

NEWSCLIPPINGS

JULY TO DECEMBER 2020

ENCROACHMENT & EVICTION



Urban Resource Centre

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'Anti-encroachment operation to continue'

Mayor Wasim Akhtar on Friday said that anti-encroachment operation in the city would continue and all illegally raised houses and shops would be removed.

He asked the people who have established either shops or houses on government land to avoid doing so or else they would themselves be responsible for the loss. "Encroachment would not be tolerated at Empress Market or other markets of the city to ensure smooth flow of traffic and provide relief to the people," the mayor said while directing officers of anti-encroachment department.

Meanwhile, the Karachi Metropolitan Corporation's anti-encroachment department carried out operation at Empress Market, Preedy Street and Daudpota Road to remove illegal pushcarts, stalls and cabins. All that material was seized.

In another operation in district Central, illegal food stalls established on footpath and cabins were removed from 9000 Road to Saba Chowrangi in New Karachi Industrial Area. Relevant officials led both these operations while police personnel were also present to maintain law and order.

The officials warned the shopkeepers — who installed their advertisement boards on footpath — to remove the same themselves as the pedestrians are facing hardships owing to these. "The shopkeepers should voluntarily remove the boards or else the KMC would not be responsible for their loss as its anti-encroachment department would remove the same," they added.

The mayor directed that the operation should continue till eradication of "encroachment mafia".
(By Newspaper's Staff Reporter Dawn, 13, 11/07/2020)

Bheel villagers march 12km on foot to protest demolition of homes

Hundreds of members of Bheel community including women and children staged 12-kilometre march on foot from Malanhor Khanji and held a demonstration at Fanghario bus stop for several hours to protest against demolition of their homes by revenue officials in collusion with influential persons of the area.



Bheel Intellectual Forum's Soro Bheel, Advocate Lajpat Surani and others who led the protest told media persons that revenue officials at the behest of influential persons had demolished houses of their community in the village a few weeks back.

They said that when they protested against it BIF leaders and villagers were implicated in "fake" cases by revenue officials. Under a conspiracy ancient residents of the region were being targeted and subjected to inhuman violence and torture in Thar and other

areas, they said.

They asked rulers to stop victimising Bheels and other marginalised communities and immediately take measures to resettle those displaced from the village. During the operation against the poor villagers' houses hundreds of trees were also cut down by revenue officials and goons of influential persons, they said.

They said that they protested peacefully for over 20 days after the incident demanding probe into the operation but nobody bothered to meet them at their hunger strikers' camp in Mithi.

They said the houses were razed on the recommendation of local revenue officials after property documents of the land were forged by some people, who were posted in deputy commissioner's office in Mithi.

They lashed out at Thar lawmakers and leaders of Pakistan Peoples Party for their criminal silence over the incident.

The BIF leaders and activists of other political parties who participated in the protest demanded action against the revenue and police officials who deprived poor Bheel villagers of their homes.

The protesters said that they ended their demonstration after DSP Haroon Rasheed Sarai assured the leaders that FIRs registered against them would be withdrawn and instead cases would be registered against those who had chopped down trees while the issue of houses would be taken up with high-ups of revenue department for remedial measures.

Many protesters fainted during the demonstration due to extreme hot weather.
(By A Correspondent Dawn, 15, 14/07/2020)

Nullah encroachers to be named and shamed: CM

Businessmen and builders who have constructed houses, apartment buildings, fuel stations and other such structures by encroaching on stormwater drains will soon be publicly named and shamed, warned Sindh Chief Minister Syed Murad Ali Shah. Talking to the media after visiting various districts of the city to review rain-related measures, the CM said that he had directed the local government department to prepare a list of those responsible for such encroachments, vowing to make their names public.

“Because of their illegal constructions, the city’s entire water disposal system choked and flooded areas. They must be exposed for their enmity with Karachi,” he stated, adding that he had ordered the removal of such structures.

Nearing completion

Meanwhile, as the latest monsoon spell continues to lash the metropolis, the cleaning of drains continues in the city, with the Frontier Works Organisation (FWO) reportedly having completed 95 per cent of its task of cleaning three major stormwater drains and lifting over 30,000 tonnes of sludge in the past four days.

According to a National Disaster Management Authority (NDMA) spokesperson, the FWO had cleared 95 per cent of Gujjar nullah, 100 per cent of Korangi nullah and 90 per cent of Mowach Goth nullah by removing solid waste and plastic accumulated at choking points.

The spokesperson added that the FWO had cleared 40 blocked points out of a total of 42 hindering the flow of water in the three drains, further stating that the dredging and desilting process was scheduled to be completed by Friday evening.

The CM, meanwhile, appreciated the NDMA’s efforts and expressed the hope that similar support from the federal government would continue in the completion of development projects. “It is the responsibility of the federal government to extend a helping hand to the provinces when needed.”

He stated that he had found Sharae Faisal clear of rainwater on Friday morning despite continued rainfall through the night, adding that he was satisfied with the Sindh government’s performance during the ongoing monsoon spell.

While visiting the South, Central and Korangi districts, the CM gave orders to officials to rectify unsatisfactory situations, such as telling the health secretary to prevent the Skin Hospital from disposing of hospital waste in Regal Chowk nullah. He also ordered the South deputy commissioner to have the area near the police headquarters in Garden, where sewers were overflowing, cleaned immediately.

Removing waste

Separately, at a meeting to discuss the cleaning of drains and removal of animal offal following Eidul Azha, the CM was briefed about the lifting of waste from 36 large nullahs and 18 connecting drains, as well as 63,000 tonnes of offal.

Karachi Commissioner Iftikhar Shallwani also informed the CM that preemptive measures had prevented rainwater from crossing the M-9, keeping Saadi Town and the grid station safe.

He added that dewatering machines had been installed to clear choking points at Safoora, Safari Park, Nagan Chowrangi and KDA Chowrangi, while Malir Lath Dam did not overflow. Moreover, he claimed, Hub River Road had been choked but was later cleared, along with areas in Surjani Town, Yousuf Goth and around Wazir Mansion.

Informing the meeting about the removal of animal offal and carcasses, Sindh Solid Waste Management Board managing director Kashif Gulzar Shaikh said that approximately 2.4 million cattle were slaughtered in the city on Eidul Azha and subsequently, 63,000 tonnes of offal were disposed of at designated burial points.

