



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

—Margaret Mead

# SHEHRI

Jan-June, 2006 Vol. 17/No. 1

## INSIDE

- Doongi Park
- Shehri AGM
- Good Governance
- KPT Underpass
- Earthquake

## THE DOONGI PARK AFFAIR: GREED V.S PUBLIC INTEREST

*Shehri-CBE takes its activism to Lahore to take part in a determined citizen effort to save a precious open space and recreational heritage of the city.*

Parks and playgrounds are an essential component of any healthy community and form an integral part of any town planning. Parks engender equality, grant opportunity recreation and relaxation to the less privileged segments of the community and invigorate the concept of democracy and freedom.

Doongri Ground Park, located in the heart of Gulberg-II on M.M. Alam Road, Lahore is the only park spread over almost 5 to 6 acres of land that is also a full fledged play ground/field used by the residents of the entire Gulberg for sports and healthy outdoor activity. Due to its central location it caters to the entire population of Gulberg (almost 600,000 people).

The park came into being in the early fifties when it became part of the Master Plan for Gulberg Scheme no.2 and since then has been used as a public park and a public play ground/field. Over the years it has been used by people belonging to all walks of life especially children. Children from adjoining Shools (St Mary's and School for special children) and children of less privileged class in the vicinity have consistently used this play ground.

Doongi Park has also been used for playing cricket, football and hockey, etc. Regular sports tournaments and matches have been played. The ground had been approved by Pakistan Cricket Board (PCB) as a cricket ground and has remained for a long time under

## Lesson's not learnt...

It has already been held in numerous cases by the august Supreme Court of Pakistan that a Public Park cannot be converted into any commercial venture without prior public involvement. Following are the relevant paragraphs from 2001 CLC 1589:

*Para 8 (3) on Page 1596*

"The authority cannot convert public parks, open spaces, playgrounds or other amenity plots to other use or purpose e.g. residential or commercial, for allotment to favorites of the partying power. The instances of conversion of properties including amenity plots to different use for enrichment of the influentials are well known. The allotment of green belts, open spaces and amenity plots as residential pots for installing petrol pumps etc, by abusing power of conversion due to political maneuvering of the parties in power have also been made. This menace of conversion of amenity plots needs to be curbed by taking away the power of conversion in respect of amenity plot...."

*Para 8 (3) on Pages 1596-1597*

In Abdul Razaq's case PLD 1994 SC 512, relevant observations are as "We may point out that even under, the order, the K.D.A is not authorized to change the use of any amenity plot without inviting objections and without obtaining the order of the Government. It may be stated that inspite of presence of the above unambiguous Article in the Order, the successive Provincial Governments overlooked the above Article and converted amenity plots and thereby denied to the residents of Karachi inter alia parks and playgrounds which contributed towards environmental pollution in the city...." □



Environmental priorities in the balance





## SHEHRI

206-G, Block 2, P.E.C.H.S.,  
Karachi-75400, Pakistan.  
Tel/Fax: 92-21-453-0646  
e-mail/address:  
shehri @ onkhura.com  
(web site)  
www.shehri.org

### EDITOR

Farhan Anwar

### MANAGING COMMITTEE

Chairperson : Roland deSouza

Vice Chairperson :

Dr. S. Raza Ali Gardezi

General Secretary :

Amber Ali Bhui

Treasurer :

Sheikh Rizwan Abdullah

Members : Khatib Ahmed

Hanif Sattar

Derrick Dean

### SHEHRI STAFF

Co-ordinator :

Sarwar Khalid

Asst. Co-ordinator :

Mohammad

Rehan Ashraf

### SHEHRI Founding Members

1. Mr. Khalid Nadvi (*Economist*)
2. Barrister Qazi Faez Isa
3. Ms. Humaira Rehman (*Architect*)
4. Mr. Danish Azar Zubay (*Architect*)
5. Mr. Navaid Husain (*Architect*)
6. Barrister Zain Sheikh
7. Dr. Kaiser Bengali (*Economist*)

### Contributions are welcome

Interested contributors should contact the SHEHRI office for writers guidelines. SHEHRI newsletter readership is from students, professionals, environmentalists, policy makers, NGOs and other organizations.

Views expressed herein do not necessarily express the views of the Editor/Editorial Board.

Composed by : Printed by :

Shah Graphics Samina Printers  
Tel : 660 88 22

For the printing of this newsletter

SHEHRI-CBE

acknowledges the support of

The Friedrich-Naumann

Foundation

### SHEHRI-CBE

acknowledges the support of  
The Friedrich-Naumann  
Foundation

Member of

# IUCN

The World Conservation Union

## EDITORIAL

### Passing the Buck!

The recent catastrophic rains witnessed in Karachi City have yet again brought to the fore in no uncertain terms, the follies and extreme shortcomings of the urban planning and development process in the city.

While the city and the citizens suffered the consequences of overflowing sewers, flooded streets and neighborhoods, power outages and collapse of the communication systems, most of the civic agencies and organizations, whether government or private were engaged in a heated blame game, accusing each other for being responsible for the unfolding crisis.

It is quite obvious that the issues would not get resolved on a long term and sustainable basis till such time that the disparities and disconnect in policy making, planning, development and enforcement of rules and regulations between the various land owning and land development agencies active in the city are properly tackled and eliminated.

Decisions are being made and policies are being formulated not based on public needs and long term requirements of sustainable urban growth, rather they are being driven by the

greed and corruption of a limited few, belonging both to the government and the civil society that are bent on doing the impossible i.e. filling their bottomless pits of greed. One illegality upon the other, one form of urban destruction following the other, that, it seems is the current and unfortunately the foreseeable trend of urban development in Karachi.

No number of master plans or mega city development plans stand any chance of delivering on their stated objectives till such time that we, collectively, whether as part of the civil society or the government decide that laws are meant be followed and enforced not selectively but across the board. There is a great hue and cry following the recent rains, primarily because the main affected this time around belong to the posh and elitist localities of the city. They have a voice, are articulate and carry the necessary clout needed to bring about the required change.

However, one sincerely hopes that the rethinking and rehabilitation that now begins extends its scope beyond the streets of Defence and Clifton to cover the entire city. Pain and misery is felt alike by the poor and the rich! □



the patronage of Service Industry, which organized cricket tournaments and training on the play-field.

The Doongi Ground was the playing field of several cricket clubs like the Services Colts and Gulberg Eaglets Cricket Club. Many first class cricketers (namely: Aftab Gul, Aqib Javed, Sarfraz Nawaz, Pervaiz Jamil Mir & Misbah ul Haq, etc) used this ground as their training ground. It has also been used as Eidgah for Eid Prayers by three mosques in the vicinity.

One fine day this park was cordoned off with six feet high steel sheets and for a long time the residents were under the understanding that the park is being renovated. Upon inquiry it transpired that an elite shopping/entertainment mall with the primary attraction of CINEPLEX (cinema) was being setup in collaboration with some foreign company by the name of IMAX.

A writ petition was filed immediately after the information was received by the residents. Being a public interest petition and filed without any professional fee, the preparation of the petition and gathering of relevant information was the only time spent after receiving the information about the conversion. The residents petitioned that the public park was being illegally converted into a shopping mall and a cinema house. Healthy public use of the park was being reduced to serve the interest of the few. The only Public Play Ground in Gulberg was being sacrificed for personal greed and kickbacks.

The petitioners being aggrieved of the illegal transfer of the public park to the respondent Company by Lahore

Development Authority (LDA) and the unlawful construction on the park filed "Writ Petition No. 1226/06" before the Hon'ble Lahore High Court and the Hon'ble Court was pleased to grant interim stay vide order dated 23-2-2006 against the illegal construction. However, the respondents filed impugned Inter Court Appeal against the interim order. The learned Division Bench admitted the petition after hearing the parties on the question of maintainability and also went ahead to suspend the interim order granted by the learned single judge vide order dated 9-3-2006.

The petitioners were aggrieved of the Order dated 9-3-2006 and the subsequent fixation of the writ petition before the larger bench which did not comprise the author judge. It was felt that an interim order passed in writ jurisdiction is not appealable in the light of Section 3 (3) of the Law Reforms Ordinance, 1972.

The petitioners felt that the only question before the learned Division Bench was the maintainability of the ICA. While admitting the ICA the interim order of the learned single judge was suspended without hearing the petitioner on the stay application. Not a word was recorded on the merits of the stay order granted.

The Master Plan of Gulberg Scheme approved by LDA in the early 1950s clearly earmarks about 5 to 6 acres of land as a public park/playground. Since then the park has been used by the residents for multiple recreational purposes and mainly for sports by the children of the area. The park cannot be converted into an elite cinema house which was approved as a cricket and

## Wither Public Interest...

Parks besides adding quality to our lives by providing recreational and health facilities, play a major role in regulating the environment, in maintaining fresh air and act as sources for absorbing rain water. Parks need to be added to improve the equality of life. The impugned illegal occupation and construction seriously offends *Article 9* and *Right to Life* and the quality of life of the community at large. Land once earmarked as a public park becomes part of public trust and cannot be retrieved or modified. Impugned Project is against the *Public Trust Doctrine* which is weaved into *Right to Life*.

Social and economic justice is enshrined in the *Objectives Resolution* which is the substantive part of the *Constitution* and no departure from these sacred principles is envisaged in the *Constitution*. Public interest is supreme and cannot be subjected to the vested interests of the few no matter how strong they might be. □

## Disregard for the Law

Section 12 of the *Pakistan Environment Protection Act, 1997* (the "PEPA") clearly states the no project can commence unless an *Environmental Impact Assessment (EIA)* has been conducted. According to PEPA, EIA means "an environmental study comprising collection of data, prediction of qualitative and quantitative impacts, comparison of alternatives, evaluation of preventive, mitigatory and compensatory measures, formulation of environmental management and training plans and monitoring arrangements, and framing of recommendations" Once an EIA is prepared, it has to be approved by EPD/EPA in accordance to Law. In addition to PEPA requirement, *Regulation no. 3(ii)* under *Building Regulation, 2005* also requires an EIA to be done before any project is undertaken. No such EIA has been undertaken. □





football ground. The impugned conversion is against the LDA Act, 1975 and goes against the law settled by the superior courts of the country.

