

NEWSCLIPPINGS

JANUARY TO JUNE 2021

ENCROACHMENT & EVICTION



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Korangi, Landhi shopkeepers move SHC

The Sindh High Court accepted the request of shopkeepers in Korangi on Friday to conduct an immediate hearing of their plea against the demolition of 312 shops.

Admitting their plea, a two member bench, comprising Justice Omar Sial and Justice Kausar Sultana Hussain, issued notices to Sindh chief minister, Karachi commissioner and other parties for January 12.

Shopkeepers from Korangi's Sector 44A have maintained in their plea that the shops were established on an amenity plot in 1963 and several applications were sent to the Sindh chief minister to regularize the shops but no response was received.

The petitioners contended that the Anti-Encroachment Cell has issued notices for the demolition of these shops, but that would deprive poor shopkeepers of their source of income. The Korangi Welfare Association's counsel prayed the court to issue a stay order and restrict the Karachi Development Authority and other relevant authorities from razing down these shops.

Justice Sial observed that the Supreme Court has ordered the removal of encroachments. The SHC cannot issue a stay on the apex court's orders without hearing arguments from the KDA and other parties, remarked the judge.

The court admitted the plea for hearing and issued notices to the relevant authorities for January 12.

The SHC had earlier warned that no petitions seeking stay orders on the apex court's anti-encroachment directives will be entertained.

Landhi's Babar Market

Separately, the bench rejected the request of shopkeepers of Landhi's Babar Market for immediate hearing of their plea against the demolition of over 250 shops. The court fixed January 4 as date for hearing.

Justice Sial reminded the petitioners of the Supreme Court's orders against encroachments and directed the counsel to read the apex court's orders before the hearing.

The petitioners have maintained in their plea that the Karachi Metropolitan Corporation had allotted these shops in Babar Market. They contended that the KDA is interfering and wants to raze the shops. Over 250 shops will be demolished and shopkeepers will be affected by the KMC and KDA's action.

Death penalty

Meanwhile, the SHC accepted the appeal of convict Ishaq alias Bobby against the death penalty awarded to him by the anti-terrorism court.

The court issued notices to the Sindh prosecutor-general and other parties while accepting the plea of Bobby, who is associated with a banned outfit and has been convicted for the murder of qawwal Amjad Sabri, a bomb blast on an Imambargah, and in other cases.

According to police, Ishaq shot dead Amir Haider Shah, lawyer Waqar Shah, with the help of his accomplices in 2012 and 2014, respectively. The police maintained that weapons confiscated from Ishaq's possession matched the spent bullets found in both the murder cases.

An anti-terrorism court had sentenced Ishaq to death in the cases pertaining to murders of Amir and Waqar and a bomb blast.

Bail denied

Separately, the court rejected the bail pleas of accused involved in the sale and manufacture of gutka and mawa.

According to police, accused Tahir and Muhammad Iqbal are involved in the business of gutka and mawa manufacturing, and around 5,500kilogrammes of gutka and mawa and related machinery were confiscated from their possession.

The accused are also booked in four other cases, including a murder.

(By Newspaper's Staff Reporter The Express Tribune, 04, 02/01/2021)

'All Kidney Hill Park encroachments to be removed'

City Administrator Laeeq Ahmed on Monday said that the remaining encroachments at Kidney Hill Park would also be removed in compliance with the Supreme Court's (SC) directives.

Experts would be hired and Google Maps would also be used to ensure that no encroachment remains on the original map of the park, he explained.

The administrator passed these remarks while talking to officials concerned during his visit to the park.

Mr Ahmed visited different parts of the park, especially the encroached area, and directed officials to restore Kidney Hill Park to its original position. All action would be taken as per directives of the SC, he added.

The administrator said the vacated land should be decorated with plantation. He also directed officials to raise height of the boundary walls of the water tank, which was being built for watering the plants.

He was informed that illegal residents on the park's land had been issued notices and asked to bulldoze the houses or else the Karachi Metropolitan Corporation's anti-encroachment department would take action.

The administrator said that reconstruction of Kidney Hill Park was started in September 2019 on the apex court's directives. (By Newspaper's Staff Reporter Dawn, 14, 05/01/2021)

Court denies stay request over demolitions on Super Highway

The Sindh High Court rejected on Tuesday a plea seeking stay on the anti-encroachment operation against hotels constructed at Super Highway.

The counsel representing the hotel owners maintained that the land on which his clients have constructed the hotels is for both residential and commercial purposes. He contended that the Sindh Building Control Authority's notice pertaining to the demolition of these hotels was illegal.

The court remarked that it would hear the arguments of the relevant authorities before issuing any orders on the matter and rejected the request for stay.

The court issued notices to the SBCA director-general and other parties over the plea.

Last year, the court had directed the Karachi Development Authority to launch a massive anti-encroachment drive in Gulistan-e-Jauhar area to vacate land occupied through China-cutting - a process of 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. SHC had issued these orders over a plea accusing the KDA of supporting the land mafia in Gulistan-e-Jauhar.

Plea bargain

Meanwhile, a two-member bench, headed by Justice Iqbal Kalhor, sought arguments over the plea bargain requests of two accused in a reference pertaining to illegal allotment of 56 acres of land in Korangi.

During the hearing, the defence counsel informed that the accused, Shokat Ishaq and Azam, want to return the amount of money that they are accused of embezzling to the National Accountability Bureau (NAB).

He moved the court to conduct an immediate hearing on his clients' plea bargain request.

The NAB prosecutor maintained that the accused cause millions of rupees of losses to the finance department by illegally allotting 56 acres of land in Korangi with the help of a mukhtiarkar. He informed the court that the reference against the accused has been filed.

The court sought arguments on the plea bargain requests of the accused on January 18.

Illegal allotment

The same bench sought arguments from the parties over the bail pleas of accused former Malir deputy commissioner and others, in the case pertaining to 59 acres of land in Malir.

The petitioner's counsel maintained that accused former Malir DC Qazi Jan Muhammad has been imprisoned. He moved the court to hear the arguments on the bail plea.

The court sought the arguments on the bail pleas on February 4.

According to NAB, illegal land allotment was done with the help of senior member of board of revenue. As a result, millions rupees of loss was caused to finance department, claims NAB.

*With additional input from PPI

(By Newspaper's Staff Reporter The Express Tribune, 04, 06/01/2021)

SHC rejects Mehmoodabad residents' plea

The Sindh High Court rejected on Friday the plea seeking stay on the demolition drive in Mehmoodabad. Encroachments on storm water drains have ruined the appearance of the city, remarked the court.

"Don't you see the situation that emerges in city during rainfall?" the court asked. The petitioners had moved the court to appoint its nazir to inspect the houses that are to be razed during the on-going antiencroachment operation. During the hearing, the petitioners' counsel maintained that the authorities are misinterpreting the Supreme Court's orders and razing houses that have been leased by the Karachi Metropolitan Corporation for several years. The counsel contended that these houses were part of the

official layout plan. He prayed the court to restrict the relevant authorities from demolishing the houses. "Don't we know how leases are issued by the KMC?" remarked the court, adding that such leases could not be considered.

Noting that a stay order could not be issued on the directives of the SC, the court directed the petitioners to approach the apex court with their concerns and rejected the plea. The provincial chief secretary, National Disaster Management Authority director general, KMC, municipal commissioner and the Karachi commissioner had been nominated as parties in the plea. Allocation of plots Meanwhile, a plea pertaining to the provision of plots to over 5,000 employees of the Pakistan Steel Mills was submitted before the high court. The petitioners maintained that a residential scheme was introduced for the PMS employees on March 24, 2011 and over 5,000 plots were reserved in Gulshan-e-Hadid phase IV for this purpose. The petitioners contend that the privatisation commission halted the project in 2015 and announced that the plots would be allotted when the steel mills will be privatised.

The petitioners prayed the court to direct the relevant authorities to allot the plots to the PSM employees as the entity is now being privatised. The PSM chief executive officer, secretary of the federal industries and production ministry and the privatisation commission chairperson have been nominated as parties in the plea. Contempt plea Separately, a contempt of court plea was filed by an orphan girl against the National Database and Registration Authority (NADRA) for its failure to issue her B-form despite the court's orders. Petitioner Maham's counsel maintained that his client needs her B-form to continue her studies but NADRA officials are not providing the document despite judicial orders. He stated that the authority is asking her to bring her parents for the provision of the B-form.

Maham informed the court that she has visited the relevant NADRA office several times since the directives were issued by the SHC but the NADRA officials are not complying with judicial orders. The court had earlier declared Maham's maternal aunt her guardian and had directed NADRA to issue her B-form on the basis of her aunt's guardianship. (By Newspaper's Staff Reporter The Express Tribune, 05, 09/01/2021)

SHC rejects plea for stay against anti-encroachment drive

The Sindh High Court on Friday turned down an application of some residents of Mehmoodabad seeking interim stay order against encroachments removal operation along the Mehmoodabad nullah.

The petitioners through their counsel moved SHC and contended that the Karachi Metropolitan Corporation had leased their houses.

They further argued that the authorities concerned were misinterpreting the orders of Supreme Court regarding encroachments and sought a restraining order against the ongoing anti-encroachment drive in their area.

They also pleaded to appoint a nazir for inspection of their houses.

A division bench of SHC headed by Justice Mohammad Junaid Ghaffar deplored that there were encroachments on the drains of the city and said that they knew the manner in which KMC had granted such leases.

The bench further observed that it could not grant any stay order since the operation against encroachments was being carried out on the directive of the SC and asked the petitioners to approach the apex court.

Meanwhile, the bench issued notices to respondents on some of the petitions filed by a few residents of Orangi Town against the anti-encroachment drive.

Last week, the SC had ordered the provincial and local authorities to launch an operation against unauthorized and illegal encroachments and constructions on government land, including parks, green belts, amenity land, drains and other public spaces as well as the land of irrigation and forest departments across the province and sought compliance report within a month. (By Newspaper's Staff Reporter Dawn, 13, 09/01/2021)

Swati accuses police of facilitating encroachers

Railways minister Muhammad Azam Khan Swati accused the Sindh police on Saturday of facilitating encroachers who had illegally occupied the land of the Pakistan Railways (PR).

"However, we somehow managed to recover the land," he said while addressing a press conference at City Station. Swati also expressed fear that the PR would end up having the same fate as the Pakistan Steel Mills if its revenue was not increased. "Therefore, we are aiming to make the Pakistan Railways a profitable institution," he added.

According to Swati, the PR faced a loss of Rs17 billion over the past five months. Separately, while addressing the media at the office of the Karachi divisional superintendent, Swati said the railways' freight volume would be doubled very soon. "The annual freight revenue of the Pakistan Railways is Rs11 billion and it will be doubled very soon," said Swati, adding that expanding the PR's freight service was crucial for its survival. He vowed to increase the PR's freight earnings. (By Newspaper's Staff Reporter The Express Tribune, 05, 10/01/2021)

Minister pledges relief to families affected by anti-encroachment drive

Local Government Minister Syed Nasir Hussain Shah on Sunday said that after Mehmoodabad nullah more stormwater drains would be cleared of encroachments.

He said residents of demolished houses would be provided house rent for two years and the provincial government was planning a housing scheme where the affected families would be given priority.

"All stakeholders are on same page regarding removal of encroachments," the minister said while visiting Mahmoodabad-Manzoor Colony nullah.

He said that large-sized encroachments, including houses would be removed from Mehmoodabad nullah from Monday (today). City administrator Laeeq Ahmed, former UC chairman Farhan Ghani, Karamullah Waqasi, Sardar Nazakat Ali and departmental heads of Karachi Metropolitan Corporation were also accompanying him.

The LG minister said that the administrator and DMCs were tasked with uplifting the infrastructure.

Housing scheme planned for evicted families of Mehmoodabad

He said roads would be built on both sides of the nullah after removal of more encroachments.

The minister said that the people residing along the drains faced threat to their lives. He said they were taking measures to ensure draining of rainwater in monsoon season.

Mr Shah said that the NED University had undertaken a study and provided consultancy on the Mehmoodabad, Gujjar and other nullahs.

He said that the provincial government had signed a contract with the World Bank through which encroachment had to be removed and this operation was in continuity of it.

He said that in pursuance of Supreme Court's directives, the anti-encroachment campaign was launched and it was going on smoothly. He recalled that encroachers had earlier obtained a stay order from lower courts.

He said that the city administrator was empowered to cancel illegal leases.

The minister said that the local government in the past had passed unnecessary schemes as the KMC had already been facing a financial crisis.

He said now on those schemes would be executed which would benefit the public.

The LG minister said that the relevant mechanism was made transparent and now government taxes were being deposited in its own account.

He said that Pakistan Peoples Party-led Sindh government was carrying out development works without any discrimination. He pointed out that works were being carried out in those areas where the PPP did not have representation.

He said that the provincial government was not happy over demolition of people's houses but it had to do that.

He also thanked the federal government for providing fire engines to KMC's fire brigade.
(By Newspaper's Staff Reporter Dawn, 13, 11/01/2021)

Not our job, parties tell SHC

The Sindh High Court was irked on Tuesday when the parties, in a plea pertaining to the installation of substandard compressed natural gas (CNG) cylinders, shirked the responsibility to inspect the cylinders.

A two-member bench, headed by Justice Muhammad Ali Mazhar and comprising Justice Amjad Ali Sahito, thereafter, sought a progress report on action against workshops that are not licenced and improvements in the system of the inspection of CNG cylinders.

As the hearing began, the court enquired about the implementation of its previous orders of the use and inspection of CNG cylinders.

"Have CNG stations been applying for certificates [verifying the quality of CNG cylinders] to the Hydrocarbon Development Institute of Pakistan (HDIP)?" asked Justice Mazhar.

The counsel for All Pakistan CNG Association informed the court that just four CNG stations had applied for the certificate thus far.

Following that, the court turned its attention to the issue of licenced workshops, stating that they should be established to ensure that uncertified CNG kits were not installed in any vehicle.

When enquired about the inspection of CNG kits, the representative of the HDIP said the organisation checked only those kits that vehicle owners brought to it for inspection.

"If it is checking only those kits that are brought to it for inspection, then what is the point of having the organisation?" the court rebuked.

It questioned that if the HDIP would not check all CNG cylinders, then how would all kits beings installed in vehicles be certified. The HDIP's representative maintained that it was up to vehicle owners whether they brought the kits to the organisation for inspection.

At this, the court enquired what the traffic police had been doing in this regard.

"Who will check the workshops and CNG cylinders?" questioned Justice Mazhar.

The traffic police DIG replied that his department was only responsible for regulating the traffic.

Irked by the response, Justice Sahito admonished, "If everybody says it's not their job, then who would work [to address the issue]?"

As the hearing neared end, the additional advocate general informed the court that the Sindh government was working on amending motor vehicle laws.

Besides, the focal person told the court that changes were being made in the system for checking the fitness of CNG kits and rules for the installation of CNG kits in school vans were also being amended.

Adjourning the hearing until February 23, the court directed the relevant authorities to continue action against the use of substandard CNG kits, and the Sindh IGP to submit a report after taking action workshops that are not licenced.

Rape probes

Separately, the court directed the relevant authorities to investigate rape cases from all angles so that real culprits could be taken to task.

"Crime must be examined from every angle. In the West, adultery with will is not a voluntary crime," the court remarked, adding that the nature of sexual abuse should also be scrutinised.

Hearing a plea seeking prompt punishments in cases of women's rape, the court further stated, "Few days ago there was a case in which a woman trapped a man. Hundreds guilty may be spared but no innocent person should be punished."

Besides, the medico-legal reforms committee submitted a report to the court

The reforms committee head said that the committee was confused when it came to distinguishing between adultery and forced adultery, and hence, laws on sexual abuse needed to be made more comprehensive.

Following that, additional police surgeon Dr Samia said the two-finger test was discontinued worldwide.