(By Newspaper’s Staff Reporter The Express Tribune, 04, 08/08/2020)

Sindh govt set to remove encroachments from Gujjar nullah

Sindh government gave an ultimatum on Tuesday to the residents of settlements surrounding Gujjar nullah, notifying them to vacate their houses by 7am today (Wednesday).

The move came as the government looked to expand Karachi’s major nullah, in the wake of the wide-scale destruction caused by recent rain spells.

An announcement in this regard was made via mosques in Punjab Colony and FC Area after Isha prayers, instructing the residents of houses located within a radius of 100 feet of the nullah to vacate their houses.

Central district administration and the anti-encroachment department will launch an operation to raze down structures located within the specified areas soon after the 7am deadline ends.

A senior Central district administration official confirmed the development, talking to The Express Tribune on the condition of anonymity. He elaborated that the decision was taken in the light of destruction caused by recent rain spells.

Authorities consider encroachments on nullahs one of the main reasons behind the devastation that followed rain, as they reduced nullahs’ width, he said. This is the reason why rainwater isn’t drained properly and sewers and nullahs overflow, he explained.

According to the official, the Sindh government has decided to raze all illegal structures surrounding nullahs, starting with those situated within a 100 feet radius of Gujjar nullah, following which nullahs will be widened and fences and link road will be constructed around them.

The hapless residents of these dwellings find themselves in a quandary, having been given a short deadline to make alternative accommodation arrangements, for which, they say, they have very few options.

Consequently, they have demanded of the government to provide them with alternative accommodations and have warned of staging a protest if their demand is not met.

Gujjar nullah is one of the main nullahs in Karachi and one among the three the cleaning of which was assigned to the National Disaster Management Authority and Frontier Works Organisation. Later this month, the NDMA had claimed in a statement that it had 95 per cent of Gujjar nullah, besides completely clearing Korangi nullah and 90 per cent of Mowach nullah.

Still then, as a record-breaking rain spell lashed Karachi, as well as the rest of Sindh, on Thursday last week, Gujjar nullah was choked and overflowed.

Prior to the devastating downpour, and even after that, Sindh Chief Minister Syed Murad Ali Shah had attributed flash floods in the province, and specifically in Karachi, to encroachments on nullahs. Moreover, Sindh government spokesperson Murtaza Wahab, too, had hinted at the Sindh government planning to remove encroachments from nullahs. However, while making such statements, authorities had assured that alternative accommodation would be arranged for those displaced by the move.

Nevertheless, any chances of these assurances being materialised for those living in the vicinity of Gujjar nullah seem bleak. (By Aamir Khan The Express Tribune, 04, 02/09/2020)

Anti-encroachment drive: Authorities go easy on first day

The authorities were seen adopting a rather held-back approach on the first day of an anti-encroachment drive launched on Wednesday, primarily aimed at razing illegal structures on and near nullahs in Karachi, starting with Gujjar nullah.

In an imminent move that still came as a shock to many, the Sindh government announced the demolition campaign on Tuesday, giving an ultimatum of mere hours to the residents of illegal dwellings located within a radius of 100 feet of Gujjar nullah and ordering them to vacate their houses by 7am on Wednesday.

The announcement had created panic among the residents, who demanded alternative accommodation.

However, as the deadline ended and in the wake of uproar on the ground and on social media, the authorities went easy on them, demolishing only a few fences, shanties and shades.

The operation commenced at three spots near Gujjar nullah, namely Moosa Colony and Gulberg and in areas near a strip of nullah in New Karachi, by Karachi Metropolitan Corporation (KMC) teams under the supervision of North Nazimabad assistant commissioner (AC) Arsalan Saleem and KMC anti-encroachment senior director Bashir Siddiqui.

As KMC teams reached Gulberg, residents poured into the streets in anticipation and fear. However, only a few structures were razed before the operation was suspended, with the heavy machinery brought there remaining unused.

However, a citizen was arrested for resisting the operation.

Similarly, the scope of the campaign in Moosa Colony and New Karachi was also kept limited, with some shops and a few other structures demolished, though police personnel remained on hand to deal with any resistance.

The grand plan

Talking to The Express Tribune, AC Saleem elaborated that encroachments located within 105 feet of Gujjar nullah on both sides were to be razed, so that the drain was restored to its original condition. Explaining further, he said illegal structures, starting from a bus stop in New Karachi to Café Pyala and further extending to Dr Ziauddin Hospital and Lyari, would be removed along the nullah's length.

According to the AC, the authorities had launched multiple drives in Gujjar nullah's vicinity in the past, but illegal construction continued unabated.

"This is the reason why the nullah overflowed during rainfall, leaving many residential areas flooded," he added.

Along similar lines, Siddiqui stressed the need for removing encroachments to "save the city from drowning in rainwater."

The AC said that they were keeping the operation lenient during the initial phase.

In this regard, Siddiqui said they planned to vacate the area near the nullah at Teen Hatti to create space for machinery to remove encroachments and garbage, adding that the residents of illegal houses would be asked to vacate their homes during the second phase.

Siddiqui laid emphasis on the need for the institutions to work together on the matter and said, "All encroachments will be razed, whether they are located in areas under the KMC's jurisdiction or not."

On homelessness

Speaking about the threat of homelessness as a result of the drive, Siddiqui denied that it would leave anyone without a roof over their heads.

"Nobody will be left homeless due to the operation as only shanties and cattle farms are being razed, which were re-established following a demolition drive two years ago," he commented. "[Most] residents don't have lease documentation, issued by the KMC, Karachi Development Authority, Sindh Revenue Board, Sindh Katchi Abadi Authority and other relevant authorities, and this issue is 40 years to 50 years old."

According to Siddiqui, all leases for illegal structures had been cancelled in the light of a Supreme Court order.

Asked about the provision of alternative accommodation to affected persons, he said the Sindh government would decide whether to provide alternative housing to those who could produce documents for their existing properties.

Resistance

On the other hand, residents fearing displacement have called for action against the authorities that let them establish encroachments in the first place.

Talking to The Express Tribune, though they admitted that the houses were built illegally, the residents pointed out that the authorities knew this before permitting their construction.