The community and the petitioners who have invested in the adjoining of nearby property because of the park have legitimate expectations that LDA will not unilaterally deviate from the plan. The petitioners and the community at large cannot be deprived of the amenity plot in the shape of the PARK once it has been a part of the approved Master Plan of LDA and has been in use since 1950s.

In addition, any conversion of a public ground in use by the public cannot be undone without a public hearing and unless NOC has been procured by at least the adjoining properties. The public sentiment cannot be overridden by LDA or the Provincial Government with a mere stroke of a pen.

The transfer of the park has been affected in a highly doubtful manner and lacks transparency. In addition, according to Section 6 of LDA Act,

the authority has no jurisdiction to transfer the plot in favour of the company or any other person for the purposes of setting a Cinema House. According to the Preamble to the LDA Act, the authority can implement comprehensive system of metropolitan planning in the public interest in order to improve the quality of life and environment in the metropolitan area of Lahore. None of this is possible achieved by setting up a cinema houses and shopping mall.

Without prejudice to the above argument, assuming that the land can be transferred the same can only be done after inviting public tender. In the present case, the transaction looks highly suspicious and lacks transparency. The average price of the park is no less than Rs 250 million. It cannot be just given away by LDA. The respondent company has not come in through a clean process, which reflects of the poor governance at the end of LDA and the provincial government both.

There is no precedent where LDA has

given away its park for the construction of a shopping mall & a cinema house.

Government of Punjab is not empowered to set up shopping malls on a public land that is priced at around Rs 2500 million. The cost of the entire project is more than Rs 3500 million and there has been no local or international tender. The whole transaction is marred and lacks transparency and good governance. It is the duty of government authorities to put up public tender for any new project. Such valuable land has been handed over to the respondent Company and contracts have been awarded to IMAX without due process of tender. The project has no public appeal and is being set up for huge kick backs.

No feasibility report or any other evaluation for the purposes of necessity and financial viability of the setting up of Cinema Houses in the park was ever prepared or undertaken. No justification for the impugned action has ever been laid or brought to the notice of the public. □

## STOP PRESS!!! Apex court stops civil work on Cineplex

The Supreme Court on Monday, August 07, 2006, stopped the provincial government and the Punjab Entertainment Company from carrying out civil work on a project under which a modern Cinema House and a shopping centre are being built at Doongi ground on M. M. Alam Road, Gulberg.

The apex court issued the order accepting a petition for leave to appeal filed by Karachi based NGO Shehri-CBE (Citizen for Better Environment), journalist Ardeshir Cowasji and 11 residents of the area through Advocate Syed Mansoor Ali Shah. The petition contested a decision of a full bench of the Lahore High Court which dismissed last month the constitutional writ petition, challenging the commercial project in the public interest, on the ground of non-prosecution.

A Supreme Court bench, headed by Chief Justice Iftikhar Mohammad Chaudhry, also restored the writ petition, and directed the LHC to constitute a larger bench for the hearing of the petition which should also include Justice Mohammad Sayeed Akhtar who, on Feb 23, 2006, had stayed the construction work.

The Court also directed the LHC Deputy Registrar (judicial) to file his reply to the allegation that by returning the petitioner's earlier application seeking the inclusion of Justice Sayed Akhtar in the larger bench with the objection that it was not maintainable, he had impeded the right to access to justice. The apex court also directed the LHC Registrar Office to ensure that in future, every petition and application should be fixed before a bench for adjudication instead of returning the same as non-maintainable.

The Punjab Entertainment Company was established under an order of the provincial government to carry out the Rs. 3.5 billion project for which six acres at Doongi ground were also allocated. The petitioner challenged the project mainly on the plea that a public park could not be turned into a commercial place. Another plea taken by the two petitioners is that the transfer of land to the Punjab Entertainment Company was issued by the Chief Minister who was not competent to issue such order. The petitioners also pleaded that the Punjab government had, by launching a commercial undertaking, contravened certain provisions of the 1973 Constitution which provided that the public sector could only develop public welfare projects and could not launch a commercial venture. □



## SHEHRI ACTIVITIES

# Shehri Annual General Meeting May 27, 2006 (Shehri office)

The 16th Annual General Meeting of SHEHRI-Citizens for a Better Environment, was held on May 27th 2006 at 5:00 pm at the registered office of Shehri-CBE, 206-G, Block-II, P.E.C.H.S., Karachi to transact the following business.

### The Proceedings

1. To confirm the Minutes of the 14th Annual General Meeting held on 4th June 2005.

The minutes of the 15th AGM were read out,

Mr. Derrick Dean proposed and Mr. Khateeb Ahmed seconded, the minutes of the meeting were confirmed.

2. To approve and adopt General Secretary's report of Shehri's activities, for the year 2005.

The General Secretary, Mrs. Amber Alibhai gave a summary of Shehri's activities for the year 2005, the details of which are mentioned in the Annual Report 2005.

Mr. Mohammad Ali Rasheed proposed and seconded by Dr. Syed

Raza Ali Gardezi, hence the Annual Activity report was adopted.

3. To approve and adopt the audited statement of accounts for the year ended on December 31st, 2005.

The statement of account was read out by Sheikh Rizwan Abdullah, Treasurer, Shehri-CBE. Syed A. Mateen proposed and seconded by Syed Muslehuddin Ahmed. The audited accounts were adopted.

(The accounts for the year ending December 31st 2004 were audited by M/s Haider & Company Chartered Accountants.)

4. To approve and adopt amended Articles of Association as directed by the Commissioner of Income Tax, Companies Zone V, before issuing income tax exemption certificate u/s 2(36) of the Income Tax Ordinance, 2001.

The amendment was read out. Mr. Khatib Ahmed proposed and Mr. Mohammad Ali Rasheed seconded.

The General Body approved the

amended Articles of Association as directed by the Commissioner of Income Tax, Companies Zone V.

### The participants...

#### Managing Committee Members

Mr. Roland deSouza  
Chairperson

Dr. Syed Raza Ali Gardezi  
Vice Chairperson

Mrs. Amber Alibhai  
General Secretary

Mr. Sheikh Rizwan Abdullah  
Treasurer

Mr. Khatib Ahmed  
Executive Member

Mr. Derrick Dean  
Executive Member

Mr. Hanif A. Sattar  
Executive Member

#### General Body Members

Mrs. Bernadette Dean  
Syed A. Mateen

Mr. Nisar Hussain Baloch

Mr. Muslehuddin Ahmed

Ms. Victoria deSouza

Ms. Naila Ahmed

Mr. Mohammad Ali Rasheed  
Member

#### By Invitation

Mr. Farooq Nadeem

Mr. Faraz Nadeem

Ms. Madiha Nisar





5. To pass a special resolution to amend Memorandum of Association in order to bring it in conformity with suggestion forwarded by NGORC by amending Clause III, Sub-clause (i)

*"To research, investigate, compile and disseminate information regarding existing laws, rules and regulations and/or contraventions thereof, or proposed legislation, pertaining to every aspect of the environment, metropolitan/governmental representation and administration, crime control environmental pollution, community welfare, metropolitan/governmental fiscal control and taxation, health care, building construction and control land development and all other matters of civic concern, including good governance in the public sector";*

Mr. Khatib Ahmed proposed and Mr. Mohammad Ali Rasheed seconded.

6. To appoint and fix remuneration of the auditors for the year 2005.

This was proposed by Mr. Hanif A. Sattar and seconded by Mr. Nisar Baloch and the remuneration of auditors was fixed

It was decided to retain M/s Haider & Company as auditors for the year 2006 and their fees will be Rs.6,000/-.

## 7. Any Other Business

- \* Mr. Mohammad Ali Rasheed made a suggestion that Shehri should advertise the fact that they have a functioning *Help Desk*.
- \* Syed A Mateen suggested that the website of Shehri ([www.shehri.org](http://www.shehri.org)) should be regularly updated, so that the people can get latest information about the Shehri activities, programme and up coming seminars/workshop. Mr. Roland deSouza requested Syed A Mateen to assist Shehri in updating the website.
- \* Ms. Naila Ahmed said that image building of Shehri is necessary. People should know what is Shehri. The only impression in the general public is that Shehri is involved in demolition of buildings etc.
- \* Mrs. Amber Alibhai requested members to come forward and participate in Shehri's activities. She also requested members to raise funds for Shehri's ongoing activities.
- \* Mr. Mohammad Ali Rasheed forwarded a suggestion to increase the managing committee members.

The AGM 2005 concluded with vote of thanks to the Chair.

## Activist's Toolkit

by  
Khatib Ahmed

# What is an EIA?

Environmental Impact Assessment has been variously defined as:

"A formal process to predict the environmental consequences of human development activities and to plan appropriate measures to eliminate or reduce adverse effects and to augment positive effects".

"An assessment of impacts of a planned activity on the environment" (*United Nations*)

"EIA is the systematic, reproducible and interdisciplinary evaluation of the potential effects of a proposed action and its practical alternatives on the physical, biological, cultural and socio-economic attributes of a particular geographical area" (*USEPA, 1993*)

"An activity which identifies, predicts, interprets and communicates information, and proposes ameliorative measures, about impacts of a proposed action or development proposal on human health and the well-being of the ecosystem upon which human survival depends" (*Sadar et al., 1994*)

"EIA is the systematic process of identifying the future consequences of a current or proposed action" (*International Agency on Impact Assessment*)

Thus an EIA has three main functions:

- \* To predict problems,
- \* To find ways to avoid them, and
- \* To enhance positive effects.