She also pointed out that in Karachi, which had a population of around 25 million, had just 11 female medico-legal officers (MLOs).

"And then there are investigation officers who ask whether a woman/girl is a virgin or not," she added.

At this, the court remarked, "If the IO doesn't ask the question, an innocent person could be punished."

The representative of the health department also highlighted the shortage of female doctors and MLOs in Sindh.

Seeking a reply from the Sindh government on the report submitted by the reforms committee, the court adjourned the hearing.

With additional input from ppi

(By Newspaper's Staff Reporter The Express Tribune, 04, 27/01/2021)

Scores of houses razed, many others marked to make way for Malir Expressway

The name of the place from where reports are emerging about demolition of 40 to 50 houses of Christians, to make way for the Malir Expressway, is said to be Gulshan-i-Maryam. No one, if asked for directions around Memon Goth in Malir, would be familiar with this place but when if asked about location of the Christian settlement, anyone would direct you to head up to Jam Kando and take the little broken road on the right after passing the dried river's bridge.

It was a long and bumpy ride. When the language of the locals changes from Balochi to Punjabi, you have the feeling that you are finally on the right track. Three young men riding a motorcycle and carrying petrol in two-and-a-half-litre cold drink bottles offered to

take us to the place. And then came into view the work of the bulldozers, the razed houses, the piles of bricks and concrete from toppled walls and smashed roofs. The houses that were still standing had markings in red on their outer walls.

'We have lease papers'

"We were told that ours is an illegal colony. But we have lease papers issued to us in 2011," said Ruth, a resident of the area whose own home, which her family had moved in about a year ago, was intact. "Yes, it was saved after we all came out to raise a hue and cry. But for how long, I wonder," she said.

Sindh govt justifies demolition by declaring Christian community's Gulshan-i-Maryam an illegal settlement

Patras, a neighbourhood elder, said that those who came to demolish their houses on Jan 20 turned up without any prior notice. "They said they were to clear the area to make way for a big road or expressway, and started bulldozing all the under-construction structures," he said.

The Malir Expressway, an ambitious plan, is said to connect DHA City, Bahria Town, etc, to the main city, in particular the DHA and Clifton areas.

Patras said that everyone in Gulshan-i-Maryam came out of their small homes when they heard the noise of the houses being bulldozed. "Somehow that had an impact. Then we were told to go back to our houses for they won't demolish any houses in which people lived. They also warned us against constructing and new houses here," he said.

"I was one of the first people to have moved here 12 years ago. At the time, we paid Rs50,000 each for a 120-yard plot and built our small houses. Now these unfortunate folk whose under-construction houses were demolished had already spent around Rs100,000 to Rs200,000 on their property," he shared.

When asked why they were living so far away from the city, Aslam Fauji, another old resident, said that this was what they could afford. "We are poor people; we can't afford to have dwellings in the city. We work hard but only have this jungle to call our settlement. For work, we travel the long distance to the main city every day in the absence of any transport means in this middle of nowhere. There is not even a petrol pump anywhere nearby and we buy open petrol for our motorcycles," he said.

Expressway is 'not for poor'

Asked if the Malir Expressway would also benefit them, Patras shrugged and smiled sadly. "They are out to remove us from here to build the expressway, so how will it benefit us when we are not even here? It's a catch-22 situation. This is for the posh localities coming up here, not for us poor folk," he said.

Elizabeth, another resident, said that even though the bulldozers are gone now, they all feel very insecure. "The demolition took place over two days on Jan 20 and 21 under the supervision of two police mobiles. Then they said that they will come again on Jan 25. We were prepared to lie down before the bulldozers if they turned towards our homes this time. None of us went to work that day and intended to put up a joint front," she said.

"Thankfully, they didn't do anything other than marking all our houses. They spared our church," she said gesturing towards a small St Mary's Catholic church. "But are all of these houses in their way? Why else would they mark them all?"

Safia, another resident, said that there were some 150 houses that had been constructed in Gulshan-i-Maryam by the poor Christian community that lived there.

"Gulshan-i-Maryam had no proper roads, no water lines, no sewerage lines, no power, no gas. For cooking, we burn the branches of wild plantation. Other than our houses that were constructed a few years ago, there are also around 300 little under-construction houses here, several of which were razed last week. Our people had saved up, little by little, to only have a roof over our heads but that, too, might be taken away from us now," she said sadly.

Sindh govt's version

When contacted for comment on the issue, a spokesperson for the Sindh chief minister informed Dawn that the residents of Gulshan-i-Maryam were illegal squatters.

"Had they been living on legal land leased out to them, they would have received proper letters letting them know about government's plans for the expressway," he said.

"The government doesn't send out bulldozers to raze legal property. These people seem to be victims of the land mafia that sold them unoccupied land against some money. The government will see what can be done for them," he concluded.

(By Shazia Hasan Dawn, 13, 01/02/2021)

SHC seeks replies over China cutting of 900 amenity plots

The Sindh High Court sought replied on Monday from the provincial government, the Lyari Expressway Resettlement Project (LERP) officials, and other relevant authorities, over a plea pertaining to China cutting of 900 amenity plots.

Coined by the Muttahida Qaumi Movement, the term 'China cutting' 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.

During the hearing, the petitioners' counsel contended that no amenity plot is left in Musharraf Colony. All plots reserved for schools, parks and hospitals were sold out after China cutting, said the counsel, adding that the 900 amenity plots were worth billions of rupees.

The counsel prayed the court to direct the relevant authorities to remove illegal occupation from all amenity plots. The court issued notices to the relevant authorities seeking their replies on the matter.

Illegal constructions

Separately, the court directed the relevant authorities on Monday to demolish a multistory building in Nazimazabad No3 while hearing a plea against the construction of such buildings without approved building plans.

During the hearing, the Sindh Building Control Authority's (SBCA) counsel conceded that illegal constructions are being done. In that case, remarked the court, the SBCA should take immediate action against illegal buildings.

The court directed the SBCA to raze the building in Nazimabad No3 immediately.

Missing persons

Meanwhile, a two-member bench, headed by Justice Naimatullah Phulpoto issued notices Sindh home department, Sindh inspector-general of police, Sindh Rangers director-general and other parties over pleas seeking the recovery eight missing persons.

The petitioners' counsels maintained that three brothers, namely, Waqas Ayub, Abbas Ayub and Tahir Ayub were taken into custody from Pakistan Bazaar Orangi Town and have been missing since. Besides, the court was informed that Saleem, Inayat and Chand have been missing since January 26 and Mukesh Kumar and Ali Bashir since January 17.

The counsels moved the court to direct the authorities to recover these missing persons immediately.

Missing persons should be produced before the court without delay if they are implicated in any cases, remarked the bench, while directing the police and other law enforcement agencies to use modern technology to trace and recover the missing persons.

The court issued notices to the provincial home department, Sindh IGP, Rangers DG and other parties seeking their replies by February 24.

Report sought

A three-member bench, comprising Justice Muhammad Iqbal Kalhoro, Justice Agha Faisal and Justice Shamsuddin Abbasi, summoned the provincial irrigation secretary along with a report at the next hearing of a plea pertaining to illegal occupation on the department's lands.

The government's counsel informed the court that action against encroachments and illegal occupations on the department's land is underway.

The court expressed annoyance at the absence of the Sindh irrigation secretary and summoned him along with a report on the next hearing slated for February 8.

Earlier, the court had granted an extension to the relevant authorities to remove illegal occupations by June 30, 2021.

Underage marriage case

Meanwhile, hearing a plea seeking the custody of Arzoo Fatima - a teenage Christian girl, who was married off to a middle-aged man, Azhar Ali.

Arzoo was produced before the court by the shelter home administration.

The petitioner's counsel contended that Arzoo has embraced Islam and should be permitted to live with Azhar. The counsel moved the court to annul the district and session court's verdict and give Arzoo's custody to Azhar.

The court sought replies from the teenager's gather and other parties over the plea.
(By Newspaper's Staff Reporter The Express Tribune, 05, 02/02/2021)

Drive to remove 'soft' encroachments along Gujjar nullah to begin tomorrow

Chief Minister Syed Murad Ali Shah on Monday directed the Karachi administration to start an anti-encroachment drive along the Gujjar nullah from Wednesday and also issued directives for construction of a water channel from Saadi Town to Lat dam for saving the area from urban flooding.

"I want to construct another dam upstream of Lat dam so that waste/rainwater could be stored there for agricultural purposes apart from recharging the groundwater aquifers of Malir district," he said.

He took these decisions while presiding over the meeting of the Provincial Coordination and Implementation Committee (PCIC) here at CM House.

The meeting was attended by relevant cabinet members, the corps commander, NED University Vice Chancellor and other officials.

PCIC is told six solid waste management boards are being formed at division level

Karachi Commissioner Naveed Shaikh while briefing the meeting said that 3,957 structures along the Gujjar nullah had been identified for removal.

The meeting decided that 12.6 kilometres on both the sides of the nullah would be cleared so that a road on both sides of the channel could be constructed for vehicular traffic.

The chief minister directed the commissioner and Karachi Administrator Laeeq Ahmed to start removing soft encroachment from Feb 3 to 13 and then from Feb 14 launch a full-scale drive.

"We have to clear the encroachments and have to save the city from urban flooding," he said.

The CM also directed the commissioner to provide cheques to all the 3,957 people to be affected in the removal of encroachments. It may be noted that an amount of Rs15,000 per household for six months is being given to the affected people.

The meeting was told that 235 units/structures had been removed from Jan 4 to date at Mehmoodabad nullah.

The chief minister was told that out of 65 compensation cheques 45 had been distributed among the affected people and 20 cheques would be distributed shortly because the affectees were out of the city.

New solid waste management law

LG Minister Nasir Shah told the meeting that in order to make solid waste management more efficient the draft Sindh Solid Waste Act had been prepared and sent to the law department for vetting.

The proposed act includes establishment of separate boards at the level of each divisional headquarter.

There would be six boards across the province and each board would work as independent and autonomous body within its jurisdiction.

The boards would be headed by their respective managing directors.

Divisional commissioners will be the chairman of the board and mayors/chairman of metropolitan/municipal corporations concerned will be on the board. There would be some technical members and private members.

The meeting decided to develop a separate storm-water drain from Saadi Town to Lat dam so that the area could be saved from flooding during downpour.

The chief minister asked NED University to study the project and submit its report.

The meeting was told that the Lat dam was a recharge dam constructed in 2011-14. It has a capacity of 53-acre feet. The reservoir was silted within two years after its construction.

The chief minister directed the LG department to remove sediment from the dam so that rainwater could be stored in the dam.

He also directed the LG and irrigation departments to prepare a feasibility report of another dam upstream of Lat dam.

He also decided to store waste /rainwater into Thadho dam to use it for agricultural purposes.

He added that presently waste/rainwater was flowing into the sea but it could be stored in Thadho dam to use for agriculture purpose. (By Tahir Siddiqui Dawn, 14, 02/02/2021)

In Karachi, anti-encroachment drive to begin along Gujjar Nullah from Feb 3

The Karachi administration is to start an anti-encroachment operation along the Gujjar Nulla from February 3, according to the directives issued by the Sindh Chief Minister Syed Murad Ali Shah on Monday. Chairing a meeting of the provincial coordination and implementation committee (PCIC) at the Chief Minister's House, the CM also issued orders for the construction of a water channel from Saadi Town to Lat Dam to protect the area from urban flooding.

"I want to construct another dam on upstream of Lat Dam so that waste and rainwater may be stored there for agricultural purposes apart from recharging the groundwater aquifers of Malir district," said Shah.

Briefing the meeting, Karachi Commissioner Naveed Shaikh said that 3,957 structures along the Gujjar Nulla have been identified for removal. The meeting decided that 12.6 kilometers on either sides of Gujjar Nulla would be cleared so that a road on both sides of the nulla could be constructed for vehicular traffic.

Shah directed the commissioner and Karachi administrator to begin removing soft encroachments from February 3. He further ordered a concentrated anti-encroachment drive February 14 onwards.

Meanwhile, Sindh Local Government Minister Nasir Shah said that 10 dumpers, four loaders, four excavators, two Jackhammers and 100 manual labourers have been engaged for the operation. He added that the debris would be dumped at Jam Chakro.

The CM also directed Shaikh to provide cheques to the 3,957 people who would be effected by the anti-encroachment drives. An amount of Rs15,000 per household on six-monthly basis, is to be given to the affected people. The amount is to be disbursed through biometric verification of the dislocated occupant.

Besides, the meeting was informed that out of the 7.5 km length of both sides of Mahmoodabad Nulla, seven km have been cleared of encroachment and 500 metres are yet to be cleared.

Under the anti-encroachment drive, 235 units and structures have been removed till date. The CM was told that out of 65 compensation cheques, 45 have been distributed among the affected people and 20 cheques could not be distributed because the concerned affectees were out of the city.

Meanwhile, the meeting decided to develop a separate stormwater drain from Saadi Town to Lat Dam so that the area could be saved from flooding during heavy downpours. The chief minister directed the NED University to study the project and submit their report.

The CM directed the local government and irrigation departments to prepare the feasibility of another dam upstream of Lat dam.

The CM further decided to store wastewater and rainwater in Thado Dam to use it for agricultural purposes. Presently this water is flowing into the sea but it can stored in Thadho Dam noted the CM.
(By Newspaper's Staff Reporter The Express Tribune, 02/02/2021)

CM to review resettlement plan

Sindh Chief Minister Syed Murad Ali Shah urged a delegation of the Thar Coal Block-I Power Generation Company on Tuesday to provide employment to local people in the area and resettle the displaced families and said he would soon visit Thar and review the settlement plan.

Meeting a delegation headed by Meng Donghai, the chief executing officer of the Thar Coal Block-I Power Generation Company, the CM said the Thar Coal Block-I project involved the development of a 7.8 million tonnes per annum open pit coal mine and the installation of a 1.3 gigawatt ultra-supercritical coal-fired power plant.

"For the project, more than 40 per cent of the coal mining work has been completed," he said, sharing his plans to visit the site of the project at the month's end.

Briefing the CM on the project's progress, Donghai said the installation of the power plant was under way and the coal mining work was expected to reach completion by the end of 2021. He added that the first unit of the power plant was expected to be made operational in 2022 and it was likely to complete by 2023.

When the delegation apprised the CM that assistance was needed for the disposal of mine water and supplying water to run power plants, the CM directed Sindh Energy Minister Imtiaz Shaikh to conduct a feasibility study to identify means and sites for the disposal of mine water.

As far as the provision of water for running power plants is concerned, the CM said, a project for the construction of a canal between Nabirsar to Vajihar is launched, which will supply water to Thar-Coal Block-I. He, however, added that the energy department was to finalise the project.

The CM further said the Thar Coal Block-I Power Generation Company would have to sign a water user agreement with the energy department to be able to get water from the canal for Thar Coal Block-I.

As the meeting neared its end, the CM urged the delegation to resettle persons displaced following the development of the project and provide them employment opportunities, acknowledging that the residents of two villages had been displaced following the execution of the project.

At this, Donghai replied, "We are committed to settling them and have already started the resettlement process."

The CM then also urged the delegation to provide local residents of the area employment opportunities.

"I want that the fruits [of the project] be shared with the local people of Thar and they have the foremost right on them," he said, adding that he would soon visit Thar Coal Block-I and review the settlement plan.
(By Newspaper's Staff Reporter The Express Tribune, 04, 03/02/2021)

Farmhouses razed under Supreme Court order: CM

Sindh Chief Minister Syed Murad Ali Shah has said the farm houses of opposition leader in the Sindh Assembly Haleem Adil Sheikh, and those of people associated with him, were among the properties being razed in compliance with the Supreme Court's order.