Claiming their right on their properties, they said they had lease documents and had registered for gas, electricity and gas connections for their houses.

They accused the relevant authorities, including police and the KMC, of collecting bribes from them in return for allowing construction and providing utility connections.

The residents demanded the government provide them alternative accommodation, instead of depriving them of the homes where they said they had invested hundreds of thousands of rupees, built on the basis of legal documentation.
(By Amir Farooq The Express Tribune, 04, 03/09/2020)

SHC refuses to suspend demolition drive immediately

Denying a request for the immediate suspension of the anti-encroachment operation in the vicinity of Gujjar Nullah on Thursday, the Sindh High Court sought arguments on the maintainability of a plea seeking the same.

Petitioner Shafiullah's counsel maintained that his client had been a resident of Gulberg Town for the past 50 years, and his house was leased by the Karachi Metropolitan Corporation. Three days ago, however, a demolition campaign was started, he told the court.

The counsel stated that no prior notice was given except for an announcement at the local mosques. The KMC was not even willing to engage with those leased their houses by the local body, he said, adding that at first the drive was to be carried out within 30 feet of the nullah but was now extending to 150 feet. "Families are being forced out on the streets from houses they purchased with their life savings," he argued.

The petitioner moved the court to halt the anti-encroachment drive immediately and restrict the KMC from demolishing leased houses.

The court denied the petitioner's verbal request and sought arguments on the maintainability of the written plea.

Missing cop

Separately, a two-member bench comprising Justice Nazar Akbar and Justice Abdul Mobeen Lakho heard a plea pertaining to the disappearance of a police constable and suspension of his salary. The court sought details on the latter from the police department, and asked about the measures taken for the constable's recovery.

According to the missing cop's mother, Muhammad Zia left his house for duty at Central Jail Karachi on July 11 and has been missing since. The police has also stopped the payment of his salary, she said. Zia had four children and his house was on rent, she told the court, adding that the family was struggling to meet expenses.

Lashing out at the police, the court asked what measures had been taken thus far for the missing cop's recovery. "On whose orders has the constable's salary been suspended?" asked Justice Akbar.

The court remarked that based on Zia's records, it did not seem he was affiliated with any political party or was targeted by a terrorist outfit. "A police officer has been missing for two months. What measures have been taken for his recovery?" questioned Justice Akbar.

The investigation officer stated that efforts were being made for the constable's recovery, prompting the court to ask again what measures had been taken.

The bench expressed anger at the police department for adding to the torment of Zia's family by suspending his salary. The court sought details on the suspension of his salary, asked why the step was taken, and sought details on the process of suspending any police official's salary.

Bail denied

Meanwhile, a two-member bench comprising Justice Muhammad Iqbal Kalhoro and Justice Shamsuddin Abbasi rejected the bail plea of accused Tariq Raheem in citizen Intezar's murder case.

The bench directed the trial court to announce its verdict on the murder case soon.

According to Intezar's father Ishtiaq Ahmed, the bail pleas of four other accused have been rejected four times by the Supreme Court, the SHC and the anti-terrorism court.

Eight officials of the Anti-Vehicle Lifting Cell have been arrested in the case while one accused is out on bail.

The 19-year-old citizen was killed by police firing on January 13, 2018.
(By Newspaper's Staff Reporter The Express Tribune, 04, 05/09/2020)

'Encroachments will be razed indiscriminately'

Sindh government spokesperson Murtaza Wahab declared on Tuesday that encroachments across Karachi would be demolished indiscriminately, as pointed out that it was illegal structures on and around nullahs that were mostly flooded during rains and caused blockages in stormwater drains.

Giving an update on dewatering activities in the city, he claimed water had been drained in most areas and faults in sewerage systems repaired.

"Still, the situation is bad," he added. "It is a 40-year-old problem and cannot be resolved immediately."

Referring to the recently announced Rs1.1 trillion package for Karachi by Prime Minister Imran Khan, he said the PM had announced a similar package worth Rs162 billion for the city in 2019, but nothing came out of it.

"People make claims of developing Karachi but fail to live up to their promises," he remarked. "However, putting the bitterness of the past aside, the Sindh government is ready to work with the federal government and making better use of the Rs1.1 trillion package, we will be able bring about a significant change."

The spokesperson also expressed reservations over the inclusion of Karachi Circular Railway's restoration scheme in Karachi Transformation Plan.

"It is a part of China-Pakistan Economic Corridor (CPEC). How then, can it be included in the plan?" he questioned.

Wahab recalled that it was made a part of CPEC in 2016, on the request of Sindh Chief Minister Syed Murad Ali Shah, adding that the progress on the restoration of KCR had slowed down since November, 2017.

"Sindh CM has written four letters, apprising the PM of the matter and moving him to prioritise KCR's restoration, but there has been no response from the other end," he decried. After all the work that the Sindh government has done on the project, "how can anyone else take responsibility for it?" he stated.

(By Newspaper's Staff Reporter The Express Tribune, 05, 09/09/2020)

Shallwani to get tough on encroachments

City Administrator Iftikhar Ali Shallwani on Thursday said that any sort of encroachment, parking or establishment on footpaths would not be allowed.

"Any sort of parking around Karachi Metropolitan Corporation building and other places will not be permissible. Vehicles should be parked on one lane of the road or else strict action would be taken against the parking contractors. The people face hardships as the traffic gets jammed owing to vehicles' parking on main roads," the administrator said during his visit around KMC building.

Shallwani said that they kicked off encroachment removal and fixing of parking issues from KMC building and the same would be expanded to the entire city.

(By Newspaper's Staff Reporter Dawn, 14, 11/09/2020)

Hindus seek completion of temple demolition probe

Hindu families gave an ultimatum to the relevant authorities on Wednesday to complete an inquiry into the demolition of a pre-Partition Hindu temple in Lyari - allegedly by a private contractor - and warning of a staging a protest otherwise.

The site of the temple, located on Fida Hussain Sheikh Road, was sealed on August 17, in the presence of Lyari assistant commissioner Abdul Karim Memon, members of the local Hindu community and area residents, after the news of its demolition circulated in the media.

It was allegedly demolished the previous night by a builder named Muqadar Khan.