According to the **Pakistan Environmental Protection Act 1997**, EIA means "an environmental study comprising collection of data, prediction of qualitative and quantitative impacts, comparison of alternatives, evaluation of preventive, mitigatory and compensatory measures, formulation of environmental management and training plans and monitoring arrangements, and framing of recommendations". □



## SHEHRI ADVOCACY

*In this section, we highlight some of our ongoing advocacy work and seek active citizen participation for ensuring protection of public interest.*

# Fauji foundation's Proposed 150 MW Power Plants at Korangi: Highlighting the Environmental Concerns

We refer to the hearing held by SEPA at the Regent Plaza Hotel on 3-5-2006, and reiterate the points made there by our representative:

1. The quality of EIA Report leaves much to be desired. In many places it is contradictory or incomplete, and seems to have been partially assembled from other reports using 'cut-and-paste' methods. SEPA must obtain a corrected report and have it circulated.
2. The planned use and zoning of this 37.5 acre plot in the Karachi Master plan or local Area development plan has been made clear: it would seem to be residential. How has it been converted to industrial?
3. Owing the proximity of mangroves and difficulty of controlling open cycle return water/effluent temperature to less 30C above sea water temperature (as per NEQS), closed -circuit air cooling through condensers is to be employed.
4. The proposed construction of an embankment to reclaim 7.5 acres of land from the sea for the project is unlawful. The federal government has banned the reclamation of land from the sea by any party except the PQA and KPT. These two agencies can only undertake reclamation after conducting hydraulic studies to predict the adverse effect on the regimes of the harbours. Additionally, the reclaimed land can only be used

for port related activities, not hotels, commercial plazas and power plants.

5. Under the law, any land reclaimed from the sea belongs to the Government of Sindh, and not to anyone else.
6. The centuries old common-law "Public Trust Doctrine" does not allow the privatization and commercialization of seashores and beaches. All citizens must have unfettered access to the beach. In contradiction, however, Para 13.2.1 of the EIA Report states.

*"the fisherman of the adjoining Goths use this area (37.5 acres) as launching pad for fishing boats and almost 20 to 30 small boats were formed anchored at the site. These fisherman will have to find some other adjoining site for this purpose."*

This will adversely affect the livelihoods of over 25,000 persons in 5 goths.

(Also see Para 13.2.6 on page 63 and Para 15.4 on Page 72.) The "Public Trust Doctrine" has already been upheld by the High Court of Sindh in the Nestle case at education city in Karachi (2005 CLC 424) and under consideration in petition filed by concerned citizens against the conversion/com-



mercialization of the beaches by the Defence Housing Authority in Karachi (see attached STAR news-item dated 16-3-2006).

7. The following issues are of particular concern and need to be addressed comprehensively by the EIA:
  - a) The NOx, SOx, and PM 10 stack emissions during use of alternative HSD fuel (3 months every year, as per Para 4.5.2 on page 8).
  - b) The noise pollution for the adjoining residential area: why is a power station being situated in a residential area? (Note that the Goths are as much residential areas as PECHS, Nazimabad or DHA Phase-2 in Karachi or Satellite Town or Sector F-6/2 in Islamabad/Rawalpindi: these Goths are, unfortunately, inhabited by poor people, whose rights do not seem to matter much in this Islamic Republic of Pakistan).
  - c) Measures (including emergency measures) for storage and spill-containment (including contami-



nation of ground water and sea-water) of HSD fuel.

8. This location of 220/132 KV overhead transmission lines and grid station in such close proximity to residential areas is the subject of the Shehla Zia case in Islamabad (PLD 1994 SC 693). The ill effect of electromagnetic waves on human health are a matter of critical concern to all.

We look forward to prompt feed back on the above points by all concerned.

### **Violation of Pakistan Environmental Protection Act (PEPA) 1997**

*Approval of Layout Plan of Survery No. 19/3, Deh Dih Tapo Ibrahim Korangi Town, Karachi*

Why are the concerned government authorities allowing the built environment of this city to deteriorate further than it already has.

Please consider the following:

- a. A copy of the technical study (availability or non-availability of utilities/ infrastructure/ amenities of the proposed Major Sub-division), nor has been provided a copy of the layout plans. How can we be expected to submit pertinent comments or objections? Objections to what?
- b. As per Item H-I of Schedule-II of Review of IEE & EIA Regulations, 2002 notified under PEPA 1997, projects on land-use and urban plans in large cities like Karachi require an EIA, with public participation. Has this been carried out by CDGK?
- c. Under what law is the proposed layout plan being approved?
- d. Is the plot affected by the Sindh Urban State Land (Cancellation of Allotments, Conversions, Exchanges) ordinance 2000?

e. Does the scheme fit into the overall planning of KDA Scheme 25-A and the City of Karachi? Is it in accordance with the established Zoning Regulations?

f. How will the KESC, KWSB, SSGCL, PTCL service the layout? Can the overloaded utilities' network cater to such ad hoc/ incremental demands?

We anxiously await your reply, so that we can submit detailed comments /objections.

### **Illegal Land Use Conversion: Plot No. 183-A, Block 2, PECHS, Karachi**

Shehri has received a complaint from the area residents regarding illegal/unauthorized construction on Plot No.183-A,Block-2, P.E.C.H.S., Karachi . The builder is building a flat-site on a residential plot. A visit to the area and inspection of the structure will clearly bear out our apprehension.

The plot is meant for a single unit residential bungalow to be occupied by a maximum of 5-10 persons. However the ongoing construction of multiple flats on the plot would result in increased densification with 50-60 persons living in an area mean for 5-10 persons. This would result in an increase load on the already scared infrastructure and utilities.

The conversion of single unit bungalow into a multiple flat-site is not only against the lease conditions but also violative of SBCO 79 and KBTPR 2002. Moreover, this would be source of nuisance for the neighbors who want to protect their inherent right of living in a peaceful residential area. This would also result in degradation and destruction of the environment on the entire area.

On inspection from outside, various violations of construction were also observed foremost being construction

and encroachment in COS. A detailed inspection would result in discovery of further violations.

The concerned officials are therefore requested to immediately seal the plot for misusing it as a commercial/flat-site and demolish the various offending constructions.

### **Commercialization of residential bungalow plot**

*Plot No.119,Block-3 B.M.C.H Society, Karachi*

The following information would need to be made available to the general public.

1. Copies of the technical Regulation 18-4.2.2 of KBTPR 2002, (and other planning laws), including availability of utilities. (electricity, water sewerage, etc) infrastructure (road traffic handling capacity, parking, garbage collection, etc) and amenities (parks, playgrounds, Police-station, hospitals school,etc).
2. Data on the present overloading of the above facilities/infrastructure in the residential area around the proposed conversion
3. Copy of the Environmental Impact Assessment (EIA) carried out in accordance with item H-1 of Schedule-ii of Review of IEE & EIA Regulations, 2002 notified under PEPA 1997 (noise, air pollution, utilities, infrastructure, crime, introduction of strangers into the neighborhood, etc) of the proposed conversion, with public participation.

Till such time that this information is made available, we as citizens of Karachi, visitors to the area, demand that the relevant authority does not approve this 'ribbon commercialization' of residential bungalow plots (including Plot 119/3, B.M.C.H society ) on this road, as:





- \* It will become a public nuisance for neighbors and residents of the City.
- \* Town planning laws require that proper urban planning studies be undertaken first, and
- \* Prior arrangement have to be made for adequate enhanced civic/municipal facilities and infrastructure in the area.

The city government must implement

## Follow the law of the land...!

The following must be strictly followed and implemented.

- \* There should be a wall built to give privacy to the residential houses behind 119/3, BMCHS KBTPR Reg. 25-1.3.2
- \* No workshops -KBTPR Reg. 25.1.9
- \* No car showrooms- KBTPR Reg.19-2.2.6
- \* All shop design should be such that it does not encroach the footpath.

KBTR Reg. 9.4, KTBR Reg.21.6.2 and KBTPR Reg. 25-1.3.1

- \* No opening for gates etc on the amenity lane KBTPR Reg.21-2
- \* Space for KESC Sub-station KBTPR Reg.9-1
- \* COS as per KBTPR 2002 Regulation 25-3.1 has to be maintained
- \* No basement entrance from amenity or side lane KBTPR Reg.21-1

proper urban renewal and master planning procedures, rather than resorting to such environmentally degrading 'quick-fix solutions.

## Inviting Disaster

### The case of CNG Stations

We have been objecting for the past few years to the installation of hazardous and polluting CNG Stations in the residential areas. We feel that such CNG stations should be installed on industrial plots or commercial plots (not residential plot converted in commercial plot) or other plot especially town-planned for the purposes.

The provisional license of OGRA, clearly states "The CNG Station will not be located in the residential area.

## Some good souls of the City!

Mr Ronald de'Souza, Chairperson, Shehri-CBE, an electrical engineer of repute, voluntarily offered to charge only one rupee for the installation of lift for senior citizens and special children visiting the Quaid's Mazaar. The inauguration ceremony and the presentation of the cheque by Mr Tahir Iqbal, Federal Minister of Environment, was held recently.

"I did it for the love of the country and the founder of the country, Mr de'Souza said. The entire treasure will not be his share however. "Mr Arshad Shahid Abdulla, architect, and Mushtaq and Bilal, structural consultants, will be entitled to four anna each, because of their devotion to contribute for this noble cause to install the lift at the mausoleum that is sacred and worthy of as much consideration as expected from us, the citizens of Pakistan, who have prospered and made a decent living from it by living in the country he created," Mr de'Souza added. He has framed the coveted cheque and hung it up in his office as valuable symbol of immeasurable wealth "that no amount of money can equal," he disclosed.