Speaking to the media in Bhan Saeedabad, Jamshoro district, on Sunday, the CM said the farm houses were built on a piece of land which was leased for 30 years for agricultural purposes.

"You can't do commercial activities or build a farmhouse on that leased land," he maintained. "If someone wants to politicise this issue, it's up to them."

On Saturday the farm houses of Tariq Qureshi and Azeem Adil Sheikh in Malir, Karachi, were demolished during an anti-encroachment exercise.

The CM maintained the provincial government was implementing the apex court's order by carrying out the anti-encroachment operation and even centuries-old villages were facing the action.

"There is no question of political victimisation under the guise of anti-encroachment operation," he stressed.

Separately, Sindh Education Minister Saeed Ghani told the media in Badin that constructing a farm house on land leased for agriculture, livestock or poultry purposes is itself unlawful. According to him, a house or a farmhouse cannot be built on land leased for a period of 30 years.

"The anti-encroachment operation will not spare any illegal property, whether it belongs to someone from the PPP or the Pakistan Tehreek-e-Insaf."

'Ordinance in violation of Constitution'

Speaking on Senate election, the CM contended that the PTI actually feared that the candidates who had received tickets from the party for the senate polls were unlikely to draw support even from the PTI's legislators in the provincial assemblies. He criticised the manner of haste in which the PTI earlier tabled a piece of legislation to amend the Constitution in favour of open voting and on Saturday night got an ordinance promulgated by President Dr Arif Alvi.

"I felt strange reading last night that the ordinance will become effective only after the Supreme Court gave a similar ruling."

At a press conference in Hyderabad on Sunday, PPP MNA Shazia Mari said PTI was trying to dictate the Supreme Court by promulgating the ordinance.

She argued that the ordinance violated the Constitution, Article 226 of which calls for holding a secret ballot for Senate elections. "It's an unconstitutional, unlawful and undemocratic act," The MNA said, adding that the PTI had made the institutions controversial by bypassing the parliament for legislation over such a vital issue.

"It took them just 12 minutes to pass that ordinance," she said.
(By Newspaper's Staff Reporter The Express Tribune, 05, 08/02/2021)

Haleem Sheikh, 70 companions booked after 'violence' during demolition drive

Leader of the Opposition in the Sindh Assembly Haleem Adil Sheikh of the Pakistan Tehreek-i-Insaf (PTI) was booked by the Karachi police in a case pertaining to attempted murder and hindering an anti-encroachment drive. The provincial and district administration had demolished farmhouses, belonging to Mr Sheikh and his family, on the outskirts of the city a day earlier.

The Memon Goth police registered an FIR against Mr Sheikh and his 70 unknown companions for disturbing peace, causing financial loss to government property, assault on government employees, attempted murder, intimidation and interference in official work.

The case was registered on the complaint of a Korangi resident, Muhammad Ayub.

Leader of the opposition in the Sindh Assembly alleges his family's farmhouses were demolished at CM's behest

After a few hours, the Malir deputy commissioner released a statement recalling Saturday's "violent" event when government officials and other employees were attacked for carrying out an anti-encroachment operation on the directives of the Supreme Court. "During the operation in subdivision Memon Goth and subdivision Shah Mureed, 548 acres of state land was recovered," said the statement. "Similarly, 358 acres of state land in Deh Narathar and Deh Allah Pihai of subdivision Shah Mureed Malir was also recovered. The district administration has requested the general public to avoid investment in any illegal project."

The fresh action by the Sindh government aggravated its already strained relations with the opposition.

Opposition leader Mr Sheikh, who is also the vice president of the PTI, accused the chief minister of "masterminding the illegal operation against opposition leaders".

Judicial probe demanded

"Government officials and machinery are being used to attack the farmhouses of my relatives at the behest of the chief minister," he said while addressing a press conference in Gulshan-i-Umair Society.

Accompanied by other party leaders and lawmakers including Prakash Ukrani, Khurram Sherzaman, Dr Imran Shah, Dua Bhutto, Karim Bux Gabol and Jansher Junejo, he said the PPP government was busy in political vendetta against the opposition.

"We have legal documents for every inch of our lands," he said. "These leased lands were purchased by my cousin from Munni Begum. Tariq Qureshi and Azeem Adil Sheikh both are businessmen. The Malir deputy commissioner had already filed a report about these lands. In 2011, a committee was formed and the matter was approved by the Board of Revenue."

He alleged that the PPP government launched an "anti-opposition operation" after the PTI staged a protest rally from Hyderabad to Karachi against sugar mills and Omni Group. Since 2018, he said, the PPP government tried its best to implicate him in false cases but failed to get any proof.

"I demand that a judicial commission be formed to hold an investigation into cases of land grabbing in Sindh," he said and offered that the commission should start its probe from him.

Minister ready for judicial probe

Sindh Information Minister Syed Nasir Hussain Shah came up with a strong reaction against the "false allegations" levelled by the PTI leader but also appeared ready for a judicial probe. He said Prime Minister Imran Khan should order his own inquiry and appoint any judge for the probe.

"A judicial commission should be set up to probe into wrongdoings of people. The false allegations would not work," he said. (By Newspaper's Staff Reporter Dawn, 13, 08/02/2021)

Poor families' hopes dashed as encroachments along Gujjar Nullah removed

The people who live around Gujjar Nullah were hopeful that the little structures, which they call their home, would be spared again or that they would be granted another extension in Karachi Metropolitan Corporation's (KMC) work of broadening the usually choked storm-water drain infamous for flooding the entire city during monsoons.

But, alas, after giving them more time again and again, the men with orange vests and matching helmets finally arrived on Monday morning to remove what they referred to as 'soft encroachments' on either side of the drain.

The initial action gained strength in New Karachi, a place known also as the Zero Point bus stop. The dwellings all bore fresh red markings even after portions such as outhouses or sheds were demolished using just pickaxes and sledgehammers. One could clearly see the panic in the women's eyes, fright in the children's as all stood outside, watching from whatever part of their homes were still intact.

"They are razing our bathrooms and sheds to broaden the path alongside the drain. We're sure they won't leave it at that. It is being done to make way for their bulldozers obviously. We are bracing for more destruction," said Mehran Gul, who also said that he has lived alongside the nullah for 40 years now.

'If the roofs over our heads are snatched from us, where are we to go?'

"We have lease papers for our patch of land. We also took copies of our papers for verification to lawyers and they were cleared as genuine. And despite this these KMC people came here some two or three years ago also to cut 10 to 15 feet from our covered area. Now they are back to push us even further back," he said.

Rahima Bibi, another resident of the area, whose bathroom was demolished on Monday was worried for the women in her family. "I'm an old widow. My little place only has four rooms. There was no room to build a bathroom in our small home so we constructed it at a few feet distance across the house. Now that it's gone where are my young daughters and daughters-in-law going to go relieve themselves?" she said.

Qaiser Bibi, another poor woman there, said that she only moved to this part of the Gujjar Nullah 10 years ago. "I was foolish enough to believe the people who cut short our front covered area a few years ago. They said there won't be any more cutting and we were well within our limits so I used up my savings to reinforce my house with cement and concrete. Now I find markings on my RCC construction, too," she lamented.

"They are saying that they will return in 10 days, on February 18, for more anti-encroachment work. The children are asking us questions to which we don't have answers. They ask where are we going to go if they bulldoze our entire home. We are telling them to pray that it doesn't happen," she said.

Both Rahima Bibi and Qaiser Bibi said that they also had lease papers for their respective properties but they lost the documents along with other valuables in last year's rains. "The entire place was flooded and we don't know what happened to the papers in all that chaos," said Qaiser Bibi.

Ahmed Ali, a young man who also lives in the same line, said that he works in a bird shop. "We had been told that some action was expected today along the drain but we didn't know what part as it is a very long drain. I was already feeling anxious and then my mobile phone rang. It was from home. I dropped everything to come running here," he said.

"We have water, power, and gas connections. How can illegal homes have that? We regularly pay our bills. In fact, it takes out a chunk of our salaries. If the roofs over our heads are snatched from us, where are we to go? We have been looking for other options but we can't afford to live on rent on our salaries. The rent for even a two-room house is Rs25,000. We are hand-to-mouth. We have no savings," he said

(By Shazia Hasan Dawn, 13, 09/02/2021)

SHC stays razing of Haleem's farmhouses

The Sindh High Court issued on Friday an interim stay order against the demolition of farm houses owned by opposition leader in the Sindh Assembly Haleem Adil Sheikh in a contempt plea relating to the matter. The court also issued contempt of court notices to the Sindh chief secretary and other parties.

At the hearing, counsel for the petitioner, advocate Shamsul Islam, contended that the demolition of the properties by the Sindh government was "an act of revenge" and that the provincial had wrongly interpreted the Supreme Court's order on the matter.

Following that, the court issued an interim stay order against the demolition of the farmhouses, restricting the relevant authorities from taking any action until February 23.

Extension granted

Separately, a two-member bench, comprising Justice Muhammad Iqbal Kalhoro and Justice Shamsuddin Abbasi, granted an extension to the National Accountability Bureau (NAB) for submitting a reply on the bail pleas of Pakistan Peoples Party leader Syed Khurshed Shah, his alleged front man, Mahesh Kumar, and others accused in an assets beyond means case.

The petitioners have anticipated arrests by NAB officials in the plea and moved the court to restrict the antigraft watchdog from taking any action against them in the absence of court orders.

At the plea's hearing, the NAB prosecutor informed the court that evidence against the accused had been collected and a reference would soon be filed against them.

The summary for filing the reference has been sent to the NAB headquarters, he added.

He requested the court for an extension to submit a reply on the plea until the headquarters' approval for filing the reference.

The court granted him an extension until March 11.

Intezar murder case

At the hearing of the bail pleas of the accused Anti-Car Lifting Cell (ACLCL) officials in Intezar murder case, the court sought arguments from defence lawyers at the next hearing.

Besides, the court sought the apex court's verdict on the bail plea of the accused, Tariq Raheem and Tariq Mehmood.

Thereafter, the court adjourned the hearing until March 2.

Raheem's bail plea has already been rejected twice. He is among the nine ACLCL officials booked for gunning down Malaysia returned student Intezar in Defence Housing Authority on January 13, 2018.

Of the accused, eight have been arrested and one is out on bail.

FIA action challenged

Separately, the court expressed annoyance at the employees of a software company for attending in large numbers the hearing of a plea challenging action initiated by the Federal Investigation Agency (FIA) against the software company over allegations of fraud, money laundering and extortion.

The plea terms the FIA's action "an act of revenge" and states that 1,500 employees have been restricted from entering their workplace. It moves the court for barring the FIA from taking action against the company.

When the company's employees gathered in the courtroom during the hearing of the plea on Friday, the court warned them against it, stating that the plea would be rejected otherwise.

Besides, the FIA prosecutor informed the court that investigations against the company were underway and a final challan would be submitted soon. Following that, the court adjourned the hearing until March 17.

(By Newspaper's Staff Reporter The Express Tribune, 05, 13/02/2021)

Notices issued on suits against demolition of leased houses along Gujjar Nullah

An anti-encroachment tribunal has issued notices to the federal, provincial and local government authorities on lawsuits against possible demolition of houses on the leased land during an ongoing operation along Gujjar Nullah.

The tribunal directed the LG secretary, Karachi administrator and commissioner, the chairman of the district municipal corporation East, the director general/chairman of the Sindh Katchi Abadi Authority and the chairman of the National Disaster Management Authority (NDMA) to submit their replies till Feb 15.

Residents of Federal B Area and New Karachi separately instituted two suits, citing the abovementioned federal, provincial and LG authorities as defendants.

Advocate Khawaja Altaf submitted that he had built a house in F B Area's Block-5 after obtaining lease from the provincial Katchi Abadi department upon fulfilling all the requisite legal formalities in 2002.

He further submitted that the department had granted 99-year lease to him in respect of the subject plot.

The anti-encroachment tribunal will take up the matter again on 15th

However, the plaintiff said the officials of the KMC's anti-encroachment department had marked his house as illegal and he came to know that the same construction would be demolished on Feb 18 or so.

He submitted that during the ongoing operation against illegal encroachments along Gujjar Nullah in order to retrieve the land from the alleged illegal occupants, the officials were going to demolish the houses built over duly leased plots.

In the second suit, the plaintiffs submitted that they had built houses in New Karachi after obtaining 99-year lease from the Karachi Development Authority, but KMC officials had also marked their houses as illegal and it was feared that the same would be demolished on Feb 18 or so.

They contended that the action by the provincial and KMC authorities was illegal and unwarranted since they possessed proper lease documents in respect of the subject plots, where they had built their houses.

The plaintiffs stated that no prior notices had been issued to them by the relevant department of the KMC, which had simply published an advertisement in newspapers asking the residents along Gujjar Nullah to vacate the land within one week.

They contended that the KMC's action to demolish the houses built over lawfully leased land would be in violation of the Supreme Court's Aug 12, 2020 orders, wherein the apex court had clearly directed the Sindh government to properly rehabilitate those whose houses were supposed to be demolished during the anti-encroachment drive.

Secondly, the plaintiffs contended that any action on part of the KMC's anti-encroachment department to bulldoze their lawfully built houses would also be in violation of the provisions of the Anti-Encroachment Act, 2010 as the law protects any construction raised over a properly leased piece of land.

Therefore, they pleaded to the tribunal to order the provincial and local government authorities to refrain from bulldozing their houses.

They also sought a stay order to restrain the KMC officials from demolishing their houses till final disposal of the lawsuits.

After initial hearing, the tribunal issued notices to the defendants with direction to submit their respective replies till Feb 15 and adjourned the hearing.

(By Naeem Sahoutara Dawn, 13, 14/02/2021)

KMC restrained from razing leased houses along Gujjar Nullah

An anti-encroachment tribunal restrained on Monday the Karachi Metropolitan Corporation (KMC) from demolishing the houses built over duly leased land during an ongoing operation along Gujjar Nullah.



The tribunal, headed by its presiding officer Shakil Ahmed Abbasi, stayed the demolition activity for 15 days on two separate suits filed by residents of Federal B Area and New Karachi against possible demolition of their houses on the leased land along the nullah.

The plaintiffs had cited the local government secretary, Karachi administrator and commissioner, the chairman of District Municipal Corporation East, the director general/chairman of the Sindh Katchi Abadi Authority and the chairman of the National Disaster Management Authority (NDMA) as defendants.

During Monday's proceedings, Assistant Commissioner (Central) Dr Muhammad Hasan Tariq appeared before the tribunal and submitted that marking of the unauthorized and illegally raised constructions was within the domain of the KMC in the areas falling within its jurisdiction.

A tribunal is told rehabilitation of people displaced in an anti-encroachment operation is Sindh gov't's responsibility

An NDMA representative submitted that that the Supreme Court had given mandate to the authority to clear the nullahs in the metropolis while identifying illegal constructions and demolishing them.

He said rehabilitation of the people displaced during such an operation was the duty assigned to the Sindh government by the apex court.

A legal adviser for the KMC gave an undertaking that no construction over duly leased lands would be demolished during the operation along Gujjar Nullah.

Following the undertaking and a request made by the plaintiffs' counsel, the tribunal granted an interim stay order, restraining the KMC from demolishing the plaintiffs' houses that had purportedly been built over the land said to have been duly leased by the Katchi Abadi department and the Karachi Development Authority.

The tribunal called reports from the officials of the respective departments till the next date.

In the suit, plaintiff Advocate Khawaja Altaf had submitted that he had built a house in F B. Area's Block 5 after obtaining lease from the provincial Katchi Abadi department upon fulfilling all the requisite legal formalities in 2002.

He said that the department had granted 99-year lease to him in respect of the subject plot. However, the officials of the KMC's anti-encroachment department had marked his house as illegal and he came to know that the same construction would be demolished on Feb 18 or so.