Following the outcry over the demolition, the district administration had formed a committee to probe into the matter. The committee was to submit a conclusive report within seven days. However, the inquiry remains incomplete hitherto.

"The site was sealed a month ago and a committee was formed [soon after], yet no progress has been made," Mohan Lal, a Hindu resident of the area, decried. "The findings have not been shared with us," he says, adding that he, as well as other Hindu residents believed that relevant authorities were using delaying tactics to facilitate the private contractor in constructing a residential building at the site.

Lal warned that if the inquiry is not completed soon, they would march to the Chief Minister's House and stage a sit-in there. In this regard, he further elaborated that a community meeting would take place soon, where elders from the Hindu community would decide on the next plan of action.

On the other hand, the private contractor, Khan, maintained that the inquiry was underway and would likely take up to a year to complete.

According to Khan, the coveted site where Hindu residents of the area say a temple was built is in fact private property. Plus, he added, "It was a small temple that I did not demolish. In fact, it was destroyed by the rains."

Khan said he planned to go to court if he was not allowed to resume construction and was not served justice.

"The site has been sealed for a month now and none of my workers can visit it," he complained.

Meanwhile, assistant commissioner Memon attributed the delay in the inquiry's completion to "the prevalent situation in the city," including heavy rains.

He further claimed that no Hindu families had recorded their statements for the probe, which, according to him, was another cause for the delay.

According to Memon, authorities needed to record the statements of at least 18 Hindu families to prepare a "fair report."

The inquiry was underway and authorities were trying to approach all Hindu families that were living in the area, he assured, however, adding that it is hard to locate all the families.

Many had left the area and were living elsewhere, he explained. "But the relevant police have been told to provide assistance in locating them. We want to provide justice to all," he said.
(By Sameer Mandhro The Express Tribune, 04, 17/09/2020)

FIR registered for Bhatia Bhuwan's demolition

The Risala police have registered an FIR against the owner of Bhatia Bhuwan, a colonial-era building in Karachi, and builders accused of razing the heritage structure. The FIR was registered late Thursday night against a man identified as Rasheed and others.

It was registered after archaeology department officials submitted an application to the police, requesting that the persons responsible for demolishing the building located on Prathna Samaj Road in Thattai compound, opposite Dow Dental College, be booked.

"There should be zero tolerance for [such acts and] persons," antiquities and archaeology director Manzoor Ahmed Kanasro remarked, while speaking to The Express Tribune on the matter.

He further stated that after registering an FIR, the police had made no arrests yet, but his department would approach senior officials, asking them to nab the individuals who tore down the heritage building.

The official pointed out that he had another FIR registered over a similar incident on the premises of Karachi Gymkhana a few weeks ago, while another case of the same nature was registered in Hyderabad eight months back.

"We always have to seek the police's help as the department doesn't have a force of its own," he explained.

Confirming the registration of FIR for Bhatia Bhuwan's demolition, South deputy commissioner Irshad Sodhar assured that there would be no further demolition at the site and action would be taken against persons nominated in the FIR.
(By Newspaper's Staff Reporter The Express Tribune, 05, 03/10/2020)

Encroachments gobble up Saddar's food street

Karachi's first planned food street, recently established on Mir Karam Ali Khan Talpur Road, has fallen prey to encroachments, The Express Tribune has learnt.

It has been reported that shopkeepers and vendors have started parking their vehicles and pushcarts under the steel structure erected to house food kiosks. Moreover, local Patharedars (harbourers of criminals) have tied ropes across the steel pillars, marking their territories along the passage.

"This is my spot," said one of the Patharedars, laying his claim on a part of the street, tying his pushcart's chain to a pillar, when approached by The Express Tribune. Probed further, he got riled up and spat, "I don't pay anyone [for this place]. This is not a food street, but a market."

Located in the busy surroundings of Empress Market, the food street project was launched by former Sindh governor Ishratul Ebad in March 2014. Authorities, also seeing it as a means to resolve traffic problems and reduce air pollution in the heart of Karachi, aimed to complete it within two years.

However, like numerous other projects, it hit snags and after a delay of two years, its construction was finally completed in 2018.

Vendors' woes

Even then it has apparently failed to serve its purpose and proved more of a bane than a boon for vendors.

"Yes, it was completed in 2018, but [its purpose] never materialised," complained one of them, Salman Ahmed, to The Express Tribune.

According to him, most vendors are unhappy with the project. "We had been facing financial losses and hoped that the food street would provide some relief, but it has ruined us," he lamented.

Another vendor, Sarfaraz, pointed out that the street's passage once served as a route for multiple public buses including 19-D, 20, U-1, X-10, Mashraq Coach and 1-D.

"It used to be one of the busiest roads of Saddar but now all business activity has been disrupted [due to the hampering of public buses' route] and ill planning," he complained. "Everybody now eyes it as an opportunity for encroachment and see how they have destroyed a project worth millions," he said, gesturing at the condition of the "imported" lamps and the heavy metal steel structure.

Some of the street lamps have been damaged while the white paint is wearing off the steel pillars.

According to vendors, the lamps were lit just for few months after the street was established. "But now they are of no use," decried Ahmed, urging that the passageway be reopened for public buses. Then, at least, the traffic diverted to other roads will be able to run on the route again, he added.

The food street was conceived as part of a bigger plan to overhaul Saddar by rerouting public transport, developing the area into a traffic-free pedestrian zone, and establishing avenues for art, entertainment and cultural activities.

Assurances

Speaking in this regard, Sindh Local Government Minister Syed Nasir Hussain Shah said the initiative was in fact part of the bigger Karachi Neighborhood Improvement Project (KNIP).

He said the project had been delayed because of funding issues and the matter was taken up with Sindh Chief Minister Syed Murad Ali Shah in a recent meeting, where the CM directed that business activities on the street be initiated soon.

The minister further stated that the street would be opened for the public in the evening, and hence would not hamper shopkeepers' business activities. He added that several other schemes initiated under the KNIP would be opened for the public soon too.

When asked about the encroachments, he said only that he was aware of the issue.

(By Sameer Mandhro The Express Tribune, 05, 06/10/2020)

SHC summons KDA chief in road encroachment case

The Sindh High Court has expressed resentment over the officials of Karachi Development Authority (KDA) for failing to file comments despite repeated orders and directed its director general to appear on Nov 4.