It is a matter of happiness that there are still people with good heart and soul in this city of the Quaid, who carry an unbounded respect and love for him. □

## Life for special citizens at Mazar opens

A lift ramp system for handicapped people to help them have easy access to the Quaid's mausoleum was recently inaugurated.

The ramp leads to the lift at the lower podium of the Mazar enabling the special citizens to reach right upto its upper edge. The ramp has been constructed as per the international standards of 1:20 ratio. The special people can now reach the Mazar podium, which is around 91 feet above the sea level, without physical support by any other person. While the special people could enter the Mazar from any of its gates, the Bab-i-Iman on the M. A Jinnah Road Extension side which is used by VVIPs, has been dedicated to them.

The lift for special persons built in a glass enclosure, has been especially designed to have two doors, one for entry and the other for exit to facilitate straight movement of disabled person.

The proposal for the ramp was included in the original design of the mausoleum constructed in the early 1970s, through it was not built at that time. Later the provision of this facility was included in the overall plan of Bagh-e-Quaid-i-Azam which was executed in the year 2000. The ramp facility was again skipped.

Eventually, when General Musharraf visited the Mazar some time back, he ordered work on this facility, with the opening of the ramp system, the special people, who form around 10 per cent of the total population. □



## GOVERNANCE

### Good governance: the liberal agenda

*Shehri-CBE highlights the liberal agenda for governance reforms that calls for strengthening the democratic process and ending corruption in society.*

**A**uthoritarian rule, abuse of power, corruption, protectionism and centralization make for bad government. Too many countries are kept poor- and their citizens kept ignorant- by a lack of democracy, education and effective economic and social policy. The liberal agenda for good governance focuses on returning power to individuals, separation of powers, decentralization, transparency, civil and political right, free trade, social market economy, policies against poverty and ignorance and the fight against corruption.

According to Liberals, Good Governance should look to promote:

#### a. The strengthening of democracy by recognizing:

- \* The need to promote freedom of speech as the primary requisite for democracy and good governance:
- \* The need for governments to serve not just their supporters but to serve the best interests of all citizens and consider themselves responsible and accountable to those citizens.
- \* The need for strong parliaments with effective control over government and the right to set their own legislative agenda.

The need to uphold the rule of law, to guarantee access to legal and effective remedy for all, even the poorest citizens and to ensure that all - men and women, rich and poor, citizens and non-citizens, majorities and minorities - are equal before the law.

to enforce an equilibrium of powers and a strict independence of the judiciary and to consolidate



- \* The need for efficient mechanisms for democratic control and accountability over supra-national institutions.
- \* the need for complete separation of state and religion.
- \* The need for transparency in both national governments and supra-national institutions and the requirement that citizens have access to information and for accessibility and openness in communicating decisions and to make them understandable to citizens.

\* The need to ensure democratically elected government's authority over the armed forces, police and secret services.

\* The need for checks and balances that prevent abuse of power.

\* The need to enforce an equilibrium of powers and a strict independence of the judiciary and to consolidate

the role of the judiciary, legislative and executive respectively.

- \* The need for governments to accept independent and international monitoring of elections.
- \* The need to apply the principle of subsidiarity, decentralize when possible, and to give to civic society those initiatives and tasks best undertaken within that context.
- \* The need for freedom of the media, guaranteed by law and upheld by the courts.
- \* The need to create a competitive framework for the media and to promote plurality.

#### b. The protection of human rights, recognizing:

- \* The need for governments to commit themselves to the principles in the UN treaty and to other international law, including the International Criminal Court.
- \* The need to strengthen recognition and implementation of human, civil and political rights by enshrining them in the constitution around the world as a cause in itself and to enhance and promote economic and social





development.

- \* The need to ensure free education - at least on primary level - to enable as many citizens as possible to take full advantage of their equal rights.
- \* The need to uphold the rule of law, to guarantee access to legal and effective remedy for all, even the poorest citizens and to ensure that all - men and women, rich and poor, citizens and non-citizens, majorities and minorities - are equal before the law.
- \* The need to end impunity.
- \* The need to promote tolerance and fight discrimination and to protect the identity of ethnic, national, religious and linguistic minorities.
- \* The need for independent national Human Rights Institutions

according to the Paris Principles in all countries, in order to protect and promote human right.

- \* The need to protect life, liberty and property in order to guarantee freedom.

#### c. The developments of political parties and civil society:

- \* The need to guarantee free competition between political parties, fair access to the mass media and clear and fair electoral rules that are enforceable in court.
- \* The need for local and regional governments to participate in the decision-making processes of national and supranational policy preparation, legislation and evaluation.

- \* The need to recognize NGOs as valuable partners in creating democracy and promoting human rights and civil society and the need to guarantee their independence and their democratic governance while at the same time asserting the authority of democratically elected governments.

- \* The need for governments to encourage citizens to participate in politics and public life.

- \* The need to have effective political parties and electoral systems in order to strengthen parity and democracy itself.

- \* The need to emphasize the role of political parties in civic education and political debate in addition to their role as vehicles to power.

## LIBERAL FORUM PAKISTAN'S VISION

The members of the Liberal Forum Pakistan believe that the parliamentary values based on democratic political system should be strengthened. LFP stresses the need for affirmative action for the disadvantaged portion of the population particularly women, children and religious minorities. The stance that LFP has developed over political challenges confronted by Pakistan is as follows:

### Electoral Reform

- \* An independent Election Commission must be established.
- \* Existing electoral system should be reformed to ensure participation of all sections of society.

### Judiciary

- \* LFP calls for an independent judiciary which is free from interference of any kind.
- \* All parallel judicial structures like the Federal Shariat Court, Anti Terrorist, and Military Courts should be abolished.
- \* There should be fair and impartial justice for all citizens regardless of case, religion and gender.
- \* All discriminatory laws against women, children, minorities and others should be abolished.

### Governance

- \* There should be meaningful decentralization and devolution of power.

- \* Devolutions should be based on the principle of subsidiarity.

### Economy

- \* The members of the LFP advocate for a free market economy with strong mechanism to check monopolies and ensure consumer rights.
- \* The LFP calls for judicious land reforms followed by organization of the agricultural sector on the principles of a free market economy.
- \* LFP supports promotion of agricultural practices congenial to the local environment and based on sustainable practices that ensures the rights and well being future generations. □

- \* The need to make funding of political parties completely transparent.
- \* The need for political parties to strengthen and implement internal party democracy.
- \* The need for the political parties to provide equal opportunities to women and men of all ages.
- \* The need for political parties to take into account minorities.
- \* The need to create and enforce clear laws regarding the funding of political parties and especially the funding of electoral campaigns.

**d. The end of corruption in public life by recognizing:**

- \* The need for a civil service that is impartial and unprejudiced, transparent, cost-effective, output-oriented and accountable without corruption, nepotism or patronage.
- \* The need for public servants and government officials to follow the highest benchmark of ethical behavior to ensure that the principles of good government are effectively applied.
- \* The need to reduce the cost of government and negative impact of government on business and the economy.
- \* The need to encourage privatization of state enterprises when effective and expose them to competition.
- \* The need to promote competition and to end state and private monopolies.
- \* The need to break down barriers to the free flow of labor.
- \* The need to allow private initiative and investment in all areas of the economy.
- \* The need to remove bureaucratic obstacles to private initiative and human creativity.
- \* The need to end protectionism by the large trading blocks, particularly in the field of agriculture, and also the need to end protectionism between developing countries.
- \* The need to fight the trend to replace protectionism through tariffs with protectionism through social or environmental standards or complex systems of quality control.
- \* The need to combine free trade and free rules in the economy with effective public policies towards sustainable development and alleviation of poverty. □

## A Liberal Speaks...

Mr. Khatib Ahmed of Karachi writes. " The most important thing that I learnt from the IAF experience is that practicing politicians need



to be trained in their profession as politicians. Also very important is that the tax-payers/citizens of Germany spend the money for this training of their representative (politicians/managers). I found the Academy very well equipped with the technical and environmental atmosphere towards learning this important profession as rulers of the country. We should lobby to make the Pakistani state provide money for the training of politicians, as in Germany. However, until the state makes up its mind, civil society should start this training, even on a small scale. The sovereign citizens/voters of this country need training also in taking the responsibility of "ownership" seriously. It should be noted that the people of this country are technically (on paper only) sovereign for just about fifty years out of the four thousands years of recorded history of our country". □

*-Courtesy: Keeping the Flame of Freedom Burning, Ten years of IAF - Pakistani Liberals working together - FNst Pakistan*





## URBAN ENVIRONMENT

# Beautifying Karachi: Planning for Urban Cultural and Recreational Spaces

*Farhan Anwar discusses the state of the recreational development process in Karachi and outlines some strategies to rectify the past failures*

**W**e live in city of great potential. A varied physical and ecological landscape, a vibrant and educated populace and a rapidly growing services sector are a few of the many attributes that provide the city with the potential of competing proudly with any other large urban center of the world.

When we talk of Karachi's recreational potential, we find that God has been very

kind to us. Very few large cities in the world can boast of possessing such a diverse physical and ecological landscape as Karachi. Karachi is a city blessed with unique natural features and a rich architectural heritage.

However, while the recreational potential of our natural resources and built heritage as yet remains unutilized, their very existence is now in serious jeopardy due to poor planning and management.

The 100 km long coastal stretch of Karachi harbors a rich biodiversity containing ecologically sensitive mangrove forestation, inland creeks, island ecosystem and recreational beaches. The beaches of Karachi are one of the most visited green turtle

nesting sites in the world. The coastal habitat also provides refuge to one of Asia's largest migratory bird population.