In the second suit, the plaintiffs had submitted that they had built houses in New Karachi after obtaining 99-year lease from the KDA, but KMC officials had marked their houses as illegal and it was feared that the same would be demolished on Feb 18 or so.

They contended that the action by the provincial and KMC authorities was illegal and unwarranted since they possessed proper lease documents in respect of the subject plots, where they had built their houses.
(By Naeem Sahoutara Dawn, 13, 16/02/2021)

Permanent removal of all encroachments from storm-water drains planned

The provincial government has decided to implement and complete all safety and precautionary measures and permanently eliminate all encroachments from storm-water drains within the boundaries of each district before the onset of rains.

This decision was taken at a meeting on city infrastructure improvement and development held under the chairmanship of local government, housing and town planning secretary Syed Najam Ahmad Shah.

Officials of the Pakistan Army Engineering Corps, city administrator and metropolitan commissioner, managing director of Karachi Water and Sewerage Board and representatives of commissioner of Karachi and Civil Aviation Authority and others attended the meeting.

The meeting participants discussed in detail the causes of devastation caused by previous rains, pre-monsoon preparations and encroachments on drains.

The LG secretary said that the KMC, KWSB and all other institutions must be on the same page in order to get the important municipal issues of the city resolved.

The LG secretary directed the water utility chief to immediately remove encroachments on the rainwater drain passing through the Water Board Colony and implement an integrated strategy with the help of the KMC.

The participants in the meeting agreed that a comprehensive and coordinated strategy should be formulated for permanent removal of encroachments within the jurisdiction of all boards and authorities.

Mr Shah said that it was important to bring the city to its original condition and all possible resources and efforts should be utilised to achieve this goal.

He said that the National Disaster Management Authority also played an important role in cleaning of drains in the city.
(By Newspaper's Staff Reporter Dawn, 14, 25/02/2021)

Court orders attachment of Zain Malik's property

An accountability court on Tuesday ordered attachment of properties of real estate tycoon Zain Malik, who is said to be abroad and facing a reference pertaining to alleged illegal amalgamation of commercial land for a multistorey building in Karachi.

Former Karachi mayor and Pak Sarzameen Party chairman Syed Mustafa Kamal, Zain Malik, son-in-law of real estate tycoon Malik Riaz; former Karachi district coordination officer Fazlur Rehman, former executive district officer Itfikhair Kaimkhani and others are facing trial in the case.

On Tuesday, the matter came up before the accountability court-III judge Dr Sher Bano Karim, when Mr Kamal and other suspects appeared before the court on bail.

However, Zain Malik, who is reportedly absconding in the present case since the federal anti-graft watchdog filed the reference in June 2019, was absent.

Special public prosecutor Zahid Hussain Baladi informed the court that the process regarding proclamation of the absconding builder and attachment of his properties as ordered by the court under Section 87 of the Criminal Procedure Code could not be completed so far.

He requested for more time to enable the IO to complete the process and submit a compliance report till the next date. Allowing request, the judge granted time till April 10 to the IO to complete the process and submit a compliance report.

The prosecutor also produced a prosecution witness, Kamal Abbas, a clerk in the office of the sub-registrar, Clifton. He produced a sale deed in respect of the subject property purportedly signed between M/s DJ Builders and M/s Bahria Town and other relevant documents.

The judge recorded his statement and his cross-examination was conducted by the defence counsel for the accused persons. The reference was filed by the National Accountability Bureau.

The reference named five builders — Zain Malik, Mohammad Dawood, Mohammad Yaqoob, Mohammad Irfan and Mohammad Rafiq — as accused.

(By Newspaper's Staff Reporter Dawn, 16, 10/03/2021)

Created homelessness

IN the last 40 years no social housing has been developed in Pakistan except for small schemes by community organisations and NGOs, which is not even a drop in the ocean. Grand plans made by the PPP and PML-N governments during their tenures did not materialise.



So one is forced to ask as to how the poor manage to house themselves?

This process in Karachi has been well-documented. Comparatively cheap land is available on the city's fringe. Living there is unaffordable because of costs involved in travelling to work, absence of education and health facilities, and work for women.

As a result, the old katchi abadis, which are within or nearer to places of work have densified and so have houses along the nullahs. Densification is achieved by building upwards, increasing the number of families in one house, or simply moving part of the family to the street. The more ecologically dangerous places have the cheapest land and so most of the poorest families live in areas subject to flooding or landslides.

Must development projects leave people without homes?

There was a time when katchi abadi residents were confident that their settlements would be regularised. However, for the past 15 to 20 years the regularisation process has been abandoned and under the 2014 Sindh Special Development Board Act, katchi abadis can be handed over to developers for demolition and multistorey reconstruction on 'modern' lines. Infrastructure projects have also displaced over 200,000 people in the last decade; as a result, most displaced families are heavily in debt and their children out of school. This has led to extreme insecurity in all low-income settlements in Karachi, which is a major impediment to upward mobility.

As a result of the 2020 floods, the government has decided to bulldoze about 12,000 homes along three nullahs (demolition along other nullahs will follow) that they claim are disrupting the flow of water. In addition, 2,948 commercial units are also to be removed.

There are a number of issues that arise out of this situation. The houses being demolished almost always contain more than one family but compensation is being paid per house. Then the notice given for demolition is too short. These houses have been built over time and have been financed primarily by women through BC committees, savings from household expenses, and sale of dowry items such as jewellery. Once demolished, the owners have no place to store usable items from the rubble or have no space to cook, so many families stay hungry. Given Covid and inflation, and a change of culture, moving in with friends and relatives is no longer an option. Meanwhile, rents have increased due to inflation and a six-month advance is demanded by landlords. The money offered by the government is not even a small fraction of what is required even for renting purposes.

These low-income settlements have an economy that serves the local population and generates jobs. By the removal of commercial activity, this economy and the population it serves are adversely affected.

Surveys of the affected population show that most of them have either lost their jobs or that their businesses have suffered due to Covid. In most cases, one finds one family of six to eight persons living in one room with often one toilet seat for 20 persons. These conditions are enough to shame any Pakistani with a minimum of conscience. With the construction of ML1 (the rail link between Karachi and Peshawar), evictions will increase manifold and will take place all over Pakistan.

One is forced to ask if infrastructure projects have to create homelessness, loss of jobs, debt, and out-of-school children. The construction of Karachi's Malir Expressway is demolishing a large number of old goths including archaeological sites, water reservoirs, and green cover. In the opinion of some experts, there could have been an alignment whereby these goths remained unaffected.

It is imperative that in the future, infrastructure projects should aim at minimising evictions, and either a lump-sum compensation or a housing alternative should be offered to the affected population. This should be a part of the government's current housing programme. At a modest estimate over one million population will have their homes demolished in Pakistan as a result of the ML1 and related infrastructure projects. This population is both poor and homeless. Imran Khan does not have to look for the poor. They are staring him in the face. Also you cannot keep punishing people for the failure of previous governments.

The present demolitions are a watershed in Pakistan's history. They have been supported by Supreme Court judgements. There has been no effective civil society movement opposing them. They are not a hot subject for the media, human rights organisations or

political parties. Meanwhile illegal construction by the elites of this country is routinely regularised. It seems that we are happy being an apartheid state.

(By Arif Hasan Dawn, 07, 16/03/2021)

Disappearing homes

FOR more than three years now, evictions have been underway in different Karachi locations. Dwellings along river banks, nullahs and expanded corridors have been demolished. Hundreds of households along the Karachi Circular Railway corridor and the Gujjar nullah have been evicted and declared 'illegal'. No official quarter responds to the legitimate issue of decent shelter for the affected.



Conversely, official quarters provide a way out when land is occupied by the affluent in illegally developed housing schemes. Going by TV and other media commercials, a new city is emerging along the M-9 motorway, embracing Hyderabad. If one is an overseas or local investor, then the sky is the limit where such bountiful tracts are concerned.

Political interests have been a primary factor in determining the procedure of land supply. This interest superseded urban and regional planning considerations, the objectives and policies of the administration, fiscal liabilities and even legal limitations. Under clandestine pressure from establishment elements, developers and investors, provincial governments continue to allot land at nominal prices to their favourites.

There is no transparency, and bypassing laws, regulations and norms is a routine exercise that obstructs land supply processes. Briefly, land parcels are allotted due to political pressure. Political bribes are also given in the form of land. Government departments, law enforcement, financial institutions and urban development authorities carry out orders from above.

Political interests have determined land supply.

Recently, a real estate enterprise of the establishment acquired thousands of acres along the M-9 Motorway. Land sales are being fuelled by profit-making — very low prices are paid to the provincial government. Clan influences, appropriation and possession of land have always had an impact on the direction of development. Landlords have lobbied with public-sector officials to devise development policies/ priorities to maximise their own benefit.

Planning and development of communication schemes, transportation projects and investment in infrastructure plans have been largely manipulated. The fringes of the large cities are the most important choices in this regard. The north-western outskirts of Karachi have been a major location for local landlords to benefit from.

Existing land supply patterns show the disparity between the privileged and disadvantaged classes. Land was procured, developed and sold on the basis of conditions set by public-sector agencies in liaison with powerful interest groups. These groups attempted to maximise their profits by moulding decision-making in their own favour. Thus the unprivileged had to fend for themselves in informal locations as per the availability of land.

There have been many negative repercussions. The inner ring of Karachi within a 10-kilometre radius contains most of the upper-income groups. Larger squatters and low-income localities are far away; the poor have to commute long distances to their place of work via dilapidated transport systems. The provincial government can always direct the Sindh Katchi Abadi Authority to comprehensively survey the squatter settlements within its jurisdiction, and regularise and notify those that fulfil prescribed conditions, thus ensuring security of tenure to the hapless residents.

All these steps are legally permissible but require policy support from those at the top. At the same time, the technical assessment of informally developed high-rise structures can be done across all katchi abadis. These structures can be categorised for possibilities of retrofitting, rehabilitation, demolitions and re-development. If comprehensive katchi abadi regularisation and rehabilitation are done in a poor-friendly manner, millions will benefit. More than half of Karachi's population resides in such settlements.

A 2018 court judgement appears to endorse the view that real estate development can be legalised even if illegally begun. No wonder that procedures of land development and supply and the distinction between the formal and informal sectors are diminishing due to the administration's failure to control the factors governing the land market. De facto ownership of land is now given due regard in development operations and is often temporarily recognised.

Incremental housing development for the poor has been found as the most effective mode of benefiting the poor. For instance, there can be successful replications of the Khuda Ki Basti model in Karachi and other cities. Lessons learnt can be applied to making housing accessible to our teeming millions. The reception area concept to filter and target the real poor for extending shelter benefit is tried and tested and can be used in new land supply schemes with a focus on the urban poor.

(By Noman Ahmed Dawn, 07, 18/03/2021)

Cabinet asks for proper survey of encroached irrigation land

The Sindh cabinet on Friday directed irrigation department to conduct a proper survey of canals to assess size of its operational land under encroachment and its actual requirement so that the government could reclaim the surplus land after clearance of encroachments.

The decision was taken at a meeting chaired by Chief Minister Syed Murad Ali Shah at CM House. The meeting, which had only one point on the agenda — to review status of implementation of Sindh High Court's order for removal of encroachments from properties of irrigation department and relocation plan for people displaced as a result — was attended by provincial ministers, adviser on law, advocate general, prosecutor general and provincial secretaries concerned.

The cabinet was told that the SHC had directed the irrigation department to remove encroachments from its land, especially the structures erected along both dykes of water channels.

The cabinet was informed that the department had started operation and removed encroachments from main canals, branch canals, distributaries, minors, drains and dykes in order to clear hindrances and activate irrigation system.

The ministers said that the anti-encroachment drive had displaced a large number of poor people, several villages had been bulldozed and people had been left with no option but to live in the open.

The meeting, after detailed discussion, directed the irrigation department to reassess its requirements on the basis of its operational needs, land presently in use and required in future, right of way, colonies, channels, regulators and other systems functioning on the land so that the encroached land could be vacated. After meeting land requirement of the irrigation department, the government would reclaim the surplus land, said the meeting.

The cabinet directed district administration to start registration of the people displaced by the anti-encroachment operation so that necessary measures could be taken to relocate them. The irrigation department would present reassessed plan of its land requirement in the next meeting of the cabinet for necessary action.

(By Newspaper's Staff Reporter Dawn, 15, 20/03/2021)

Sindh govt to register affected persons for resettlement

After outcry over demolitions of structures along the banks of irrigation canals from different segments of society, the Sindh cabinet decided on Friday to register persons affected by the razing of structures for resettlement.

Scores of dwelling have been razed as part of an anti-encroachment drive to clear the Sindh Irrigation Department's land of illegal structures on the court's directives.

Presiding over the cabinet meeting on Friday, Sindh Chief Minister Syed Murad Ali Shah directed irrigation department officials to conduct a survey of irrigation canals to assess the area of the department's land that had encroachments built on it and the area of land that the department needed so that the government could repossess the surplus land.

The meeting was told that the Sindh High Court, in a constitutional petition, had directed the irrigation department to clear encroachments from its land, especially those constructed on irrigation channels.

Following that, the irrigation department had launched a demolition drive to remove encroachments erected on main canals, branch canals, distributaries, minors, drains and bunds, so as to remove hindrances in the way of irrigation operations.

At that, cabinet members pointed out that the anti-encroachment drive had displaced scores of people, most of them poor. They said multiple villages had been bulldozed and residents had no option but to live under the open sky.

After a long discussion, the cabinet directed the irrigation department to make an assessment on the basis of its operational needs of the area of land it required, the area of land presently in its use and the area it would need in the future for colonies, right of way, channels, regulators and other purposes, so that encroachments from its land could be removed and the provincial government could repossess the additional land.

(By Newspaper's Staff Reporter The Express Tribune, 04, 20/03/2021)

Replies sought on pleas against demolition of houses along Karachi's Gujjar Nullah

An anti-encroachment tribunal on Saturday summoned the provincial local government secretary, Karachi administrator and commissioner, director of the Katchi Abadis department of the Karachi Metropolitan Corporation along with their respective replies regarding likely demolition of houses over leased land along Gujjar Nullah.

The tribunal, headed by its presiding officer Shakil Ahmed Abbasi, directed the provincial and local authorities to submit their replies by March 25.

Over 50 residents approached the tribunal citing the LG secretary, Karachi administrator and commissioner, the chairman of District Municipal Corporation-Central, the director general of the Karachi Development Authority and director anti-encroachment, KMC, as defendants.

The suits have been filed under Sections 13 and 14 of the Sindh Public Property (Removal of Encroachment) Act, 2010.

The plaintiffs submitted through their counsel Khawaja Altaf that they had built houses in Blocks 5, 18, 19 and other areas of Kausar Niazi Colony after obtaining proper leases.

The counsel submitted that the Sindh Katchi Abadis department, KDA and KMC had lawfully granted 99-year lease to the plaintiffs in respect of the plots in question between the 1970s and 2002 and they had built their houses upon fulfilling all legal formalities.

Plaintiffs say their houses were built on leased land but KMC is planning to raze them

He further submitted that recently the officials of the KMC's anti-encroachment department had marked certain portions of the houses of the plaintiffs, who apprehended that the same were likely to be demolished as part of the ongoing operation to retrieve the lands along Gujjar Nullah.

The counsel submitted that no prior notices had been issued to his clients, which was a violation of Section 3 of the anti-encroachment law of 2010. Secondly, he added, when the plaintiffs approached the relevant department the officials refused to share any information in this regard, which was also a violation of Article 19-A of the Constitution.

Advocate Altaf argued that the defendants' actions to demolish constructions on the lawfully leased land would amount to a violation of Section 11 of the Land Acquisition Act, 1894.

The tribunal was asked to declare that the land possessed by the plaintiffs was lawfully leased to them by relevant departments.