A two-judge bench headed by Justice Mohammad Shafi Siddiqui was hearing a petition about encroachments on a road. When the matter came up for hearing, the bench asked for the KDA's comments.

The counsel for KDA straightaway informed the bench that he had sent several letters in this regard but none of the officials had responded.

KDA counsel has informed the bench that KDA officials were not responding to notices

The bench observed the grievances of the KDA lawyer that its officials were not responding and ignoring the letters for one or the other reason.

“This is quite alarming that despite orders of the court and issuance of several letters by the KDA’s counsel themselves the officials of the concerned department of KDA are not responding. We therefore direct the director general KDA to appear in person on the next date and respond to the above,” the bench added.

Citing the Sindh chief secretary, KDA, Karachi Metropolitan Corporation, Board of Revenue and others as respondents, the petitioner had submitted that as per the layout plans and official maps, a 150-foot-wide road was planned from Nagan Chowrangi to Manghopir Road in SITE.

However, the petitioner maintained that only a small part of the road from Nagan to Anda Mor existed and remaining portion was encroached upon.

Encroachments in Korangi

The same bench has directed the director-estate and enforcement of the KDA to appear before it on the next hearing along with a compliance report regarding alleged encroachments on several amenity plots in Korangi.

The petitioner submitted that the officials concerned of the KDA had allegedly leased out several amenity plots in Altaf Town, Korangi Crossing to different persons under china-cutting.

He argued that there were numerous amenity plots in the master plan approved in 1991-92 and pleaded for removal of encroachments.

At the outset of the hearing, the lawyer for KDA submitted that despite his best efforts, the director general, estate and enforcement, had not responded.

The counsel further said that the director be summoned to assist the bench and file a compliance report in respect of alleged encroachments as individual plots had been carved out over several amenity plots as disclosed in the nazir’s report.

The bench directed the director-estate and enforcement to be in attendance along with compliance report and warned that in case of non-compliance, a warrant would be issued against him.

(By Newspaper’s Staff Reporter Dawn, 13, 11/10/2020)

Encroachments to be razed ‘to maintain nullah width’

The Provincial Coordination and Implementation Committee has decided to remove and relocate human settlements and commercial units illegally established along Karachi’s nullahs in order to maintain the drains’ width in line with the city’s master plan.

The decision was made in a committee meeting chaired by Sindh Chief Minister Syed Murad Ali Shah on Monday, after the participants were apprised that there were 13,441 houses and 2,948 commercial structures built on four nullahs and a river in the metropolis.

These structures reportedly include 5,916 houses and 2,412 commercial units on Gujjar Nullah, 4,480 houses and 380 commercial units on Orangi Nullah, 1,049 houses and 156 commercial units on Mehmoodabad Nullah and 1,996 houses on the Malir River.

The government also issued evacuation notices to those residing and doing businesses in these areas.

Meanwhile, the Sindh CM was informed that the NED University of Engineering and Technology was conducting a survey to help analyse the length, width and capacities of the existing stormwater drains. Moreover, the study is to assist in developing a drone-assisted map and outline of the encroached areas.

Karachi Commissioner Sohail Rajput stated during the session that nine nullahs in the East district had been surveyed, while the survey of the Central district’s drains would be completed by the end of the week.

The meeting further decided to conduct a technical study of the nullahs using hydrologic and hydraulic modelling studies. Under these studies, the demarcation of the existing drainage network, quantification of the expected flow in the region and cross-sectional details of nullahs will be used to assess the existing system’s capacity to cater to the flow. An ideal cross-section would be proposed for the current and future improvement of each drain, based on terrain and flow models, while also helping prepare the best drainage management plans to mitigate the risk of urban flooding in the future.

Following this, the CM directed Rajput to complete the technical study within the next three months.

Keeping in view different factors, the meeting decided to maintain the actual width of nullahs as per the master plan while removing human settlements and commercial establishments from the sites for this purpose. However, the NED University’s study results will be considered in determining the optimal size of the nullahs.

The committee also decided to work out different models for resettling the displaced citizens, which would be further discussed in the next apex committee meeting. A three-member committee, comprising the city administrator, commissioner and Sindh local government secretary, is to prepare the rehabilitation plan.

On the other hand, Sindh Solid Waste Management Board (SSWMB) managing director Zubair Ahmed Channa informed the participants that a cleanliness drive had been underway in the city since October 20.

Deciding to reward the best-performing districts and union councils, the CM stated he would be satisfied when citizens started saying their areas were being swept properly and the garbage was lifted regularly.

The meeting was attended by Sindh Labour Minister Saeed Ghani, Karachi Corps Commander Lt Gen Humayun Aziz, planning and development additional secretary Aziz Uqaili, Karachi administrator Iftikhar Shallwani, transport secretary Shariq Ahmed and others.

(By Newspaper's Staff Reporter The Express Tribune, 04, 27/10/2020)

'Alternative accommodation be arranged before demolishing illegal houses on nullahs'

Expressing his party's concern over a lack of strategy on the part of government to clear city drains of encroachments, Pak Sarzameen Party (PSP) chairman Syed Mustafa Kamal has demanded that people whose houses are being demolished be provided alternative accommodations before the action.

He made this demand while speaking at an event on Sunday to announce "hundreds of youths" from district East joining the party.

He said that the ongoing anti-encroachment operation across the city without providing alternative houses to the affected families was not only a sign of government's incompetence but also a matter of grave concern.

The PSP chief said no strategy was evolved by the government for the ongoing drive that was halted a few days ago in Manzoor Colony after its residents offered stiff resistance.

He urged the judiciary to take notice of the situation, summon Sindh government officials and question their strategy as their action was causing chaos and hindrance in the cleaning of storm-water drains in the city.

"The incompetent rulers are not resolving the basic problem and rather shifting it from one place to the whole city, creating a law and order problem," he added. "The people whose houses are being demolished will not dissipate in thin air ... they won't die but settle on some other drain in the city."

He recalled that during his mayorship, he had to demolish 34,000 houses for the construction of the Lyari Expressway. He said that three settlements were built with all basic amenities, where each affected family was provided an 80-yard plot and a Rs50,000 cheque.