The city's biodiversity is not limited to the coast. Inland, one finds fascinating ecological features such as the mineral hot springs of Manghopir, the arid ecology in Gadap, the hills in Nazimabad and the farmlands in Malir. A few hour's drive from the city centre and you find yourself in the rugged terrain of

the Kirthar National Park. Karachi also houses a diverse architectural heritage containing colonial and pre-colonial structures that depict the historical development process in the city. The natural and built environment of the city thus has a vast potential

of serving the aesthetical, spiritual and recreational needs of both the city inhabitants and national and international visitors.

However it is unfortunate that due to unplanned and unregulated development and the associated pollution threats both the natural and built environment is equally threatened. Karachi, a city of over 12 million is presently not served by a functioning Master Plan. Pollution threats are serious. Municipal and industrial

wastes are discharged untreated into the sea damaging the sensitive coastal ecology, while unplanned development and weak regulatory controls are contributing to the destruction and degradation of the architectural heritage within the city.

There are however, also many cross cutting issues that aggravate the crisis. Till now, none of the planning documents prepared for the city that includes the various Master Plans formulated over the years have identified any strategy or plan for the preservation and conservation of the natural environment and architecturally important historical sites. Lack of planning and subsequent weak regulatory controls has led to uncontrolled urban development and practices that threaten the very survival of our natural and architectural treasures.

Now coming more specifically to the topic of the day i.e. 'Ways to Beautify Karachi', it is felt that in order to beautify a city you first need to remove the ugliness that mars its landscape. Developing a park amidst a garbage dump does not effectively contribute to beautifying the city. As mentioned earlier, the city has functioned without a sanctioned and operational Master Plan for most of its lifetime. Consequently, serious violations of the existing urban land use and zoning laws has led to haphazard growth patterns - directed not by any desire for social good but purely based on greed and commercial gains.

**Till now, none of the planning documents prepared for the city that includes the various Master Plans formulated over the years have identified any strategy or plan for the preservation and conservation of the natural environment and architecturally important historical sites.**



In Karachi, land instead of being used as an instrument for social benefit has now become a financial commodity. Where once a space was earmarked for amenity plots, now stand grotesque high rise apartments or even more hideous commercial centers such as the new craze in town - the shopping malls. While one cannot deny the need for commercial activity, it cannot take place at the cost of depriving the citizens of the already insufficient open spaces of the city.

The city has grown as a result of the combined mischief of the land and other associated mafias and the corrupt government officials rather than on the basis of a planning document or political process having any public legitimacy.

The crumbling physical infrastructure - the overflowing gutters, the garbage on the streets, the contaminated drinking water supply is yet another manifestation of the serious crisis of governance that plagues this city and disfigures its landscape. We cannot plan for a city the size of Karachi in isolation. While we may focus on beautification schemes, it has to have a proper context and relevance to the wider development scenario in the city. We cannot have a beautiful city if nothing is done to eradicate the causes of its ugliness.

At another different yet crucially

important and integrated level is the issue of cultural space. In a large megapolis such as Karachi, the city dwellers are exposed to a fast paced life filled with the strains and stresses

associated with urban living.

Karachi is no exception - in fact, it is a city that enjoys more than its fair share of tensions and stresses as compared with most other large urban centers in the world.

Policy makers and urban planners all over the world accord special emphasis on promoting and sustaining social and cultural activities in large cities that provide the urban dwellers with an outlet to vent their stresses and restore their calm

and spiritual balance. Establishing theaters, art galleries, sporting centers, parks, open spaces, libraries are some of the ways of infusing a city with a spiritual and cultural pulse.

Where are such places to be found in Karachi? The Faizi Rehman Art Gallery project is just one of the many somber and living testaments of our shame and our continuing inability to provide Karachi with a life and a soul. Some public spirited citizen groups have made promising beginnings with initiatives such as the Karavan Festival and the Kara Film Festival but the process as yet has not been institutionalized. We have yet to establish a world class auditorium for staging theatre and

other performing arts activities.

It is ironic that such a state of utter apathy and neglect is being allowed to fester in a city that is by far the highest contributor to the national economy as it houses the only two commercial ports of the country in addition to being the largest hub of the national industrial sector. If the government has lost its will or its ability or both to invest in the city's future, the private sector can be asked to lend a helping hand and the government can play a facilitative role.

Many models of public-private partnerships in large urban centers of the world can be drawn upon. The transformation of the Times Square in New York from a notorious red light area to one of the most recognizable urban centre for arts and theatre in the world is only one such case in point. Innovative measures need to be taken to maximize use of the space available in the city for public usage. For example government may give incentives to the private sector to incorporate spaces for public recreational usage in their properties. Inspiration can be taken from projects such as the Rockafellor Centre in New York.

It is also important to realize that when we talk of public spaces, they imply places that can be accessed and enjoyed by the rich and poor alike. At present, in Karachi the dominant growth of recreational and cultural outlets is focused in the more elite localities of the city while not much is being done to spread the coverage of quality recreational development and make real spaces for the common man.

In order to improve the aesthetic environment in Karachi, a holistic approach to planning and development is needed that takes into





account not only the beautification schemes but the overall context in which they are being planned and developed and their relevance with the overall planning and development vision for the city. Issues like fostering some practicable working relationship and harmonization in planning, development and regulation mechanisms between the various land owning agencies in the city, rehabilitating the decaying physical infrastructure, an efficient public mass transit system, strengthening our institutions of governance, maintaining law and order need to go hand in hand with the goal of beautifying the city.

**Build wide public consensus on the 'Vision for Karachi' and the major development projects for Karachi City by bringing all the relevant stakeholders on board. Involve the citizen groups, academic institutions, the media, the industry, the intellectuals in a meaningful way to insure public legitimacy for action and sustainability of the actions taken**

Until and unless this critical realization is made, no long lasting and sustainable solutions can be found. Following are being proposed some general and specific measures to address the issue of 'Beautification of Karachi City'.

- \* Develop a planning 'Vision for Karachi' - what we want Karachi to look like say after 25 years and prepare the appropriate plans and projects for translating the vision into a reality
- \* Build wide public consensus on the 'Vision for Karachi' and the major development projects for Karachi City by bringing all the relevant stakeholders on board. Involve the citizen groups, academic institutions, the media, the industry, the intellectuals in a

meaningful way to insure public legitimacy for action and sustainability of the actions taken

- \* More specifically for improving the aesthetic environment in Karachi City what is critically important is first and foremost protect at all costs the remaining open spaces in the city from being encroached upon or being converted to other land uses. Five separate areas for action are being identified for the recreational development for the city for which priorities of action need to be identified:

**\* Coastal Recreational Development (In**

this regard, the Karachi Coastal Recreational Development Plan 1990-2000 developed by KDA with UN support offers an excellent planning document for implementation)

- \* Development of open spaces, green belts and high standard amusement and theme parks
- \* Development of a 'Cultural District' in the city for the promotion of theatre, arts & crafts, libraries, museums etc.
- \* Protection of the architectural heritage of the city and its conversion into uses compatible with its safe preservation and public usage for recreation - A case in point the Mohatta Palace Project
- \* Development of international standard sporting facilities

- \* Initiating an 'Urban Renewal & Rehabilitation Plan' for the run down and dilapidated neighborhoods in Karachi based on extensive stakeholder participation

One sector of the society that needs to be accorded a VVIP status in any new 'Vision for Karachi' or a plan for its beautification are the children and youth. It does not require any rocket scientist to realize that our children are our future. Any nation that fails to realize this fact and does not plan accordingly is committing an act of suicide. Let us not forget this fact of life.

In the end, the organization that I would like to identify as the focal point for coordinating a drive to develop, nurture and bring to fruition a vision for Karachi, of which beautification of the city would be an integral part is the City District Government Karachi. In any civilized society where a political process and a functioning democracy exists, the people of a town or a city look towards their elected local representatives for solving their local concerns and not wait for special development packages coming from the central governments. People relate best to their town and city councils and such forums provide the most desirable platform for discussing and seeking solutions for local problems.

Karachi should be no exception. It is high time that the City District Government of Karachi took the lead and plan for Karachi with an eye on the coming generations. □

**- Farhan Anwar  
is an Urban Planner and  
Editor, Shehri Newsletter**





## CITIZEN ACTIVISM

# Public interest litigation: the Pakistani context

*Public interest cases are gaining much recognition as one avenue for addressing the wrongs committed on the citizens of the state. Roland de'Souza highlights the Pakistani context in the backdrop of the work of Shehri-CBE*

Over the past sixty years, all citizens of Pakistan have contributed, actively or passively, to the state of affairs in which we find ourselves today. Our short history is replete with examples of courage, greed, sacrifice, and insincerity. Each of us is acutely aware of the quality of governance, the extent of hypocrisy, the nature of the 'sense of ownership', and the level of 'love of country' prevalent in our society.

The situation obtaining today can be likened in many ways to that of Britain in the early days of the Second World War conflict: low morale, uncertainty, despondency, and confusion. Addressing a meeting on taking over, Winston Churchill asked the Lord Chief Justice: "Are the courts functioning?"

On being told that everything was in order, he observed that therefore there was nothing to worry about and that the future of the country seemed bright.

Can we say the same? At this hour, the courts seem to be our final frontier. The proper functioning of our justice system and the independence of our judiciary must act as a bulwark against mushrooming anarchy in our country. We need a few men of courage and foresight to address the seemingly insurmountable problems

of Pakistan, and establish 'rule of law' as a basis for progress.