It was also requested to grant a stay against likely demolition of the houses/portions of the houses of the plaintiffs over leased lands. (By Naeem Sahoutara Dawn, 13, 21/03/2021)

People hit by anti-encroachment drives along drains seek shelter

"We have no voice in this democracy. And others, including the media, are silent spectators to our misery as the roofs over our heads are bulldozed," said Nighat, an affectee of the Gujjar Nullah operation.

She was speaking at a press conference called by the Joint Action Committee of social activists at the Karachi Press Club here on Tuesday.

"No information is shared with us regarding what is to become of us or where we are to go, and when we come out to protest, they register FIRs against us," she said.

Naseem, a Korangi Nullah operation affectee, said that during the operation in his area, two people suffered heart attacks. "One of them, my friend, succumbed to his attack," he said, holding his late friend's photograph in his hand.

'The affectees are also citizens of Pakistan'

"Besides the pain caused to us poor people there will also be 10 mosques that will be razed if the plan is to be followed. And in Korangi the distance between the drain and the homes is far enough. They are demolishing homes to create room for two roads on either side of the nullah," he said.

Zahid Farooq of the Urban Resource Centre said that the plan for the cleaning and broadening of the storm-water drains includes the destruction of 14,000 homes and 3,000 shops. And it is to culminate before Ramazan. "This will be like a replay of what we saw two years ago when some 1,100 people were left homeless due to the Karachi Circular Railway operation. But the affectees of this developmental work at the Gujjar Nullah, the Mehmoodabad Nullah and the Orangi Nullah, are citizens of Pakistan also. That makes them the state's responsibility," he pointed out.

"Even in times of war, there are breaks allowed for celebrating religious festivals. Many of the affected here are also Christians, and Good Friday and Easter are just around the corner now. We urge the city government to at least stop the operation during those religious holidays in order to allow these people to celebrate their festivals in peace," he said.

"We are not against development or progress. But we demand that there be a proper survey carried out of how many affected people there actually are as a result of all these operations and these stakeholders also be included in the decision-making process. There are more than one family living under a roof. Therefore, counting the houses cannot provide the actual number of the affectees," he said.

He recalled that in 2019, the chief justice of Pakistan had ordered the relocation of the people living around the KCR land ahead of the operation, which did not happen. And in 2020, Bilawal Bhutto-Zardari also spoke of relocating the families affected by the operations around storm-water drains but that also did not happen. Another thing that was pointed out was that there has been no environment impact assessment done ahead of any of the operations, which is a requirement.

Nasir Mansoor of the National Trade Union Federation said that instead of providing poor people with housing, this government is snatching the roofs over their heads. "The living conditions of these people weren't good anyway and now they are to deteriorate further," he said.

Asad Iqbal Butt of the Human Rights Commission of Pakistan said that taking away these people's homes may have very diverse effects such as an increase in crime and worsening of the law and order situation here.

Architect and town planner Arif Hasan said that these people living by the nullahs or storm-water drains are not doing so by choice. "It is because this is what they could afford. The places were also leased out to them," he said, meaning that they are not really encroachers.

"But the development planning has all been done without carrying out a proper survey," he said, adding that the plans should also be shared with the people who are being affected by it.

He also said that the people need to be properly compensated to enable them to find alternative places to live and they should be given land to build new homes.

"The issue of housing is a big issue in our country. We are seeing more and more people sleeping on footpaths and pavements now. We didn't see that earlier," he said while regretting that no one here even raises their voice about the plight of the people losing their homes.

"Pakistan is also a signatory to so many United Nations conventions on human rights and even the UN is silent on this grave violation of human rights. We have also taken so many loans from foreign organisations that are also silent. Still, what is happening is cruelty against humanity. The government here seems to be against poor people," he said.

(By Shazia Hasan Dawn, 13, 31/03/2021)

Building collapse during demolition drive leaves four injured in Karachi

Four labourers were injured when a three-storey building collapsed near the Sindh Government Qatar Hospital in Orangi Town on Friday while an anti-encroachment operation was under way in the area.

The affected building caved in while an anti-encroachment team of the Karachi Metropolitan Corporation (KMC), led by KMC anti-encroachment director Bashir Siddiqui, was demolishing structures along Orangi nullah. As a result, four KMC labourers were stuck under the rubble.

Three of the labourers were retrieved by rescue workers and the police a short while later. However, the fourth labourer, remained trapped under the rubble for around three hours. Heavy machinery was employed to rescue him.

The injured labourers were identified as Khair Muhammad, 55, Khayal Muhammad, 50, Hazir Muhammad, 50, and Shoaib, 18. Among them, Shoaib sustained severe injuries on his legs and his condition was said to be critical at the time of filing of this report. Area residents held the KMC responsible for the incident.

"They [the KMC] have a faulty strategy for the demolition drive and the situation would have been different had heavy machinery been used for razing structures," said a resident.

Later, Siddiqui said while speaking to the media that all the needed medical treatment would be provided to the injured.

A Provincial Coordination and Implementation Committee meeting, chaired by Sindh Chief Minister Syed Murad Ali Shah, was told last month that 1,103 structures had been identified for removal along Orangi nullah's embankments in West district, where it covered a length of six kilometres (kms).

At the time, soft encroachments along the nullah's length had been cleared and the razing of other structures was to begin that month, the meeting was informed. Besides, the meeting was told that 193 structures had been removed along the nullah's length in Keamari district, where it extended over 1.6kms.

(By Newspaper's Staff Reporter The Express Tribune, 04, 03/04/2021)

No relocation yet

The basic contract between a state and its citizens is that the former will care for all of its needs. In exchange, the residents will be provided with a set of rights, provided they uphold their promise of abiding by a set of responsibilities such as following the law and paying taxes. But in practice, all the land and lives in the country seemingly belong to the state which does not owe anything back to its citizens — the basic unitary component of any state.

Hundreds of poor people, who have sunk all of their earnings in keeping a small thatch over their heads have been rendered homeless on the pretext of anti-encroachment operations along the Gujjar and Korangi nullahs of Karachi. Affectees speaking at a news conference at the Karachi Press Club recently claimed that the operations caused at least two people to die of heart attacks over losing their homes. They said the operations affected communities who were about to celebrate their respective religious festivals.

The operation that came months after a similar operation, carried out on the orders of the Supreme Court, rendered hundreds homeless for daring to live on land that was earmarked for a non-existent circular railway. This is what epitomises the failures of the state. An aspect that was ignored completely was that the court had ordered the state to "relocate" the affectees of the circular railway operation rather than just make them homeless. Unfulfilled were empathetic vows from powerful politicians of giving a roof to these people.

This country has too long been swayed on the promise of providing housing to the growing ranks of poor, feeding the hungry and clothing the destitute. But all it has done towards the fulfilment of that promise is to sell an illusion to the masses, robbing them instead

of everything they had. Many in this city, who live in their palatial mansions, may feel removed from this tragedy. This is the real slumber from which we have to rise and seek a new contract where the state is subservient to its people and break our colonial chain. (By Editorial Dawn, 14, 06/04/2021)

Bodies formed for rehabilitation of affectees of anti-encroachment drives

Commissioner Navid Ahmed Shaikh on Thursday while chairing a meeting of the working committee constituted by the Sindh government to help prepare framework for resettlement and rehabilitation of the families affected/displaced due to removal of encroachments from the city has formed two subcommittees to resolve all the related matters amicably.

The first committee is mandated to prepare detailed framework for planning and development, covering all issues related to removal of encroachments and compensation to the eligible affectees while the second committee will be responsible for the administration and legal work with regard to revenue matters.

The committee which will deal with the affectees/families will be headed by the representative of Shehri Amber Alibhai.

It will identify the areas and families and collect data through a transparent manner while the other committee which will work on administrative and legal work will be headed by KMC Municipal Commissioner Afzal Zaidi.

Both the committees have been asked to complete the study within four weeks so that comprehensive framework for the development of the city could be developed.

It was decided in the meeting that all relevant details of encroachments would be identified on scientific basis with the support of agencies concerned as well as with the involvement of civil society.

It was also decided in the meeting that Board of Revenue and all landowning agencies/development authorities including LDA and MDA will also be taken on board. (By APP Dawn, 09/04/2021)

Residents map flood risks to stop evictions

Residents of slums in Manzoor Colony have stopped the demolition of thousands of homes by mapping flood risks from clogged drains, offering a feasible solution to other informal settlements facing climate change impacts, urban experts said.

After unexpectedly heavy rains flooded much of Karachi last year, authorities said some slum settlements would be removed to allow drains to be widened, with hundreds of homes in Manzoor Colony settlement earmarked for demolition. Residents, who had always insisted that the flooding was mainly caused by drains blocked with rubbish and sludge, teamed up with nonprofit organisations to map the drainage network.

"They generated their own evidence to uncover the reasons - overlooked by authorities - why Karachi floods," said Arif Hasan, an architect and planner, who backed the mapping project. "The communities believed that if these obstructions are removed and the drains are cleaned and maintained, flooding will not take place," he told the Thomson Reuters Foundation.

About 12 million people out of Karachi's 16m population live in informal settlements, and are increasingly vulnerable as Pakistan's largest city faces worsening inundations as the South Asian monsoon brings extreme weather. Karachi, Pakistan's financial hub, has a network of 550 stormwater drains that criss-cross the city and empty into the Arabian Sea. Many are blocked by illegal construction and waste.

Authorities say they clean out the drains every year before the monsoon, except last year when the provincial government did not provide funds. The unusually heavy rains killed dozens, submerged main roads, and inundated hundreds of homes. To map Manzoor Colony's drains, a team from the nonprofit Technical Training Resource Centre (TTRC) walked along with them with residents, photographing, marking and mapping more than a dozen blockages. Their map showed only about 40 houses needed to be removed to leave the drains clear, said Mohammad Sirajuddin, head of TTRC, who led the mapping project.

"The authorities said thousands of houses would need to be demolished, but our maps showed otherwise." In November, residents successfully halted the planned demolitions in Manzoor Colony. While it is not certain whether authorities will use the community's flood risk map in the future, the residents now know where the choke points are and how they can tackle the dangers, Sirajuddin said. Two other informal settlements in Karachi are being mapped, with residents - especially young people - trained, he said, adding that the model can be replicated across the country. These maps also generate crucial data on households, said Nausheen Anwar, director of the Karachi Urban Lab.

"The maps provide a process through which consensus can be built and inclusion of all residents can be negotiated to stave off evictions and establish a basis for just compensation and resettlement," she said.

By 2030, more than half of Pakistan's projected 250m population is expected to live in cities, compared to 36 percent now, according to the United Nations.

Prime Minister Imran Khan had pledged to build five million affordable homes within five years to address a chronic shortage, with housing rights groups warning that poorer residents face evictions as pressure on land increases.

"When youths in the settlements are trained in mapping, they better understand the risks they face," said TTRC's Sirajuddin, "they understand their rights, and can fight evictions."
(By Reuters The Express Tribune, 04, 13/04/2021)

KMC restricted from razing leased houses

The Sindh High Court restricted the Karachi Metropolitan Corporation, commissioner and other relevant authorities on Tuesday from razing leased houses near Gujjar Nullah.

A two-member bench, comprising Justice Syed Hasan Azhar Rizvi and Justice Rashida Asad, was hearing a plea filed by residents of Liaquatabad area against the demolition of leased houses.

The petitioner's counsel apprised the bench that the court had declared the houses in question legal in 2015 but anti-encroachment teams had marked them for demolition.

The bench restricted the relevant authorities from demolishing leased houses till further notice and sought replies from the Karachi commissioner, the KMC and other parties by the next hearing.

Missing children

Meanwhile, another bench comprising Justice KK Agha and Abdul Mobeen Lakho rejected the report submitted by the provincial task force pertaining to missing children.

Where did the missing children go when they weren't detained by any agency, asked Justice Agha.

The bench observed that missing children could have been picked by human traffickers and asked why efforts were not being made for their recoveries.

The court directed the authorities to seek assistance from the Federal Investigation Agency (FIA) for the recovery of missing children and to include a senior FIA official in the joint investigation team and the provincial task force.

The Central Investigation Agency DIG maintained during the hearing that efforts to trace the missing children are underway.

The bench directed the relevant authorities to recover the missing children and submit a report by June 10.

Extension granted

Another bench, comprising Justice Muhammad Iqbal Kalhoro and Justice Shamsuddin Abbasi, sought a progress report from the National Accountability Bureau (NAB) over former Sindh law minister Ziaul Hassan Lanjar's bail plea in the graft inquiry against him.

The investigation officer informed the court that the inquiry against Lanjar has been completed and the report has been sent to the NAB headquarters for approval.

The NAB prosecutor apprised that a reply from the national anti-graft watchdog's headquarters is yet to be received. He moved the court to grant an extension for the submission of report.

The bench accepted NAB's request and granted an extension till May 25 while extending the bail of Lanjar and other accused.

Bail extended

The same bench granted NAB an extension to complete its inquiry against Pakistan Peoples Party MPA Sharjeel Inam Memon pertaining to illegal appointments in the Sindh information department.

During the hearing of Memon's bail plea, the NAB prosecutor maintained that the watchdog needed more time to complete its inquiry.

The court extended the former information minister's bail and granted NAB time till May 25. The bureau was directed to submit a progress report at the next hearing.

(By Newspaper's Staff Reporter The Express Tribune, 04, 14/04/2021)

Encroachments

Parks, playgrounds, and other open amenity plots function as lungs in big cities, but several such places have either been encroached upon in Karachi and Hyderabad or they are being used as wedding lawns or as special bazaars. Not only are these activities harming the people in multiple ways, they are also obstructing the flow of fresh air. Encroachers have demolished the boundary wall of a large park in Lyari area of Karachi, and on the land illegal structures have proliferated. The authorities have failed to remove these structures.

A bachat bazaar has been set up in a hockey ground in another locality in violation of the law. The provincial government justifies the establishment of the bazaar on the grounds that it is bringing in revenue. The Sindh High Court has questioned the use of playgrounds for commercial purposes and has sought an explanation from the government. The land mafia is encroaching upon the lands of a

graveyard in another area. The mafia is reportedly grabbing the cemetery land under the garb of setting up separate graveyards. People have moved the high court to get these lands freed from encroachments.

While removing commercial establishments the authorities should also prepare alternative plans to enable the displaced shopkeepers to carry on their businesses at other locations. In the past, the worst victims of anti-encroachment drives had been poor workers as they had rendered large numbers of them jobless. The wrong use of sports venues reminds of the encroachments on Niyaz Cricket Stadium in Hyderabad. For many years, this stadium has been neglected and large chunks of its land have reportedly been illegally occupied. The grounds of Pakistan Hockey Club in Karachi are reportedly being used as wedding lawns for the past several years. Now movies contain such dialogues ‘*Yeh tau kisi hockey player ka naam maloom hota hai* (This sounds like the name of some hockey player).’ This shows the neglect of the game in which Pakistan once excelled.
(By Editorial The Express Tribune, 14, 28/04/2021)

Human chain formed to protest against ‘illegal’ evictions along nullahs in Karachi

A human chain was formed alongside the Gujjar Nala, from Liaquatabad Daak Khana to the Khamosh Colony graveyard under the banner of the Awami Workers Party, Women Democratic Front and Progressive Students Federation on Saturday.

The demonstration was organised by the victims of illegal evictions in the Gujjar Nala and Orangi Nala areas, as well as the K-Electric Labour Union, SSGC Insaf Jafakash Union, and Progressive Trade Union Federation.

A large number of Karachi citizens, including women and children, participated in the protest and chanted slogans against the federal and provincial governments.

“We have spent our childhood and youth in these houses,” said Abid Asghar, a leader of the Gujjar Nala affectees. “For you, these buildings are stone and mortar, but for us they are our life. Building these houses has been a lifelong endeavor for our elders, and it is impossible for people from our socio-economic class to build a house in this city ever again. Our only demand is that this operation be halted until we are given alternative housing in the same district, as per the order of the Supreme Court.”