Mr Kamal asked the government to follow the same strategy, allocate land for building settlements for the affected families, give them Rs100,000 each keeping in view the inflation and a 100-yard plot so that they could build their houses there.

He said that the PSP was the only political party which was offering a workable solution and it was up to the authorities concerned whether they would accept the solutions today or after a few years, but the longer they take the greater damage the state would bear.

Last week, an anti-encroachment action by the Karachi Metropolitan Corporation suffered a major blow when residents of Manzoor Colony violently protested against the move to demolish hundreds of houses, said to have been raised illegally on Mehmoodabad nullah. Later, police registered a case against nearly 1,000 people under anti-terrorism law for hindering the anti-encroachment operation.

(By Newspaper's Staff Reporter Dawn, 13, 23/11/2020)

Hawkesbay hut 'allottees' stage protest against KMC eviction notices

The 'allottees' along with the people who work as gardeners, guards or other domestic staff of some 278 beach huts from Yunusabad to Qadri Hotel at Hawkesbay staged a protest outside the Karachi Press Club on Saturday after being issued notices from the Karachi Metropolitan Corporation (KMC) to vacate these huts so that the land they have been built on can be auctioned off.

Earlier in the week KMC Administrator and Commissioner of Karachi Iftikhar Shallwani cancelled the allotment of all the huts at Hawkesbay in order to "make good use of the KMC assets and increase its revenue to provide better civic facilities to the people".

It was also said that this was all KMC property, which was also only allotted for three years.

But the protesters claimed that what the KMC was saying was not entirely true.

Haji Abdul Ghafoor, resident of the area who used to work at these huts and then also had one allotted for himself after a few years, told Dawn that there were at least three to five people working at each of these huts who would lose livelihoods if the KMC took away the huts from them.

"I was myself a poor worker here once and then I saved up some money to have land allotted for a hut, too. Now I employ five men from the locality there for maintenance, cleaning, etc," he said.

"We were only allotted land by the KMC. And we built the huts," he said.

Abdul Wahid, another allottee who is also an area local, said that he and his brother along with their families had been living in Yunusabad since before partition and they were allotted land for two huts till 2021 and 2025, respectively.

He said the land for each hut was about 80 to 100sq yards. "We built the huts, not the KMC. And now they want to auction them off! We pay an annual Rs16,000 fees to the KMC for these huts.

"They are beachfront huts so need much repair the year round due to the salt spray from the sea. Then due to the coronavirus pandemic there were not many people coming to the beach this year. Besides, for two to three months during monsoon there is Section 144 imposed, banning people from going into the water and in winter there was a dearth of picnickers anyway, so we are hardly earning more than two to two-and-a-half lakhs from the huts," he said.

"We thought something was up with the KMC when for the past three years we were being sent back by them without their accepting the fees. Now we know. They want the land back," he said.

Adnan Shafi, another allottee of a double unit said that he had been regularly paying the KMC his rent. He had receipts of having paid them Rs22,000 annually. "I am not even behind in payments," he smiled and shrugged. When asked how come the KMC accepted his payments while refusing the others, he claimed that they were moody and 'greedy'. "Sometimes they don't want it, but then seeing the money they sometimes also take it," he laughed.

Danish Dubash, another hut allottee, said that he has a hut, which he has never rented out. "I am not doing anything wrong. I pay the taxes. I pay the hut fees but for the past three years it was evident that something was up with them regarding Hawkesbay. They just want to sell off this prime land. Well, at least don't lie about it," he said.

(By Shazia Hasan Dawn, 14, 06/12/2020)

Anti-encroachment operation

In a swift anti-encroachment operation conducted near Gilani Railway Station in Gulshan-i-Iqbal on Tuesday, Pakistan Railways managed to retrieve land measuring four acres for Karachi Circular Railway (KCR).

The operation was carried out in cooperation with the provincial government and Pakistan Rangers.

The retrieved land worth Rs4 billion approximately belonged to Railways and was required in the running of KCR from Gulshan-i-Iqbal. Following the successful operation, the divisional superintendent Pakistan Railways Karachi, Arshad Salam Khattak, thanked the provincial government and Pakistan Rangers for their help in the anti-encroachment operation.

(By Newspaper's Staff Reporter Dawn, 14, 23/12/2020)

Court summons SBCA DG over illegal constructions

A Sindh High Court bench issued notices on Tuesday summoning the Sindh Building Control Authority director-general in personal capacity at the next hearing of the plea against illegal constructions in the Bahadurabad residential area.

A two-member bench, headed by Justice Irfan Saadat Khan and comprising Justice Yousuf Ali Sayeed, heard the plea.

During the hearing, the counsel representing SBCA, advocate Tariq Mansoor, resigned from his post, maintaining that being in the panel was of no benefit when he could not get justice in a year and a half.

Don't get emotional, said Justice Khan, directing his comments to the counsel. Getting jobs in the country is difficult, remarked Justice Khan. Legal matters take time but justice is served for sure, he said, adding that a period of one and a half years usually passes in the issuance of notices, submission of replies and counter replies.

The SBCA's counsel maintained that the entire residential area has been turned into an industrial zone and the sewerage system has been destroyed.

Why doesn't the SBCA take action against illegal constructions, asked the bench. Would everything only be done when the court passes orders, the bench remarked.

The court adjourned the hearing till January 20, 2021 and directed the SBCA DG to appear before the court in personal capacity at the next hearing. Besides, the SBCA DG was directed to take action after reviewing illegal constructions.

Replies sought

Meanwhile, the SHC sought written replies from the Karachi Medical and Dental College (KMDC), University of Karachi's (KU) controller and other parties by January 14 over a plea against the KMDC for not conducting examinations.

The petitioner has maintained in the plea that KMDC was the only college in the city, which did not conduct the examination and the college was closed in the name of the coronavirus threat.

He claimed that the education of the students was being affected due to the behaviour of its administration.

During the hearing, the college administration maintained that they were ready to conduct examinations. The court remarked that verbal explanation is not enough and a written reply needs to be submitted.

The court directed KMDC, KU controller and other parties to submit written replies by January 14, 2021.

Bail plea accepted

Separately, the court accepted the bail plea of Pakistan Peoples Party leader Nisar Khuhro in the third National Accountability Bureau (NAB) inquiry against him.