### Public Interest Litigation

The great majority of cases in our courts deal with private interest; each party to the dispute vigorously defends its own interest. Unfortunately, the public interest is not so fortunate, and becomes the subject of an elaborate 'noora-kushti' between the mafia trying to wrest illegitimate gain from a particular matter, and the government agency/ department with the statutory mandate to protect that particular matter. In many instances, particularly, but not solely, in the lower courts, the judge also becomes an interested party in this 'noora-kushti'.

A number of citizens' groups have, over recent years, entered these frays and tried to assist the courts at arriving at the truth so that the constitutional rights of all are protected. Shehri: Citizens for a Better Environment is one such advocacy group that has used public interest litigation (PIL) as a very useful and fairly effective tool in the continuing campaign being waged by concerned residents of Karachi to conserve the urban built environment and preserve the fundamental rights of all citizens to a decent life.

### Problems of the built environment

The 'right to life' for citizens is being increasingly interpreted by the superior courts as 'right to a clean, healthy and unpolluted environment'. People who live in urban areas have an entitlement to a person-friendly built environment, to open spaces for recreation and fresh air, to playgrounds for children, to schools, hospitals and social amenities, to libraries and theatres, to proper transport systems, to freedom from air and noise pollution, to adequate utilities, and the like. This is ensured by appropriate utilization of land on the basis of town-planning principles. In PIL, the citizens have tried to convert 'right to environment' into a realistic enforcement of laws that make a clean and healthy environment a practical reality.

Unfortunately, owing to population pressures and mushrooming urban-rural migration, land in Karachi is being increasingly abused by violation of urban planning principles, including unlawful allotment of unplanned land, arbitrary conversion of land-use, and construction of illegal buildings. The applicable town-planning and building laws are ignored, misinterpreted or violated for personal gain. This has resulted in severe deterioration of the built environment of the city.

Construction of illegal buildings compounds environmental degradation by being a life hazard. Earthquakes do not kill --- falling buildings do! Over the past five years, seismic tremors have killed 18,000 persons in 1999 in Izmit (Turkey), 20,000 in 2001 in Gujarat (India), 30,000+ in Bam (Iran), and over 70,000 in northern Pakistan, in addition to rendering hun-





dreds of thousands homeless. Karachi lies in a belt of upper-moderate seismic activity, and earthquake-resistant building codes are being ignored with impunity.

The citizens have filed hundreds (if not thousands) of cases in order to try and help the judges of our high court realize the potential devastation for which they could be held (at least indirectly) responsible. This is because hundreds of unauthorized buildings were being erected in Karachi 'under the cover' of misused court orders. In 1999 SCMR 243, the Supreme Court warned all concerned: "It may further be observed that some builders raise unauthorized constructions after obtaining status quo orders from the courts".

### Citizens' experiences with PIL

The citizens of Karachi would not have been able to make the headway they have (no matter how small) if the judges of our superior courts had not become active in comprehending the issues and boldly making the right decisions to tackle the problems.

Over the past decade, Shehri: CBE and its members/supporters have instituted numerous cases in the superior courts challenging various types of environmental ruin occasioned by violation of town-planning principles. We chose some of the bigger defaulters and more outstanding examples of environmental degradation so that a 'trickle-down effect' would emerge for other, related issues.

Some examples of built-environment PIL can be broadly classified as follows:

#### Misuse of parks, playgrounds & amenity plots

- o 'Gutter Baghicha' in Trans-Lyari, Karachi
- o KTC bus-depot amenity plots (11 Nos) in Karachi
- o SRTC bus-depot amenity plots (16 Nos) in Sindh

- o 'Costa Livina' in Bagh-e-Ibn-Qasim, Karachi
- o Kirthar National Park, Sindh
- o 'Karachi Playhouse' at Teen Talwar, Karachi
- o 'Doongi Ground' park in Gulberg, Lahore
- Arbitrary conversion of land-use**
- o KPT Officers Society land reclamation (130 acres) at Mai Kolachi, Karachi
- o Arbitrary 'commercialization' of major roads in Karachi
- o Hazardous/explosive goldsmith workshops in Saddar, Karachi
- o Contraventions of KDA's Hawksbay Scheme, Karachi
- o Privatization/'commercialization' of beaches at DHA, Karachi
- o Fauji Foundation power plant on Korangi beachfront, Karachi

### Illegal construction of buildings

- o 'Glass Towers' in Clifton, Karachi
- o 15 buildings around the Quaid's Mazar, Karachi
- o 35 buildings around the Quaid's Mazar, Karachi
- o 26 buildings along Shahrah-e-Faisal, Karachi

These cases must be dealt with on an inquisitorial basis rather than a conventional adversarial basis. In such questions of public interest, the government officials and the advocates themselves become parties to the issue, and it is their bounden duty to assist the court in arriving at the truth. Also, in such cases, the judges should feel as parties (as in cases of minors, where it is the duty of the court to look after their interests). Such litigation can never be considered as one of adversarial confrontation with the state. The judges must go far beyond deciding which party has the better lawyer!

In one notable instance in 1998, the Chief Justice of the Sindh High Court converted into a writ petition a letter complaining about 35 unauthorized structures in the vicinity of the Quaid-e-Azam's Mazar. This eventually had the effect of bringing to a virtual halt

the mushrooming illegal construction in the area, and indirectly led to the promulgation by the government of the infamous 'regularization ordinance' of 2002 (a piece of legislation that has the effect of robbing Peter, the residents of the affected areas, to pay Paul, the so-called innocent purchaser, while the robber, the illegal builder, goes scot-free).

Recently, exploitation of the public beaches for private gain is being opposed by the citizens. Using the centuries-old common law 'public trust doctrine' which provides unfettered access to the air, running water, and the sea/sea-shore for all citizens, the establishment of power plants, commercial plazas, grand hotels and private sections on the beachfronts is being challenged.

Shehri: CBE has come of age. The superior court judges by and large accept that we are acting bona fide and have sufficient interest to move the courts for redressing public injury, enforcing public duty, protecting social and collective rights and interests, and vindicating public interest. We have stressed that class-action/PIL cases instituted on built environment issues relate more to diffuse interests than to specific injury to individuals.

Shehri: CBE's PIL is carried out in collaboration with other NGOs, concerned citizens, social and civic activists, and residents of the distressed areas. PIL has become a tool to mould and boost the awareness of people.

This collaborative PIL process has the salutary effect of helping the courts realize that a wide spectrum of people from diverse backgrounds are being adversely affected, while simultaneously creating public awareness, educating citizens on environmental issues, and making them conscious that 'something can actually be done!' While allegations of bias, personal ill will or intent to blackmail have been advanced against environmentalists, NGOs and civic activists, the judges



are extremely discerning. The principle of locus standi in environmental issues has been liberalized the world over, and the courts of Pakistan have followed suit. They have recognized that there are 'interests without groups' and that such interests can be legitimately promoted by an individual in his own right as a member of the citizenry to whom a public duty is owed.

Shehri: CBE acts as a pressure group on government in the formulation of policies. It takes up environmental litigation at different levels and thus conscientizes development institutions. It promotes public participation in drafting schemes, programmes, and regulations.

### The way forward

The judges of the courts are men and women who live in the environment of Karachi, are daily witnesses to the loot and pillage, are acutely aware of the problems of society, and are affected observes of the continuing deterioration of the cityscape.

A few suggestions for the judiciary that would facilitate the public interest, advance the 'rule of law', and curb malpractices/corruption in questions relating to the built environment include:

- \* Be proactive in reducing widespread abuse of ad-interim orders
- \* Handle public-interest cases on an inquisitorial, rather than adversarial, basis
- \* Ensure that government officials who have colluded in the degradation of the built environment, or who do not implement court orders, are proceeded against promptly
- \* Recognize that delay in disposal of cases works against the public

interest

- ¢ Educate oneself on built and other environment issues/laws adversely affecting the 'right to life'
- ¢ Promote special 'green benches' to expeditiously deal with such cases

Much damage to this built environment is carried out 'under the umbrella' of misused court orders, obtained in frivolous and vexatious litigation filed by the government officials-mafia nexus: unlawful allotment of land and amenity spaces, encroachments on public roads and footpaths, illegal construction, occupation of open spaces, etc. Thus, in addition to being judicially active, it is the responsibility of the courts to ensure that their orders (especially ad-interim orders) are not exploited and abused by corrupt elements.

**The citizens are discouraged to find that often, the concerned government officials ignore lawful orders of the courts; most of these are individuals who colluded with the built environment violators in the first place.**

Constitution.

The citizens are discouraged to find that often, the concerned government officials ignore lawful orders of the courts; most of these are individuals who colluded with the built environment violators in the first place. Unless such persons are punished, others come to believe that although they may be caught, nothing will actually be done to them. This must change.

They are also discouraged by the virtual non-performance of the

Environmental Protection Agency, a statutory agency established under the EP Act 1997, and the non-establishment of environmental tribunals.

### In conclusion

The journey has been a long one for Shehri: CBE --- and we've just started! Our experiences have been coloured with apathy from the public, active opposition from various mafias corrupt government officials and sleazy politicians (our founder chairperson was shot in 1997, and other members have been attacked on various occasions), severe lack of financial and human resources, interminable delays in court proceedings and frivolous use of 'contempt of court' procedures to defeat justice, and other like frustrations. The non-functioning of environmental tribunals or environmental magistrates under the Pakistan Environmental Protection Act 1997 has been a great setback to the cause of promotion of the environment in Sindh. On the other hand, we have established a group of dedicated and courageous volunteers, created relationships with persons and groups of good will, and achieved small measures of success in our campaign to protect the built environment. Residents of other cities are inviting us to share our experiences.

We have found that PIL tends to transform the apathetic, selfish, and ignorant citizen from the frog that is cooked to death in a pan of water that is slowly heated to boiling, to the frog who immediately jumps out of the hot water because he realizes it is hazardous to his life.