‘This operation be halted until we are given alternative housing in the same district’

Addressing the participants, Khurram Ali, general secretary of Awami Workers Party, Karachi, said that the current situation in Karachi Central and Orangi Town mirrored that of Kashmir and Palestine. He noted that citizens with legitimate claims to their housing were being evicted with the help of police and Rangers.

He added that those raising questions were being harassed and arrested, while the builder mafia -- the actual illegal occupiers -- were being given state protection. He named Rao Anwar as an example of police officers responsible for giving land to this mafia all over Karachi, including in Malir and Gadap, where forcible evictions were also taking place.

Speaking on the occasion, Zuhabia, organiser of the Progressive Students Federation Karachi, said that such inhumane, undemocratic and illegal demolitions had a profound effect on the youth, affecting not only their education, but also causing an adverse impact on their entire lives.

Noreen Fatima, leader of Women’s Democratic Front, said that in this patriarchal society, women had a deep connection to their homes and they suffered severe mental and physical distress from such demolitions. She highlighted the example of a woman who had recently died of a heart attack after her house was marked for demolition. She made clear that the manner in which this operation was being carried out could not be called anything other than state terrorism.

Anwar Khan, the leader of Orangi Nala victims, said that in Karachi, most of the buildings and colonies were built on stolen land, even the Awami Markaz itself. And like the elite residency of Bani Gala in Islamabad, these buildings and colonies were deemed legal. On the contrary, he noted, the legitimate houses of the working-class people were being declared illegal and demolished.

“Currently, a big mafia is operating in the guise of a government that wants to evict us from our legitimate property and sell these lands to the builder mafia, and simultaneously wants to consume the money received for alternative housing from the World Bank,” said Shams, a leader of the Cafe Pyala victims. “I appeal to the authorities, friends in the media and especially the chief justice of the Supreme Court to take notice of this illegal operation, which is being carried out by misinterpreting your decision.”

Finally, Arif Shah, a leader of Awami Workers Party-Karachi and Gujjar Nala Victims Committee, thanked the participants and said that the Awami Workers Party with its sister organisations was fighting for democracy by protesting and taking legal action against excesses in the World Bank project. “Our struggle will continue until we get our rights,” he said.
(By Newspaper’s Staff Reporter Dawn, 13, 02/05/2021)

SHC restricts demolitions along Gujjar, Orangi nullahs

The Sindh High Court has restricted the relevant authorities on Friday from razing leased properties built along with the Gujjar and Orangi nullahs till the Supreme Court hears the case.

A two-member bench, comprising Justice Hasan Azhar Rizvi and Justice Rashida Asad, was hearing a set of pleas against the demolitions of leased properties in the area. The petitioners’ counsel contended that while the apex court had directed the removal of

encroachments, it had ordered nothing regarding the removal of people residing in properties leased out for 99 years by the former city district government.

The counsel informed the bench that the Sindh government, the Karachi Metropolitan Corporation and the National Disaster Management Authority planned to carry out further construction than they had listed in the plan submitted before the Supreme Court.

He argued that the relevant authorities plan to construct a 30-foot-wide road on either side of the two stormwater drains' banks and the apex court had not been informed about this. On the other hand, the KMC's counsel argued that the leased houses were falling in the limits defined for the anti-encroachment operation.

The counsels of both sides confirmed during the hearing that there is a petition pending seeking clarification on the SC's orders regarding leased houses is scheduled for hearing by the top court on May 17.

The bench remarked that the case should be taken before the apex court and guidance should be sought on whether leased houses can be considered encroachments.

Besides, it should be assessed whether Rs15,000 each month for housing rent for a limited time period could be considered compensation for losing shelter, the court directed. The bench forwarded the matter of 30-foot-wide roads being built on either side of the nullahs to the apex court and inquired whether this construction was being done based on an approved plan.

The bench directed the relevant authorities to suspend the anti-encroachment operations along Gujjar and Orangi nullahs till further orders are given by the SC.

Keenjhar Lake

Meanwhile, another two-member bench, comprising Justice Muhammad Ali Mazhar and Justice Amjad Ali Sahito, sought a progress report from the relevant authorities over a plea seeking safety arrangements at Keenjhar Lake.

The petitioner has argued that lives are lost due to insufficient and inefficient safety mechanisms in place at Keenjhar Lake. The petition cites the example of a boat capsizing in the lake last year.

Ten people had died in the accident, according to the petition. During the hearing, the Sindh assistant advocate-general stated that the work to build sufficient safety mechanisms was almost complete.

At this, the bench directed the petitioner to visit the lake and assess the progress of work.

The court also sought a progress report and summoned the lake in charge at the next hearing slated for May 25.
(By Newspaper's Staff Reporter The Express Tribune, 04, 08/05/2021)

Ruthless evictions

FOR a state to deprive residents of their homes without providing for alternative housing for them is a dereliction of duty. To do so during a pandemic when large numbers of people have lost their means of income is an act of extreme cruelty. A few weeks ago, the long-festered issue of encroachments on the Gujjar and Orangi nullahs in Karachi — that surfaces each time the city experiences heavy monsoon rains — once again exploded into the open. In March, Sindh government authorities began demolishing homes and commercial units located alongside the storm water drains in preparation for the coming monsoon. The residents here are of course from the lower-income strata, those whom the government finds it easiest to pummel into submission when it wants to make a show of 'establishing the writ of the law'. That is an disingenuous take on the situation for it is the government itself that is guilty of violating the law in multiple ways while allowing these settlements to develop. Many residents have 99-year leases for their properties; they were also provided utility services in the years after they put down their roots here. Certainly the argument is valid that encroachments on storm water drains are a major reason for urban flooding. Equally compelling however, is the stance that the government whose various authorities issued the leases and NOCs for the residents to get gas and electricity connections, must provide alternative accommodation for them. The Sindh High Court has ordered a stay on the evictions until the Supreme Court hearing on the issue.

There is a dire shortage of affordable housing in the city for low-income residents, which is why encroachments come up, yet the government has paid no heed to this pressing issue. What is happening in another part of Karachi, the portion of Malir district where indigenous farming communities are being ruthlessly driven from their land to make way for Bahria Town's ever-expanding housing project, is another aspect of the same story. Part of the land on which the project is coming up had been reserved for low-cost housing, but the land authority concerned instead handed it over to the for-profit developer. Last week, the locals put up fierce resistance when bulldozers, backed by police personnel, arrived to demolish their homes and clear the land. Several people were injured in the ensuing violence. Such evictions are bound to have serious long-term consequences on social cohesion and ethnic harmony.

(By Editorial Dawn, 06, 16/05/2021)

Two 'members of land grabbing gang' arrested

The Ferozabad Police arrested on Sunday two men suspected of illegally occupying houses, shops and warehouses in the PECHS neighbourhood.

The arrested suspects are members of the so-called Nadeem Burger Gang. According to police, a resident of PECHS Block 2, namely Sheikh Amjad, had lodged a complaint with the Ferozabad Police stating that in his absence some people broke into his house.

They threw out his belongings and illegally occupied the premises. He said he was shocked to find a dozen armed men sitting inside his house when he returned.

The complainant added that the perpetrators threatened to shoot him when he protested their presence and asked them to leave. I then rushed to the police station to file a complaint, said Amjad.

Following the complaint, the Ferozabad Police raided the premises and took two of the alleged encroachers, identified as Umair Chaudhry and Kashif alias Kashi, into custody. Both the suspects were equipped with loaded firearms, said the police, adding that their accomplices managed to escape.

Amjad has accused Chaudhry, Kashif and eight others of trying to seize his house through illegal means.

The complainant has alleged that the perpetrators are members of the Nadeem Burger Gang and the eponymous, Nadeem Burger, has been imprisoned thrice on terrorism charges. But Burger is released on bail each time, said Amjad, adding that the people in his neighbourhood hesitate to lodge complaints against Burger as they fear the gang would harm them or their families (Newspaper's Staff Reporter The Express Tribune, 04, 17/05/2021)

SHC extends stay against demolition of leased properties along nullahs

The Sindh High Court extended on Tuesday its earlier restraining order against the demolition of leased properties around Gujjar and Orangi nullahs till June 1.

The two-judge SHC bench headed by Justice Syed Hasan Azhar Rizvi ruled that the authorities concerned be allowed to obtain appropriate orders from the Supreme Court, after a provincial law officer and counsel for the Karachi Metropolitan Corporation (KMC) said that they were not aware of any order of the SC regarding cancellation of leases of the properties in question.

In the last hearing, the bench had restrained the authorities from demolishing the leased properties around both drains till the adjudication of the same by the SC as it was informed that the KMC had approached the apex court to seek clarification about the demolition of the leased properties around both nullahs and the matter was set for hearing on May 17.

Petitioners contend their properties are not encroachments

When a set of petitions filed against the ongoing anti-encroachment drive and demolition of leased properties around the drains came up for hearing before the divisional bench on Tuesday, the counsel for petitioner Faisal Siddiqui informed the court that a bench of the apex court headed by the chief justice had heard cases on Monday at the Supreme Court's Karachi Registry, but this matter did not come up for hearing.

However, he contended that the petitioners had also filed an application before the SC for an early hearing of the case.

The lawyer further informed the bench that another application was filed by the KMC before the apex court seeking appropriate orders in respect of the proceedings pending before the anti-encroachment tribunal established under the Sindh Public Property (Removal of Encroachment) Act, 2010.

The counsel for the petitioners also argued that the KMC had approached the apex court for the removal of encroachments and not for the properties leased out by the different government departments for 99 years.

The bench asked the KMC lawyer and the assistant advocate general of Sindh if the apex court had passed any order for the cancellation of the leases issued under the Katchi Abadis Act, 1987 as well as by the Karachi Development Authority in respect of the properties in question.

However, they both submitted that they had no knowledge of the passing of any such order regarding cancellation of leases.

"In such circumstances, let respondents to obtain appropriate orders from the Honourable Supreme Court of Pakistan. Adjourned to 01.06.2021. Interim orders, passed earlier, to continue till the next date of hearing," the bench in its order concluded.

Some NGOs with dozens of individuals had moved the SHC stating that their houses near the Gujjar and Orangi nullahs were leased by the KMC and other departments and now they were being demolished in alleged pursuance of the Supreme Court's orders.

While referring to the Aug 12, 2020 order of the apex court, they argued that it was to the extent of removing the encroachments in and around the nullahs.

The petitioners also contended that the apex court in its order also directed the Sindh government to ensure rehabilitation of the affected persons/residents of the areas and all necessary facilities be provided as required for the rehabilitation of a civilised society.

Earlier, the petitioners' lawyers also had pointed out that the provincial and local authorities had planned to construct 30-foot-wide roads on both banks of the nullahs and this fact had not been brought to the knowledge of the apex court at the time of passing of the order in question and no permission had been granted for the construction of 30-foot-wide roads, adding that the respondents had started marking for the demolition of the houses of the residents up to the extent of 30 feet on both sides of the nullahs.

The additional commissioner of Karachi had earlier contended that the government had evolved a policy for the affected and would provide a Rs15,000 per month rent for two years to the affected families and would also provide accommodations in the Naya Pakistan Housing Scheme announced by the federal government.

He further submitted that the process of construction of roads on both sides of the nullahs was being planned and designed under the supervision of the National Disaster Management Authority and it had given the task to their consultants.
(Byt Newspaper's Staff Reporter Dawn, 13, 19/05/2021)

SHC extends stay on demolition of leased houses

The Sindh High Court extended on Tuesday the stay on demolitions of leased houses near storm water drains till June 1.

Hearing a set of pleas filed against the razing of leased properties during anti-encroachment operations, a two-member bench, comprising Justice Syed Hasan Azhar Rizvi and Justice Rashida Asad, expressed annoyance at the Sindh government and the Karachi Metropolitan Corporation for their failure to answer the court's questions.

The high court had earlier directed the relevant authorities and the petitioners to seek clarification from the Supreme Court as to whether leased houses could be considered encroachments.

The court had further sought an explanation on whether the compensation amount decided by the government was enough for losing shelter besides seeking clarification on whether the construction of 30-foot-wide roads on either sides of the Orangi and Gujjar nullahs was approved by the apex court.

During the hearing, Justice Rizvi inquired whether the apex court had conducted the hearing, which was scheduled for May 17, on the matter.

To this, the petitioners' counsel, advocate Faisal Siddiqui, replied in the negative. He informed the bench that the KMC has submitted a petition before the apex court seeking clarity on the high court's questions.

How is the KMC involved in the anti-encroachment operation while also seeking an explanation on the matter, questioned the bench. The government's counsel replied that the apex court had ordered the razing of encroachments.

"The institution that issued the lease for the houses in question is now razing them," remarked Justice Rizvi. He observed that it would have been a different matter if any other institution had been carrying out the demolitions.

At this, the KMC's counsel maintained that the apex court had directed that the leases be canceled.

However, the bench remarked that the top court had not issued any such orders.

The bench inquired whether the authorities believe that the citizens who acquired leases are associated with land mafias.

If the leased houses fall within the limits defined as encroached land then the houses are considered illegally occupied, replied the KMC's counsel.

However, when asked whether any action was taken against the officials who issued the said leases, the government counsels could not satisfy the court.

Following this, the petitioners' counsel stated that his petition should be dismissed without a penalty if the top court ordered cancellation of leases. He maintained that the anti-encroachment tribunal had issued a stay on the same grounds.

The bench was informed that the petition before the apex court is slated for hearing on May 24. The high court extended its stay order till June 1 and adjourned the hearing.
(By Newspaper's Staff Reporter The Express Tribune, 04, 19/05/2021)

'Anti-encroachment drives stopped due to court orders'

The Provincial Coordination Committee — which is constituted between the provincial and federal governments to coordinate for execution of some important development schemes in Sindh — while reviewing the progress of the on-going anti-encroachment drives and some other projects being launched on Public-Private Partnership (PPP) mode on Thursday was informed that the removal of encroachments was stopped due to court orders.

The meeting hosted by Chief Minister Syed Murad Ali Shah here at CM House was attended by Federal Ministers Asad Umar, Ali Haider Zaidi and Syed Amin ul Haq, Corps Commander Karachi Lt Gen Nadeem Ahmed Anjum, Chairman NDMA Lt Gen Akhtar Nawaz Satti, Engineer-in-Chief Lt Gen Muazzam Ejaz, GOC Malir Maj Gen Aqeel and others.

The chief minister was assisted by Provincial Ministers Saeed Ghani and Syed Nasir Shah, adviser on law Murtaza Wahab, chief secretary Mumtaz Shah and provincial secretaries concerned.

The meeting participants were told that there were six schemes, including Rs50.50 billion water supply, Rs150.80 billion Sewerage Treatment and Disposal, Rs14.85 billion Solid Waste Management, Rs99.40 billion Storm Water Drains, Rs62.30 billion Improvement of Internal Roads and Rs149.23 billion Mass Transit.

Rs45.14bn allocated this year while Rs67.22 required in next financial year for total Rs527bn schemes in three years, meeting told
It was pointed out that overall Rs527.08 billion was required for these schemes against which Rs45.14 billion was allocated and Rs67.22 was required in the next financial year.

The meeting decided to work out a mechanism to provide funds for their completion.

It was informed that Rs560.69 million had been given to the people affected in the anti-encroachment drive launched along major drains, and now the removal of encroachment was stopped due to court orders.

The meeting participants were informed that Rs25 billion had either been allocated or being allocated on PPP mode for certain projects, including Malir Expressway whose cost is Rs27 billion, Link Road from M-9 to N-5 of Rs6.5 billion, up-gradation of the KWSB Hub Water Supply System of Rs6 billion, and TP-I 100 MG (tertiary treatment) of 34 billion.