Khuhro's counsel maintained that the NAB had issued a call-up notice to Khuhro on February 18, 2019, but earlier, they had informed him that the inquiry was closed. The counsel asked how could NAB issue another call-up notice for allegations similar to those in the first two inquiries.

The counsel informed the court that they had filed two separate pleas for the first two inquiries.

The court inquired when the hearing was on the two pleas and was informed by the counsel that hearing for the other two pleas is scheduled for January 27, 2021.

The court accepted the interim bail plea of Khuhro against the surety of Rs1 million, directing him to cooperate in investigations and adjourned the hearing till January 27.

(By Newspaper's Staff Reporter The Express Tribune, 05, 23/12/2020)

SHC gives govt time to file roadmap for anti-encroachment drive

The Sindh High Court on Wednesday allowed the provincial authorities to file a proper statement till Jan 18 with a roadmap to achieve success in an anti-encroachment operation within specific timeline before launching it on the land of irrigation department across the province.

A petition was filed for removing encroachments from land and property belonging to the irrigation department and pending before the SHC Sukkur bench.

However, on an application moved by the advocate general of Sindh, the SHC chief justice through an administrative order passed on Dec 8, transferred the petition to principal seat at Karachi and larger bench was constituted to hear it.

When the three-judge bench headed by Justice Mohammad Iqbal Kalhoro took up the matter for hearing, Advocate General Salman Talibuddin contended that they were willing to carry out the operation against encroachments on the irrigation department land, specially those set up on irrigation channels all over the province.

However, he maintained that he might be given some time for filing a proper statement/undertaking duly signed by the chief secretary, minister of irrigation and secretary of irrigation department with a roadmap to achieve such an end within specific timeline and giving priority to certain encroachments viz. commercial ones erected on the banks of irrigation channels/canals and watercourse etc, before enlarging the scope of the operation over other properties otherwise located on the irrigation land including houses.

Earlier, the SHC bench in Sukkur had issued several directives to deputy commissioners and other officials concerned to remove and demolish all illegal and unauthorised constructions and encroachments, including multistorey buildings, plazas and commercial shops raised over the irrigation land of Barrage Township/Colony Sukkur, Larkana and other properties of the irrigation department.

On Nov 19, the advocate general had requested for time to halt the anti-encroachment operation to the extent of demolishing unauthorised construction raised over the residential quarters/bungalows only in Barrage Township Sukkur and Irrigation Barrage Colony Larkana for a period of one month so that the matter is taken up in the cabinet meeting under the supervision of the chief minister. However, the bench had warned that if the issue was not resolved through cabinet meeting, the drive against encroachments will be resumed.

On Oct 27, the bench had also directed the chief secretary of Sindh to constitute a team to ascertain the damages to inhabitants of Matli, Badin and Hyderabad if it was found that officials of the irrigation department illegally and unlawfully caused damage/demolished the houses of inhabitants, then strict action will be taken against the delinquent officials in accordance with law.

It had also asked the deputy commissioners of the province apart from Karachi to identify the land of irrigation, public parks and grounds which were encroached upon by the private persons and submit detailed reports.

In the last hearing, the bench had directed all DCs concerned to launch the campaign of anti-encroachment operation raised over irrigation land, canals and channels in their respective jurisdiction in association with the executive engineers concerned of the irrigation department and sought compliance reports within two weeks.

The bench had also asked the chief secretary, other secretaries concerned and officials for compliance with its orders.
(By Ishaq Tanoli Dawn, 15, 24/12/2020)

LEAs told to assist KDA in action against land grabbers

The Sindh High Court directed the Sindh Rangers and police on Thursday to provide assistance to the Karachi Development Authority (KDA) for a large-scale operation against land grabbers and those involved in China cutting in Gulistan-e-Jauhar.

During the hearing of a plea pertaining to land grabbing and China cutting - a term that refers to the slicing of plots from parks and land earmarked for public amenities, and turning them into residential and commercial properties to be sold off for a huge profit - in Gulistan-e-Jauhar, the counsel for the petitioner accused Karachi Metropolitan Corporation officials and KDA officials of patronising elements involvement in the illegal occupation of land.

"And so, they continue to occupy lands despite court orders [to end the occupation]," he said.

In his defence, the KDA director told the court that whenever his department had attempted to take action against the nefarious elements, they had been attacked.

The court, however, directed the KDA to launch a large-scale operation to end the illegal occupation of lands in Gulistan-e-Johar and raze encroachments in the area, as directed by the Supreme Court (SC). Then, directing the Rangers director general (DG) and East District DIG to cooperate with the KDA for the purpose, it remarked, "SC orders should be carried out in letter and spirit."

Ordering the Rangers and police to provide assistance to the KDA for the operation, the court adjourned the hearing until February 16.

Appointment of CM aides, advisers

At another hearing, a two-member bench of the SHC, comprising Justice Muhammad Ali Mazhar and Justice Arshad Hussain Khan, gave three weeks to the Sindh government to submit a reply on a plea pertaining to the appointment of special assistants and advisers, including Murtaza Wahab, to the Sindh chief minister.

The court gave the three-week deadline to the provincial government after the additional advocate general insisted that a reply be submitted on the plea by the next hearing.

According to the plea, advisers and special assistants to the Sindh CM have been attending the cabinet meetings, which is illegal.

Deeming that CM aides attending the meetings was in violation of Articles 6 and 7 of the Sindh Government Rules of Business, 1986, Articles 130 and 132 of the Constitution and the Official Secrets Act, 1923, it moves the court to declare the appointments special assistants and advisers to the CM unconstitutional.

The plea further states that advisers and special assistants to the CM are using powers meant for elected representatives while also managing portfolios and drawing emoluments meant for ministers.

Resultantly, a loss of billion is caused to the national exchequer, it contends, pleading to the court to take back all government-provided perks, including government vehicles, from them.

Assets beyond means case

Meanwhile, a bench headed by Justice Muhammad Iqbal Kalhoro directed the National Accountability Bureau (NAB), Sukkur to complete the inquiry initiated against former provincial law minister Ziaul Hassan Lanjar on accusation of owning assets beyond known sources of income.

At the hearing of the bail pleas of Lanjar and others accused in the case, the NAB investigation officer (IO) told the court that the inquiry against the former law minister had been completed and sent to the NAB headquarters for approval.