Quoting again from the wartime statesman, Churchill: "The price of greatness is responsibility." Now is the hour for great concerned citizens and great judges of Pakistan to pay the price. □

- Roland de'Souza  
is an Electrical Engineer and  
Chairperson Shehri-CBE





## URBAN CRISIS

### The KPT underpass: a shortcut to disaster

*The recent heavy rains in Karachi were followed by highly troubling incidents that indicated the crisis of urban infrastructure planning and development. None more horrifying was the chaos witnessed in the recently inaugurated Clifton underpass. Clifton and Defence Traders Welfare Association (CDTWA) trace the process of planning of the underpass and bring to fore the triggers that set the crisis rolling.*

The KPT underpass was to be built under the Tameer-e-Karachi Program, according to the directives issued by the President. Nespak was to design it after a proper traffic study & getting the feedback from all the affected parties/stake holders. CDGK & CCB were supposed to have approved the final design because the Schon Circle lies on the boundary line of these two organization's jurisdiction. KPT was asked to pay for it because: a) half the traffic on this crossing is KPT related b) all the money KPT has in its coffers has been made at the expense of Karachi City. FWO was selected as the contractor.

Nespak designed it after conducting a traffic study but did not consult the stakeholders & the concerned citizens. CDGK & CCB were never really asked for their approval. The shopkeepers & the residents of the area were given a cosmetic hearing after a lot of hue and cry in the media but their genuine observations and concerns were never addressed and they were just paid lip service.

Although there are many problems, flaws and concerns regarding the Schon Circle Crossing (KPT underpass) some of the more important one are listed below and it is requested that the concerned authorities/courts should look into it in depth and order the rectification/improvements to be made in order to facilitate the general public/citizens and to justify the huge costs incurred on the project.

1. Drainage system was designed

improperly/inadequately and the implementation of the same was even worse. It can even now be redesigned and enhanced to meet the requirements properly. Further and continual disposal of the sewage and rain/storm water should be provided for by connecting it all the way to a Sewerage Treatment Plant. The treated water can then be used to make the whole area green.

2. No provision for a right turn coming from any direction has been provided which is in total conflict with the traffic study. A very short signalized right turn would be create the traffic jams on the next crossing (submarine chowk) and slow the traffic down enough to prevent any serious accidents. It would also save the public from a lot of hassle as they have to make a left first and then a u-turn to affect a right turn. You can imagine hundreds of cars trying to make a u-turn (both on khayaban-e-roomi and khayaban-e-jami) on signal free/fast traffic roads creates a lot of traffic hazards (accidents, jams etc.). No thought has been given to better the flow of traffic at the follow-up crossings (Teen Talwar/Gulf Crossing, Do Talwar/Jesus and Mary Crossing and the Submarine Chowk) resulting in more traffic jams and frustrations for the citizens.

3. Fast traffic coming out after going through the underpass has to merge with another fast lane coming from the Schon Circle on both

the sides (near the Caltex Pump and near the Nehar Khayam) but due to the construction of a solid wall (instead of a iron/steel grill) both the drivers are totally blind to each other just before the merger/hence creating the possibility of high speed collisions.

4. Strange looking structures are being created on the corner islands without anybody knowing anything about them. A really obscene looking structure has been raised on the Delawalla corner and a really obnoxious and dangerous erection (supposedly another fountain) has been made on the Agha's corner. Not only are they very ugly but also a distraction for the motorists.

5. The cuts provided for the traffic to go from the main road to the service roads on all four corners are not in alignment with the side streets emerging from behind the corner blocks (near Dunkin Donuts, BMW Showroom, Paradise Store and Motta's Supermarket). This is obstructing traffic resulting in more traffic jams.

6. The new islands/medians created inside the four parking lots in front of Delawalla, Agha's Clifton Centre and Paradise have been given too much space thus reducing parking spaces and making the exists/entrances into these parking lots very very narrow resulting in more jams.



7. The roads at the beginning and ending of the underpass on both the sides have not been properly integrated which is another hazard and obstruction.
8. No provision has been made for public bus stops, taxi stands and pedestrian crossings which is a big

inconvenience for the citizens.

FWO was supposed to have completed the whole exercise in 4 months (120 days). It has already been 13 months (almost 400 days) & there is no end in sight. Most of the problems were pointed out to them by the CDTWA at the design stage through

the press but no heed was paid to it by anybody.

Another suggestion would be that once it is completed with the rectification / changes, one organization should be made responsible for its operation and maintenance. □

## Citizen's Hall of Shame!

**W**e the citizens of Karachi have suffered immense misery, damage to health and property and disruption of our daily lives because of gross wastefulness and criminal negligence on the part of Karachi Port trust - a public sector organization of the Government of Pakistan.

KPT built a water fountain at a cost of Rs. 225 million. The water fountain essentially a show-piece is an insult to the residents of a city whose large majority has no drinking water, no electricity, no medical care and no ambulance service. This fountain, suitably described as a 'monument to misery' having served the purpose of fooling the public now stands silent and inoperative in the middle



of the sa.

KPT took over one year to build an underpass at Clifton at a cost of Rs.180 million. The underpass is so poorly designed that within hours of the first rain in Karachi, it was completely flooded and converted into a canal. This resulted in suspension of all traffic, complete disruption of the daily lives and damage to health and property of citizens. The underpass would now require many more months and many more millions for repair and are build.

We the citizens demand accountability of those who built and approved these projects. We want accountability on why precious state resources were misspent on irrelevant project like the Rs.225 million water fountain and the ill designed Rs.180 million Clifton underpass. □

- Courtesy:  
*The Citizen - Newsletter  
of the Helpline Trust*



\* Hon'ble President of Pakistan - Fax No. 051-9207656  
\* Hon'ble President of Pakistan - Fax No. 051-  
\* Hon'ble Chief Justice of Pakistan - Fax No. 051-9213452  
\* Hon'ble Chief Justice Hight Court of Sindh - Fax No. 9203221

The citizens demand accountability of those who built and approved these projects. We want accountability on why precious state resources were/are misspent on irrelevant projects like the Rs. 225 million water fountain and the Rs. 180 million on Clifton underpass, closure of Nehr-e-Khiyam and underpasses under construction in other parts of the city.

[illegible]



### **Other plans for Metropole hotel under discussion**

Star August 2, 2006

The Sindh government is planning to declare the site of Metropole Hotel as an open space with a beautiful fountain, park and a seating arrangement for visitors.

Sindh Chief Secretary, Fazal Rehman, has summoned a meeting this morning to seek a proposal that would declare the area as an open space on the pattern of the Millennium Dome where citizens can go and enjoy their recreation time.

### **Demolition of KPT underpass demanded**

The Nation August 19, 2006

The dwellers residing in the areas of Bath Island, Clifton and surrounded localities at Teen Talwar (Three Swords), Schon Circle, Mai Kolachi and others demanded to demolish the KPT Underpass which caused the flooding situation in the area leaving no civic agency able to wash out the water in the last 24 hours.

### **IUCN launches environmental fiscal reforms project**

Daily Times July 5, 2006

The World Conservation Union (IUCN), Pakistan has launched a three year project on Environmental Fiscal Reforms (EFR) funded by the Swiss Agency for Development and Cooperation (SDC).





## NEIGHBOURHOOD WATCH

*SHEHRI invites the residents of the city to share with us, their concerns, on issues which are adversely affecting their neighbourhood's environment. Please write to us, preferably with a supporting photograph, so that efforts are made and solutions sought - Ed.*

# Demolition / Construction

on Plot # 627-1/C, C.A. Area, Block 2, P.E.C.H.S., Karachi

**T**his refers to the demolition of buildings at the subject mentioned plots adjacent to our residential cum commercial building at Plot # 626-1/C.

The said buildings were demolished in a very non-technical manner resulting in multiple cracks in our building and further more posing dangers to our electrical distribution system especially in the on-going rainy season.

These complaints were immediately brought to the knowledge of the owner of these plots but besides several verbal reminders all went in vain.

We have also learnt that a new construction on these plots will have a provision of basements. This situation has further added to our concerns about the construction to be done on these plots and we are going through a process of continuous mental torture.

Keeping in view the situation described above we are very much anxious about the safety of our own building in which we are living.

So, the relevant authorities are kindly requested to take necessary actions.

Mrs. Nasim Usman Nagi  
Ex-Director of Physical Education & Sports  
Govt. Sir Syed Girls College,  
Karachi.

## DISPLACEMENT

### Sheltered yet insecure

*For most women residing in the makeshift camps, life came to a standstill after the earthquake, reports Adnan Adil.*

In the vast 900-tent settlement of Pind Sahab Dadan near Abbottabad was injured Rehana. "My brother came to take me for treatment in a hospital in Lahore," she said. "After some time he brought me back to the tent village and left."

Rehana's four-month-old son died under rubble when the earthquake hit her village in Mansehra district on October 8. Soon after, she and her two daughters - seven-year-old Naila and three-year-old Shimaila - were abandoned by the girls' father.

Like Rehana, most women survivors of the 8/10 earthquake have braved severe circumstances. In tent settlements of Kashmir and Hazara regions for instance, women experienced numerous difficulties due to lack of privacy and inadequate sanitation facilities. Of the nearly 60 camps in Muzaffarabad, only a few were well-managed with guards at the main gates.

At the Jinnah Dental camp, women reported that the tents seemed like



busy streets, where men wandered around unchecked and unmonitored. Women complained of men peeping into their tents unnecessarily.

Mukhtar Javed, a programme coordinator at Sungi, a non-government organisation, working for the relief and rehabilitation of 20,000 families in Hazara region, said that the officials on duty searched the tents with spotlights at night which made the survivors uncomfortable. "The officials perhaps did so for security reasons but they offended women who observe strict purdah (veil)."

