encroachment of Mosque on Dilkhush Children's Park, Tariq Road.



Garbage Dump & Sorting Lot in Jheel Park



Few Open Spaces in City Being Filled in With Garbage Adding to Pollution off Tariq Rd.



Total Lack of Privacy, Light & Breeze Due to Poor Planning Laws