However, an objection was raised on the inquiry when it was revealed that Lanjar owned properties besides those included in the probe, the IO said, adding that the anti-graft watchdog was currently carrying out an inquiry in connection with 260 acres of land owned by Lanjar.

Irrked at the delay in the completion of the inquiry, the court remarked, "It has been long [since the probe was launched] and yet, the inquiry hasn't been completed."

At this, the IO requested the court to give the NAB another four weeks to complete the inquiry.

Directing the NAB, Sukkur to soon complete the inquiry, the court extended the interim bail of Lanjar and adjourned the hearing until February 3.

Illegal allotment of land

Separately, the NAB prosecutor informed the court that the inquiry against provincial minister Sohail Anwar Siyal and others accused of corruption and the illegal allotment of land had been completed.

At the hearing of the accused's bail pleas, the prosecutor said the inquiry had been referred to the NAB headquarters for approval and after the approval, its status would be changed to investigation.

The court sought a progress report on the matter from the NAB and extended the bails of the accused Sohail, Zafar Siyal and Jameel Soomro, adjourning the hearing until February 10.

(By Newspaper's Staff Reporter The Express Tribune, 05, 25/12/2020)

SC asks Rangers, police chiefs to help railways retrieve encroachment land

The Supreme Court on Tuesday directed the director general of Pakistan Rangers Sindh and the provincial police officer to provide assistance to Pakistan Railways to retrieve its land from encroachers.

The three-judge bench headed by Chief Justice Gulzar Ahmed was hearing various cases at the Supreme Court's Karachi registry. The other members of the bench were Justice Sajjad Ali Shah and Justice Qazi Mohammad Amin Ahmed.

The railways secretary and a divisional superintendent informed the bench that work on ML-I would be started soon and for that purpose they required land which was encroached upon.

They further submitted that whenever the railways launched an anti-encroachment operation, it was strongly resisted by the encroachers, and some personnel of the railway police also sustained injuries.

70pc work on KCR completed, officials say

The bench directed them to take all measures to clear railway lines and its encroached land with the help of Rangers and police personnel.

The railways officials further contended that 70 per cent work on the Karachi Circular Railway (KCR) had been completed and it would be made completely functional as soon as possible.

A representative of the provincial government informed the bench that work order had been issued to the Frontier Works Organisation to build underpasses and flyovers on the KCR route.

The bench noted that its timeline for the KCR revival had not been met by the railways and the provincial government, and directed them to ensure that the same be completed without any further delay otherwise action would be taken against them.

Green Line project

The SC bench was informed that the Karachi Green Line bus project would be made operational by June and buses and other equipment were being imported.

The chief operating officer of the Sindh Infrastructure Development Company Limited, tasked to execute the project, informed the bench that the completion of the scheme was delayed due to Covid-19 and now it would be completed by June 2021.

The bench issued a directive that it be completed as further time would not be granted and sought a progress report within a month. The CEO was of the view that the Green Line would operate from Surjani Town to Merewether Tower and accommodate around 300,000 passengers daily.

Tejori Heights

The bench ordered the immediate suspension of work on an under-construction building, Tejori Heights, in Gulshan-i-Iqbal near the abandoned Gilani railway station on the KCR and barred it from creating a third-party interest.

After hearing both sides, the bench while dictating an interim order, said that on the basis of documents, prima facie there was no right of Tejori Heights on the land in question and directed the commissioner of Karachi to take over the construction site till further order.

The lawyer for Pakistan Railways contended that the land belonged to the railways and an illegal construction was being made on the basis of forged documents. He maintained that a nazir of the Sindh High Court in his report also confirmed that the land belonged to railways.

Senior lawyer Mian Raza Rabbani was representing Tejori Heights and argued that they had filed objections on the nazir report and the matter was being heard by the SHC. He contended that his client had purchased the land and also had all the documents.

The chief justice expressed displeasure when Mr Rabbani insisted on arguing the matter further.

Hyatt Regency structure

The railways officials informed the bench that the land on which the abandoned Hyatt Regency hotel structure was built would be placed before the federal cabinet for its restoration to Pakistan Railways for use of its own operational purposes.

The bench directed them to come up with a report in this regard within a month.

In a previous hearing, the bench was informed that the abandoned building was in the possession of AKD Securities since the land was leased out in 2004 to it for 99 years by the Pakistan Railways to establish the National Commodity Exchange. While the counsel for AKD Securities had contended that the Privatisation Commission had leased the land after completing all formalities. However, the railways secretary submitted that no land of railways could be leased out for more than five years.

Kidney Hill Park

The bench directed the Karachi Metropolitan Corporation commissioner to remove encroachments from the remaining 7.5 acres of land of Kidney Hill Park (Ahmed Ali Park) and submit a compliance report on Wednesday (today).

It was informed that the total area of the park was 62 acres and houses built on around 7.5 acres had not been demolished yet. The officials further submitted that on a directive of the bench a private school on the land had already been demolished.

The bench came down hard on the commissioner for not complying with its several orders for removal of encroachments and developing it as a model park. It directed him to also remove the debris of the demolished school till tomorrow.

Illegal constructions

The chief justice came down hard on the commissioner of Karachi, the director general of the Sindh Building Control Authority and other officials over encroachments on public spaces and unauthorised constructions in the city.

He remarked that the land of the KMC adjacent to Bagh Ibne Qasim was illegally allotted and Bahria Icon Tower was being built on it and an amenity plot near Mohatta Palace in Clifton was also encroached upon by raising a boundary wall.

He directed the officials concerned to take action in accordance with law and file reports. The chief justice also expressed resentment over the SBCA for allowing unauthorised constructions and taking bribes. He further remarked that all those officials had fled after the SBCA DG contended that he was holding an inquiry against the officials allowing illegal constructions.

He said that the city had been handed over to private entities and they had encroached upon the city, adding that as per a news report, the local government minister was directing the SBCA to issue NOCs for constructions.

Meanwhile, the Civil Aviation Authority informed the bench that its amenity plot in Clifton was being developed as a park and would be inaugurated on Aug 14 while work on another such plot near the airport was also under way.

The bench directed the CAA officials to submit a progress report within a month.
(By Ishaq Tanoli Dawn, 13, 30/12/2020)