Women residing in tents particularly feared going to washrooms at night many of which had neither doors nor lights. In some camps men and women were expected to share common washrooms. Also women's special sanitary concerns added to the problem: Because of the constant knocking of the bathroom door by those waiting for their turn to use the facility, the sanitary and other private needs of women remained unmet.

Lack of general hygiene led to various infections among survivors living in camps. Scabies was reported in many camps among women and children who had not washed for days due to unavailability of water. Mushtaq Ahmed, the administrator of KBDO, a non-government hospital in Mansehra, says his hospital distributed thousands of bottles of lotion treating skin diseases.

Bushra Jaffer, a volunteer working in 18 villages of Chinar Kot valley near Battal in Mansehra district said that local norms do not allow an open mention of these problems.







Frances Walton, a volunteer nurse from Melbourne working in the KBDA, feels that women were extremely shy and did not approach her directly. Dr. Shaheen, another volunteer from Karachi working in the hospital, said she had to visit the camps personally to persuade women to visit the hospital for their treatment and check-ups, especially pregnant women.

Food distribution in most camps was usually carried out from the kitchen. Rukhsana of Plnd Sahab Dadan, said young men used this occasion to take undue advantage. "Men and boys persuaded women to seek their help in getting food by bypassing long lines of dozens of people. They in exchange demanded sexual favours," she revealed.

Social workers in Mansehra and Abbottabad said several incidents of sexual harassment and molestation of displaced women residing in tents were swept under the carpet to save family honour. They maintain that families of molested girls did not report the incidents and simply left the tents.

In the tribal setup of the quake-hit region, privacy and purdah can never be compromised, which prevented many people living in high attitudes from climbing down to tent villages run by the army or some private organisations. Zafar Iqbal, a resident of Naugram village near Battal in Mansehra district, said they could not leave their villages for two reasons. "One we could not leave behind our main



asset, our cattle. Two, we could not take our families to tents and live amid unfamiliar people."

Women of affected families that opted not to come down to tents confronted severe problems. For them more than a lack of privacy, the inadequacy of facilities was the main concern.

A social worker, Shehla Satar, said she visited a village Bhamara in the union council Ghanor near Balakot where there was not even a single washroom for 127 households, and the water supply system carrying water from the natural springs through pipes had broken down.

Saima Alvi, a social activist working with the quake survivors in Abbotabad district, said in many affected villages water springs, the main source of clean water, have dried up or changed their water course, making living harder for women who need water not just for their own needs but for cooking as well.

Young girls and women revealed that they suffered psychological trauma after the quake. I met girls who were missing their friends with whom they once played in their courtyards... I met parents perturbed to see their children queuing up for meals.

I noticed strained husband wife relations due to the loss of work and property. "This very state of insecurity and distress compelled parents to marry off their daughters as soon as possible," observed Shehla Sattar, a social activist working for the relief and rehabilitation of 500 households in Balakot.

The colossal loss of lives and destruction caused by the earthquake may have overshadowed women's predicaments but many women social activists believe these have left scars on their psyche and personality. Iram, a young woman, and a daughter of a retired bank official in Muzaffarabad, feels that "life has come to a standstill". Her feeling perhaps sums up the situation of women in the quake-hit region the best. □

*- Courtesy: Rising from the rubble, Special Bulletin on the 2005 earthquake in Pakistan - Shirkat Gah*



## ASK SHEHRI

*Most residents when faced with any civic problem do not know which person or organization to contact in order to solve their problem. In this column we invite the readers to share their worries with us and seek our help, which is always forthcoming - Ed.*

Q. Has the KW&SB taken any initiative to plan long term for the water and sanitation sector in Karachi?

**Khalid Saleem, Baldia, Karachi**

A. KW&SB has recently requested the Government of Japan to conduct a development study to formulate a phased development plan of the water supply and sewerage system for the Karachi City up-to the year 2025.

Q. How much effluent is discharged by the S.I.T.E industrial area?

**Qasim Ali, North Karachi, Karachi**

A. S.I.T.E covers an area of about 1600 hectares, houses 2500 industrial units and discharges 69 MGD effluent.

Q. How many creek systems are there in the Indus Delta

**Saira Irshad, P.E.C.H.S., Karachi**

A. The Indus Delta consists of a network of 17 major and several minor creeks and mangrove islands in the three districts of Sindh, namely Karachi, Thatta and Badin.

## Shehri needs volunteers

to work in the  
following areas

**Legal  
Media & Outreach  
Anti-Pollution  
Parks & Recreation  
Gun Free Society  
Conservation & Heritage  
Fund Raiser**



## JOIN SHEHRI

To Create a Better Environment

If you wish to join  
shehri please send  
this card to

**SHEHRI** Citizens for a Better  
Environment.  
206-G, Block 2, P.E.C.H.S.,  
Karachi-75400, Pakistan.  
Tel / Fax : 453-0646

With a cross cheque of Rs. 1000/- (Annual Membership Fee)  
In the name of Shehri-CBE with passport size photograph

Name : \_\_\_\_\_

Tel. (Off) : \_\_\_\_\_ Tel. (Res) : \_\_\_\_\_

Address : \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Occupation \_\_\_\_\_

## SHEHRI MEMBERSHIP

Don't forget to renew your  
membership for 2006! (Rs. 1000)  
Join Shehri and do your bit as a  
good citizen to make this city a  
clean, healthy and environmentally  
friendly place to live in!



## URBAN POLLUTION

### Dead fish have tales to tell...

**I**n an unprecedented incidence around 100 tons of fish load ranging from 5 cm to 15 cm has reached DHA Sea View Beach causing environmental pollution in the area sometime ago.

In the area between Village and Kinara Restaurant on Sea View a trash load of dead fishes got sprawled on the beach. As soon as the trash of dead fishes reached the shore, the local fishermen and trucks from Dept of Fisheries started collecting them. It may be mentioned that the aquatic resources are the property of Dept of Fisheries and it is their responsibility to ensure their safe disposal and collection.

Environmental Dept. DHA has sent samples of dead fishes for toxic investigation by the National Institute of Oceanography. The result of the report is still awaited. Ms Ghazala Aftab, Environmental Engineer DHA in a statement warned that the dead fish are unfit for human consumption and poses great danger to human health. She asked the public to be careful and not to consume them.

Meanwhile the entire area of the



beach has been cleared as the Deptt of Fisheries has removed the trash from the site. Maheen A. Rashidi wrote in DAWN "Hundreds of small dead fish lay strewn across the shoreline at the Sea View beach last week. Observing the scene one onlooker commented: It is as if a sick sea has vomited its contents".

NIO director general Dr. M. M. Rabbani confirmed that the fish found on the beach died because of the "choking of gills and breathing problems that had occurred due to oil concentration in the sediment and water along the coast". The cause could be the phenomenon called 'red tide' - common near all beaches. The fish

usually die due to a sudden lack of oxygen in the water which is consumed by mass reproduction of plankton. Despite a number of agencies and government departments functioning to protect the environment, no concrete steps have been worked to truly monitor marine pollution. In the few decades, hyper saline conditions and environmental degradation have considerably reduced the potential of marine growth.

Tough recorded data on the fish fauna in the area is limited, as no fish stock assessment surveys have been carried out, it is estimated that our waters still have a high number of species and faunal abundance. Ironically, none of the departments concerned like the Karachi Port Trust, the Sindh Environments Protection Agency, the Institute of Oceanography, the KMC or the city government can be seen losing sleep over the issue.

The oyster beds have gone. It is essential to treat industrial waste through two stages before discharging it into the water. Since the KMC has no treatment plant, the refuse is discharged with its full toxic content. □



- Courtesy:  
DHA NEWS, Spring 2006



## URBAN VOICES

### Citizens demand accountability

Citizens' groups conducted a public protest, complete with banners and slogans, at the Schon Circle underpass against the wastage of public money on badly planned and executed civic projects.

Amber Alibhai of Shehri asked "why is the KPT undertaking city improvement? These kinds of jobs must be done by the city government, who must coordinate all the related facilities and factors. There must be one responsible agency. KPT should have handed the money over to CDGK if they felt an obligation to the city".

Hamid Maker of the Helpline Trust was livid: "Don't the civic agencies realize that the storm drainage problem in Karachi is mounting every year with mushrooming population and increasing encroachments on nallahs and water ways?" He stated that unless there was a comprehensive master plan for the storm drainage of the entire city, including the areas that were to be urbanised in future, the construction of under-passes was unviable.

"All the rain-water during heavy downpours will not be able to find its way quickly to the sea, and will collect at the lowest points in various areas and neighborhoods. These low points include underpasses, basements of buildings, and dips in roads, water will accumulate and stagnate there and destroy foundations and roadtops." □



### Minister Babar Ghauri has word with protestors

The Minister for Port and Shipping, Mr. Babar Ghauri had this to say:

- \* "Our government knows how to tackle the issues and problems".
- \* Protestors should protest over encroachments of sewage and storm water drains. Where four persons lived in the past now there are five hundred flats and probably the overcrowding contributes to such incidents



- \* Over 150 million gallons of water accumulated on roads towards the underpass. 100 million gallons gushed into the underpass on Monday night. The water came from Bath Island and the situation worsened when a sewage line from Shahra-e-Faisal to Neher-e-Khayyam collapsed. KPT and FWO staff jointly drained the water in 36 hours. No nullah in the area under the control of the Clifton Cantonment Board was working
- \* Brigadier Falak Sher of the FWO said that about 3 million gallons of water gushed into the underpass whereas the installed pumps have a capacity of pumping out 30,000 gallons per hour. A 15 inch-diameter pipe system was designed for the underpass
- \* People had been using the KPT underpass since it was built but it was only closed for three days □