The meeting participants reviewed each and every scheme or project and discussed financial mechanisms so that they could be completed within a stipulated time of three years.

The participants decided to complete the Green Line project on top priority basis to resolve the transport issues of the city.
(By Newspaper's Staff Reporter Dawn, 14, 21/05/2021)

'Marriage halls, marquees removed from YMCA'

Commercial activities have ceased in the Young Men Christian Association (YMCA) ground and all marriage halls and marquees have been removed from the place, officials claimed on Friday.

They was a briefing and a meeting held to review progress on the implementation of Supreme Court orders regarding removal of encroachment from parks, playgrounds and amenity plots.

Karachi Commissioner Navid Ahmed Shaikh asked the deputy commissioners and the Sindh Building Control Authority (SBCA) officials to stop illegal constructions in the city and to take action against those violating building by-laws.

The meeting was told that the 158 illegally constructed marriage halls have been either sealed or demolished and further operation for the demolition of illegal marriage halls continues.

The commissioner asked the officials to ensure that all marriage halls built on amenity plots and open areas of the city and also on residential premises are removed.

Commercial activities have ceased at the YMCA ground and the construction work for the marriage lawns and offices there have been completely demolished in pursuance of the Supreme Court and the work of restoration of sports activities at the YMCA are going on, officials told the meeting.

They said that tree plantation around the ground is also going on and the city administration is making efforts to fully restore the ground and start sports activities with the support of the Karachi Hockey Association and the YMCA.

Benches would be installed within three weeks, they said.

The meeting also reviewed the work for the restoration of Aziz Bhatti Park and Bin Qasim Park.
(By Newspaper's Staff Reporter The Express Tribune, 05, 22/05/2021)

Demolitions begin on Kidney Hill Park land

The anti-encroachment cell of the Karachi Metropolitan Corporation initiated on Tuesday demolitions of four houses constructed on Kidney Hill Park's following judicial orders to rid the premises of encroachments. However, affected residents maintained that the institutions, which had leased the houses, were now dubbing them illegal.

A heavy contingent of law enforcement personnel accompanied the KMC teams.

The anti-encroachment cell's head, Bashir Siddiqui, told The Express Tribune that the operation was being carried out on the Supreme Court's orders. The bungalows were built 20 years ago and were leased by the PECHS.

It will likely take eight to 10 days to raze them completely after which the land will be handed over to the Hill Park authorities, he said. He added that there were 17 plots on the park's land and four of them have houses built on them. Other plots were retrieved a year back, he said. However, Akhtar Saeed, an affected resident said that he had purchased the bungalow 20 years ago from a builder. At the time of purchase, he said, he had seen the documents verified by the Karachi Development Authority, the KMC, a no-objection certificate by the PECHS among others.

The institutions which permitted the construction of these houses 22 years ago are now calling them illegal, he lamented.
(By Newspaper's Staff Reporter The Express Tribune, 04, 26/05/2021)

Evict & extinguish

ALONG WITH millions of others around the world, Pakistanis took to the streets earlier this month to protest yet another episode of Israeli terror in occupied Palestine. The pressure exerted by those who came out onto the streets, as well as the brave resistance of Palestinians themselves, forced at least a temporary 'ceasefire'. The daily indignity of occupation continues, but the coming together of conscious peoples beyond caste and creed in support of Palestine offers hope that the dystopic image of the future encapsulated in the above quote by George Orwell may yet be averted.



But hope will remain fleeting if the same peoples with a conscience that speak up for the Palestinian people ignore the mini-Palestines reeling from dispossession and repression in their own countries. Consider, for a moment, what has been happening in Pakistan while the world was watching the pounding of Gaza.

Violent evictions: Many commentators have documented the demolition of homes in Karachi's Gujjar Nullah area and the juggernaut of Malik Riaz's Bahria Town on the Karachi-Hyderabad Super Highway. These cases have garnered attention in large part because katchi abadi and village residents are resisting state diktat and the country's biggest real estate mogul.

Most violent evictions go unreported.

But most violent evictions go unreported, especially where land is acquired for gated housing schemes. Fear of reprisal compels those without political influence to part with their land for nominal compensation. Meanwhile, decades of incremental progress including legislation for katchi abadis' regularisation is being rolled back because giving proprietary rights to working class families is now seen as a 'waste' of potentially profitable real estate.

Violent evictions are not the fate of residential settlements alone. Every day one comes across video clips on social media of street vendors being violently deprived of their livelihood. Given the huge proportion of the Pakistani labour force engaged in self-employment for subsistence, such evictions are tantamount to economic strangulation.

The dynamics of violent evictions in our urban centres are tied to the brutalisation of 'remote' ethnic peripheries. A combination of demographic pressures, mechanisation and state-led dispossession (including war) in the peripheries forces millions into cities where they experience yet more brutalisation.

Repression of dissent: Of the many jarring images during the bombing of Gaza, the destruction of the building housing the offices of *AP* and other international media outlets garnered special attention. Subsequently, *AP* fired a Jewish reporter for pro-Palestinian activism while at university. More generally, Big Tech firms like Facebook reportedly altered standardised algorithms to minimise circulation of pro-Palestinian content on social media platforms.

To those Pakistanis who have challenged the muzzling of dissent, and suppression of those who represent the Palestinian cause, I ask: what about ongoing attempts to extinguish voices of resistance in Pakistan? Our mainstream media is hollowed out, critical voices victimised in thuggish ways. Journalists who dare to speak truth to power are subjected to character assassinations, accused of faking attacks so as to get a fast ticket to asylum abroad.

What is happening today is the culmination of decades of attacks on intellectual and journalistic freedom. We experienced 11 years of Zia's dictatorship, and post-1988 even 'democratic' governments have been unwilling to prevent the establishment from coercing those who dare speak truth to power.

In sum, ours is a regime of dispossession and repression that is certainly not reducible to the settler-colonial project in Palestine, but cannot be divorced from a larger global political economy story of rapacious profiteering and political authoritarianism. Mini Palestines dot the globe, the motto of evict and extinguish uniting propertied classes and ruling establishments everywhere.

Meanwhile oppressed peoples are indoctrinated with ideologies to keep them conveniently at loggerheads with one another; take, for example, the recent reigniting of sectarian hatred in Gilgit-Baltistan. On the other hand, those not living in war-torn peripheries, or villages and katchi abadis subject to violent evictions are bought over by tycoons like Malik Riaz who offer dream worlds of material comfort and unending entertainment.

When it comes to Palestine, many choose to put their lot in with the dispossessed and brutalised, thereby buttressing the ranks of dissenters. In principle, we should make the same choice in our own country as well, rebuffing the instant gratification symbolised by Bahria Town and the badges of loyalty conferred by the establishment for toeing the line. Don't doubt for a second that Orwell's premonition, if not averted, will apply to all of us.

(By Aasim Sajjad Akhter Dawn, 07, 28/05/2021)

SHC extends stay on Gujjar, Orangi demolitions till Aug

The Karachi Metropolitan Corporation (KMC) drew the Sindh High Court's ire on Tuesday for continuing the anti-encroachment operation along Gujjar and Orangi nullahs in violation of the court's orders.

Hearing a set of pleas filed by local residents against the anti-encroachment operations along Gujjar and Orangi nullahs, a two-member bench, comprising Justice Syed Hasan Azhar Rizvi and Justice Rashida Asad, extended the stay on demolition of leased houses till the first week of August.

The court was informed by the petitioners' counsel, Faisal Siddiqui, that the KMC razed six leased houses despite the stay order. The petitioners have issued legal notices to the KMC and other relevant authorities warning them of contempt of court proceedings, he said.

He moved the court to make the legal notices part of the record and his request was accepted. "Who is carrying out these operations," asked Justice Rizvi.

The KMC's counsel informed the court that the KMC's anti-encroachment cell is carrying out the operation.

The counsel maintained that the Supreme Court had ordered the removal of encroachments. Leased structures do not fall under this category, however, he conceded.

Irrked at the demolition of leased houses, the bench reminded the KMC's counsel of the high court's order to halt the anti-encroachment drive till the apex court hears the case.

Extending the stay on demolitions, the court adjourned the hearing till the first week of August. Besides, the bench sought a progress report from the KMC, Karachi commissioner, Sindh government and other parties.

The high court had earlier directed the relevant authorities and the petitioners to seek clarification from the Supreme Court as to whether leased houses could be considered encroachments.

The court had further sought an explanation on whether the compensation amount decided by the government was enough for losing shelter besides seeking clarification on whether the construction of 30-foot-wide roads on either side of the Orangi and Gujjar nullahs was approved by the apex court.

Bail rejected

Separately, a two-member bench led by SHC Chief Justice Ahmed Ali Shaikh and comprising Justice Yousuf Ali Sayeed dismissed the bail plea of MNA and Pashtun Tahafuz Movement (PTM) Ali Wazir in a case pertaining to alleged use of provocative speech against state institutions.

The court had reserved the verdict around three months ago on the MNA's bail plea after the trial court rejected the same.

According to the police challan, Wazir delivered a speech against state institutions while addressing a rally in Karachi. The case against him was lodged at Sohrab Goth Police Station.

Wazir, elected to National Assembly from the NA-50(South Waziristan Agency-II Tribal Area-XI) on an independent ticket, was arrested from Peshawar in December 2020.

(By Newspaper's Staff Reporter The Express Tribune, 04, 02/06/2021)

Large number of children hold protest in Karachi, urge Supreme Court to save their homes along nullahs

Hundreds of children from the Gujjar and Orangi nullahs staged a protest demonstration outside the Karachi Press Club on Sunday, appealing to the Supreme Court to not lift the stay on demolitions.

The recent demolitions, caused in the wake of SC's August 20 order regarding the cleaning of city's storm-water drains have already rendered a large number of children homeless, whereas a conservative estimate suggests that at least 21,000 children will be left without homes by the end the demolitions.

Holding placards, the children highlighted the humanitarian crisis that has developed in Karachi's district Central in the aftermath of the demolitions.

"While children residing in elite housing societies, many of which are developed on encroached land, continue to comfortably live in air-conditioned rooms and attend school, children of working-class neighbourhoods near Orangi and Gujjar nullahs have been forced to spend the summer without any shelter," said Erum Yasmeen, a midwife to most of these children.

'I left for school after having breakfast in my home, but there was no home when I returned'

"The children present at the protest are not even a quarter of those who have dropped out of school owing to their homes being demolished," she said, pleading to the chief justice of Pakistan to stop the demolitions.

Eleven-year-old Arbaz said he was shocked at finding his mother sitting and crying on the debris of their demolished house on his return from school. "I don't know what happened. I left for school after having breakfast in my home. But there was no home when I returned."

The family now burdened with the urgent need to resettle their entire life have been unable to send Arbaz to school since. A resident of Tayyababad, 13-year-old Ali, told the media: "It is not only about not having a roof over your head. I can't study at or do anything else as there is no electricity or even gas to cook our food. We are living like cats and dogs and Abbu [father] is doing nothing about it!"

Expressing his anger, Robin, a parent of one of the children from Kausar Niazi Colony, said: "I am a daily wage earner, and have invested all my savings into buying my home; only after the government decided to regularise this area. My question is why am I or my family being made to suffer for the government's decision to regularise an area that they now say should not have been leased?" Abid Asghar, head of the Gujjar Nullah Affectees' Committee, asserted that all houses near the nullah are located at a distance from the drain. "Many of these settlements are as old as this country," he said.

"The few houses that were actually situated close to the Gujjar Nullah had already been demolished in 2016. Those displaced during that demolition drive have yet to be compensated or rehabilitated."

Asghar said the current demolitions have only been carried out to pave the way for 30-foot-wide roads on either side of the nullah – a construction that is neither a part of the area's plan nor Karachi's master plan, and neither is it required for the cleaning of the drain. "This point was also raised by Justice Hasan Azhar Rizvi during the case's hearing at the Sindh High Court," he said.

Head of the Orangi Nullah Affectees Committee Arsalan Ghani said: "Ninety per cent of Karachi is built on encroached land, but no one would even think about razing entire elite societies developed after cutting of mangrove forests."

He also cited the construction of Bahria Town, a massive housing society developed on encroached agricultural land of Malir and Gadap Town.

"By demolishing only working-class neighbourhoods the state is not only showing its class character but is also creating a humanitarian crisis, affecting around 100,000 people and rendering over 21,000 children homeless."

The children and their parents appealed to the Supreme Court to order the Karachi Metropolitan Corporation to stop demolishing their homes on the basis of a flawed survey conducted by students of NED, and consult senior urban planners and other organisations, such as the Orangi Pilot Project, Urban Resource Centre, Karachi Urban Lab and Technical Training Resource Centre to resolve the city's drainage problem before initiating such criminal projects.
(By Shazia Hasan Dawn, 13, 14/06/2021)

Thoughtless eviction

IT IS always the poor who end up paying the price for the questionable policies of the government.

On Sunday, a large number of children, displaced from their abodes situated along the Gujjar and Orangi nullahs, protested outside the Karachi Press Club against the demolition of their houses. The demolition was the outcome of a Supreme Court order after last year's devastating rains that inundated Karachi, with storm-water drains resembling raging rivers.

Earlier in the year, the Sindh High Court had issued a stay order following a petition filed by civil society organisations and a few individuals representing home owners. It argued that these houses had been leased to the residents by the government at the time.

However, the Supreme Court, while hearing the matter on Monday, disposed of the petition on grounds that land along these nullahs could not be leased by law. It instructed the authorities to continue with the eviction operation. Hence, the demolition of houses situated within nine metres on either side of the Gujjar and Orangi nullahs will continue. When this exercise is completed (before this year's monsoon, according to the plan), at least 100,000 people would perhaps have been rendered homeless. As many as 21,000 children would be out of school and living under the open sky.

True, there is reason to be concerned at the location of these homes and the link between encroachments and urban flooding. But what has the government done to provide these dwellers, who have toiled all their lives to earn enough to buy the property offered by a previous government (albeit on dubious terms), with alternative housing? Though the government is now promising Rs20,000 per month for two years in lieu of compensation, it is hardly worth the adversity they have to undergo — even if the government provides the sum.

Resettlement itself under the Naya Pakistan Housing Scheme is far from certain with the project still in its nascent stages. Evicted people live under the open sky, without shelter, kitchens or bathrooms. There is no security for them. On the other hand, the authorities hardly seem to bat an eyelid when it comes to large residential schemes being built on land forcibly taken from poor landholders, including housing societies located on the outfalls of the drains supposedly blocked by poor working-class settlements. This is economic apartheid and might sow the seeds of class-based and ethnic unrest in the city. The authorities should reconsider their approach.

(By Editorial, Dawn, 06, 15/06/2021)

Nasla Tower builders ordered to refund buyers' money in three months

The Supreme Court has directed the builders of the 15-storey Nasla Tower to refund the amount to the registered buyers of residential and commercial units within three months.



The apex court further said that in case of any delay in payment, the claimants may claim mark-up/profit at the bank rate together with damages and initiate proceedings for implementation of this order before the court of competent jurisdiction.

On June 16, a three-judge SC bench headed by Chief Justice of Pakistan Gulzar Ahmed had ordered the demolition of the 15-storey building for encroaching on the land meant for a service road and issued its detailed order on Saturday.

The bench in its judgement said, "After examining the entire record and scrutinizing the reports submitted by all concerned agencies and departments, we are in no manner of doubt that the tower in question (Nasla Tower) has indeed been constructed on encroached land which amongst other things has also blocked a service road."

SC issues detailed verdict in a case pertaining to construction of a 15-storey building on Sharea Faisal on encroached land

"Being illegal construction and there being no provision for compounding such illegality specially where a service road has been blocked, the same is liable to be demolished," it added.

Removal of occupants ordered

The bench directed the Karachi commissioner to remove all persons from the building and take its possession immediately and initiate and complete the demolition process as expeditiously as possible and submit a report in court.

The judgement further said, "It is claimed that around 1957, the main road that was proposed to be 280 feet wide was realigned and as a result, its width was reduced to 240 feet and the excess 40 feet was allotted to Sindhi Muslim Cooperative Housing Society [SMCHS] through a letter by chief commissioner in December 1957."

It further noted that the additional area was claimed to have been allotted by SMCHS to one Mustafai Begum and the area of the plot was allegedly increased from 780 square yards to 1,044 square yards and the additional area was neither incorporated in the original/amended lease nor in any subsequent lease deed.

The present owner ultimately acquired it by way of a conveyance deed executed in 2015 and initially, the plot in question was meant for residential purposes, but in 2004 the then city government through a resolution allowed conversion of all residential plots on Sharea Faisal for commercial use and in 2007 the plot was converted from residential to commercial use, it added.

The owners of the tower claimed that the additional area was allotted by SMCHS through a resolution in 2010 and the same came to be included in the total area of the plot while the mukhtiar in his report said that SMCHS had illegally increased the size of the plot by allotting the land reserved for the service road, the order said.

The lawyer for the builder argued that two letters were issued in 1957 by the assistant secretary to the chief commissioner, Karachi about allotment of 20-foot-wide land strip on both sides of the main Karachi-Malir Road (now Sharea Faisal) in front of the land already allotted to that society on payment of full market price.

The bench ruled that it was unable to accept the arguments to the effect of letters issued by SMCHS as such letters did not in any manner have the effect of modifying, amending or substituting lease deed executed and registered by SMCHS in favour of original allottees which lease deed constituted the basic and foundational document upon which the subsequent infrastructure of leases and conveyances had been raised.

(By Ishaq Tanoli Dawn, 13, 20/06/2021)

SC urged to review decision on demolitions

The residents of Nasla Towers located in Sindhi Muslim Housing Society on Shahrah-e-Faisal have appealed to the Chief Justice of Pakistan to suspend the orders for demolishing the building until the hearing of the review appeal.

Nasla Tower Allottees Action Committee Karachi convened Prof Imtiaz and members Dr Chattar Kumar, Wali Moria, Muhammad Ali, and Abdul Qadir held a protest in front of the building on Sunday evening where scores of elderly, differently-abled residents including women and children were also present.

Talking to the media they said that they had purchased the flats after verification of documents by the institutions concerned, if the SC deems any irregularities in its construction, it should punish the culprits instead of rendering people homeless.

Separately, leaders of Federation of Pakistan Chambers of Commerce and Industry (FPCCI), Karachi Chamber of Commerce and Industry (KCCI), and Association of Builders and Developers (ABAD) told a press conference at the Karachi Press Club that the affected should be heard and constitutional requirements should be fulfilled before any decision.

ABAD Chairman Fayyaz Ilyas, former Chairman Mohsin Sheikhan, FPCCI Chairman Nasir Hayat, PTI MPA Firdous Shamim Naqvi, KCCI President Shariq Vohra, Silani Trust's Maulana Bashir Farooqui, AA Joy Land Director Abdullah Rafi and several others addressed a press conference at Karachi Press Club (KPC).

The speakers said that the buildings instead of being demolished should be regularised as done in Punjab, while institutions and officers involved in permitting construction of illegal buildings should be held accountable.

Aladin Park and Pavilian End Club Director Abdullah Rafi said that Aladin Park had received its lease 25 years back and it had paid millions of rupees to KMC in lieu of fees.

(By Newspaper's Staff Reporter The Express Tribune, 05, 21/06/2021)

Bilawal wants people displaced on SC orders compensated

Pakistan Peoples Party (PPP) chairman Bilawal Bhutto-Zardari on Monday asked the federal government to play its role for compensating those whose properties were being demolished in compliance with the apex court's directives and warned that any move without ensuring the solution of this crisis would lead to a disastrous situation.

Referring to the verdicts of the Supreme Court regarding illegal buildings in Karachi and order of demolition of such structures, he said the PPP was founded to provide shelter and homes to people and not to bulldoze them.

He said that following the SC orders the PPP government in Sindh was left with no option, but he wanted compensation first before making people homeless.

"We build houses, we don't bulldoze them and that's what Shaheed Benazir Bhutto had taught us," he said while addressing a ceremony organised at the Sindh Assembly Auditorium to celebrate the 68th birthday of slain former prime minister Benazir Bhutto. He also cut a cake on the occasion.

"But if we are forced to do that, then we expect the federal government and its institutions to come forward and play their role to ensure equal compensation for everyone. We should not deprive people of their basic rights in haste," he said.

'Wrong impression'

While showing utmost respect for the apex court, the PPP chairman shared his concerns over an impression among the people who saw alleged discrimination in the recent decisions of the superior judiciary.

"It's not a good impression and I am concerned over that trend," he said. "I also really feel sorry after learning the slogans Bacha lia Bahria Town, gira dia Orangi Town [Bahria Town was saved but Orangi Town was demolished] and Bacha lia Banigala, gira dia Gujjar Nullah [Banigala was saved but Gujjar Nullah was demolished]."

"This impression, which is emerging, is quite bad that Banigala must be protected at a nominal price but Gujjar Nullah should be demolished at any cost," he said.

He said that the Sindh government would take all possible measures against those trying to disturb peace in the province. "We will not allow anyone to bring [MQM founder] Altaf Hussain's politics back to this province," he said.

Without naming Bahria Town, the PPP chairman warned that he would not allow violence and riots in the name of protests and anyone following this agenda was doing no good to the province and the country and suggested all relevant forces to opt for the course of peaceful protest.

(By Imran Ayub Dawn, 13, 22/06/2021)

Police foil protest outside Bilawal House against demolition of houses

The affectees and civil society organisations held a protest demonstration outside Bilawal House here on Monday against the demolition of homes situated along Gujjar and Orangi nullahs in the name of an anti-encroachment operation.

However, their efforts were foiled by the police who allegedly created hindrances on various roads, commandeered two buses and detained several persons, including women and children, organisers of the protest said.

The police denied any detention or torture.

The incident prompted the Sindh chief minister to form a committee to hold an inquiry into the situation, said a spokesperson.

Murad forms committee to hold inquiry into alleged torture of protesters

Despite the hurdles, many of the protesters, mostly young men and women, reached near Bilawal House, where the police stopped them, snatched banners from them and detained more than 20 persons, said Khurram, convener of the Karachi Bachao Tehreek. The KBT comprises several groups/parties besides the affected.

Subsequently, they held a protest outside the Karachi Press Club.

Talking to Dawn, Khurram said that since morning the police had adopted an aggressive attitude. They allegedly conducted a raid on their office in Kausar Niazi Colony and took away banners and pamphlets. The raid was aimed at arresting Abid Asghar, president of the KBT, who was not present there.

The police remained there and tried to prevent the people from going to Bilawal House. He claimed that two buses carrying woman, children and men were hijacked by the police near Boat Basin and the South City Hospital while around 20 to 25 protesters were detained near Bilawal House. They were shifted to different police stations. However, some of them were later released and joined the protest at the KPC.

“Our main demand is that if the Orangi Town and Gujjar nullahs were restored on the pattern of Mehmoodabad Nullah, 90 per cent of the homes could be saved from demolition,” said Khurram, who is also a leader of the Awami Workers Party. He referred to the right of way developed over Mehmoodabad Nullah, which was built over 15 feet while the same structures over the Orangi and Gujjar nullahs are proposed to be built over 30 feet.

He added that their second demand pertained to the payment of compensation and provision of alternative accommodation to those whose houses had been demolished. He said that the Supreme Court had also ordered the provision of alternative residences to the affected.

Police deny arrests

South SSP Zubair Nazeer Shaikh told Dawn that the police did not detain or arrest any person. He also denied any action taken against the protesters. He said the protesters had blocked the road. The police advised them to go to the “regular venue of protests”, the Karachi Press Club, and that protests were banned in ‘red zone’ also. Subsequently, the protesters left for the KPC.

Another police officer, who wished not to be named, said that around 30 protesters, including four women, were detained. They were brought to the police station concerned and were released later.

CM forms committee

Sindh government spokesperson Barrister Murtaza Wahab said Chief Minister Murad Ali Shah had taken notice of the protest and alleged torture of protesters by the police outside Bilawal House.

“The Sindh government respects freedom of expression,” said the adviser.

He said the chief minister had established a high-level committee about the protest and alleged torture. The body would hold an inquiry into the situation.

“The PPP respects the people’s right to protest,” he said. But he suggested that the people should also not cause inconvenience to others while holding protests.

He said he talked to the South SSP, who said that no one was arrested. The SSP also informed him that the police did not resort to torture but had asked the protesters not to block traffic.

(By Imtiaz Ali Dawn, 13, 22/06/2021)

Loss of homes

WITH Supreme Court instructions to proceed with demolitions along the Orangi and Gujjar nullahs in Karachi, more and more families will find themselves on the streets. The ML-1 railway upgradation project could result in evictions from 22 katchi abadis in Karachi. Those previously evicted are still sitting on the rubble of their homes. The court has ordered rehabilitation which must be carried out without delay.



Housing is the foremost need of the urban poor who do not possess bankable assets. Incentive-based government initiatives such as the Naya Pakistan Housing Scheme are inaccessible because the poor have no tangible assets to pledge to obtain housing loans. Most are employed in the informal sector where documented evidence of income is impossible to provide. Many such households take the risk of building informal homes in invisible, difficult

locations, often next to nullahs as they have no other place to live.

For the vulnerable, a shelter is much more than a dwelling.

There have been past precedents of katchi abadi regularisation and the Sindh Katchi Abadis Act has been in place since 1987. But legal provisions are entirely subject to the political dynamics of the city. The PPP apparently believes that katchi abadi dwellers are not necessarily its voters and that extending dwelling rights may change constituency politics. Interestingly, the local party claiming to represent urban Sindh also appears against regularisation. Off and on, political leaders make populist announcements. In 2016, the Sindh chief minister directed the concerned departments to transform 100 katchi abadis into model settlements. One hardly heard more about this afterwards.

For the vulnerable, a shelter is much more than a dwelling. It constitutes their right to exist in the city. It provides our rural folk with a chance to free themselves from the shackles of a mediaeval culture and feudal order. In cities, there is better access to education, healthcare, interactions with people from other socioeconomic brackets and livelihood opportunities. The benefits of diversity in a city cannot be realised if the administrative and judicial machinery embark on an anti-poor enterprise.

It is also worth mentioning that the opulent lifestyle of our elite is possible only because of the work of the so-called menial workers around them. A household in any affluent neighbourhood employs more than half-a-dozen full-time or part-time domestic workers to shore up the pomp they wish to display. Now those involved in maintenance services such as plumbing, electrical and air-conditioning repairs etc that are necessary for the rich to maintain their 'image' are being rendered homeless.

Thanks to the high prices of formal housing, many low-scale government employees, contract workers, vendors, small-scale shopkeepers, primary school teachers and others also have no option but to live in katchi abadis. Our small-, medium- and large-scale manufacturing enterprises derive their labour force from these expanded settlements. If evictions continue, trade relations and the social structure will be greatly impacted. As land has become highly contested, low-income settlements are becoming very overcrowded. Orangi, Korangi, Baldia, Landhi, Qasba Colony and many other neighbourhoods have small plots accommodating tall buildings with weak foundations.

Cities that only look after their rich are bound to fail. But wise rulers can learn from past initiatives. There are many examples from within the country and continent which can provide policy inspiration to our decision-makers.

The poor require a targeted supply of land for housing on which they can incrementally construct and add in accordance with what is convenient and affordable. Housing credit must be modified with special packages for the urban poor. The banking sector must intervene to extend loans for the purchase of land for housing through specially devised tools. At present, housing credit is only available to those who either own a titled piece of land or possess another bankable asset. The poor possess neither. If access to land is not made possible, housing will remain a distant dream.

Finally, this situation offers a strategic opportunity to the federal government to extend relief to the affected people. The Naya Pakistan Housing Authority can come up with a pilot project to accommodate the evicted families. Federal sites such as the Federal Capital Area near Liaquatabad could possibly absorb the population in multistoried housing. With proper targeting to identify the real beneficiaries, a housing programme can be devised. This initiative can be replicated in several other locations in the city with proper feasibility studies, planning and execution with community participation.

(By Noman Ahmed Dawn, 07, 22/06/2021)

Man dies by suicide 'triggered by demolitions'

The family and residents of Federal B Area's Gulshan-e-Mustafa Colony staged a protest on Monday night after an elderly man died by suicide, allegedly triggered by the anti-encroachment drive in their area.

Earlier on the day, the police and affectees of demolition drives along Gujjar and Orangi nullahs clashed as protestors gathered in front of Bilawal House.

Suicide

According to residents of Gulshan-e-Mustafa Colony, Dilawal Khan, 60, was distressed by the announcement that the house he had built decades ago was to be demolished.

According to Jauharabad Police, responding to a distress call on Madadgar 15, a team of police officials arrived at Khan's house and found that he had allegedly hanged himself to death.

The police shifted the deceased to Abbasi Shaheed Hospital and handed over the body to the aggrieved family after completion of medico-legal formalities. SHO Ghayoor Abbas said that the police would investigate the matter from all angles.

'Illegal detention'

Separately, the police detained at least eight demonstrators from outside Bilawal House, where the affectees of Gujjar and Orangi nullahs had gathered along with civil activists to register their protest against demolitions.

The demonstrators denounced the police's attitude towards them and claimed they were prohibited from shouting slogans and found a heavy contingent of police when they arrived at Bilawal House Chowrangi.

While the police claimed only eight individuals were detained and released shortly after, one of the organising groups, the Karachi Bachao Tehreek, claimed that over 150 protesters were detained illegally. They were taken to three different police stations and released only after the demonstrators moved to the Karachi Press Club and held a press conference, the KBT maintained in a statement issued on the day.

Social media users from different walks of life condemned the detention of protestors when the news broke. Shortly after, Sindh government spokesperson Murtaza Wahab tweeted, "I have spoken to the SSP South. No one has been arrested. Please let me know if any individual is right now under arrest. CM Sindh has ordered an inquiry into the incident since Sindh government respects the right to peaceful protest".

(By Newspaper's Staff Reporter The Express Tribune, 04, 22/06/2021)

President promises to look into affectees' concerns

President Dr Arif Alvi on Tuesday said amenity plots in the past have generally been used for residential and commercial purposes in the megalopolis in connivance with the city's authorities and metropolitan corporation.

Meeting with the people affected by the apex court's ruling to demolish illegal constructions across the city, the president said, "I think CJP has ordered to halt illegalities in allotments of plots and construction of buildings on residential and amenity plots".

He also stressed upon the builders to change their attitude and to act responsibly while dealing with such matters.

Dr Arif Alvi assured the affected people he would raise and communicate their legal concerns in his own way on different forums.

Earlier, members of Association of Builders and Developers (ABAD), affectees of court's demolition orders including residents of Nasla Tower, Gujjar Nullah, Aladdin Park and representatives of South City Hospital briefed the president in detail about their apprehensions and concerns.

President Alvi was told that about 40 to 50 thousand families would be affected by the demolition.

They complained that no action was ordered against the officers involved in allowing such illegal constructions. Nasla Tower residents apprised the president that the building was approved by the quarters concerned.

In light of the court orders, about 900 buildings would be demolished, participants of the meeting informed President Alvi. Affected people also requested the president to help resolve their problems.
(By APP Dawn, 14, 23/06/2021)

UN experts express concern over eviction, demolition drive along drains

UN human rights experts on Friday urged Pakistan to stop evicting close to 100,000 people living along two of Karachi's narrow watercourses — Gujjar nullah and Orangi nullah.

"These actions were undertaken by city authorities without adequate consultation with the affected residents, no relocation plan, and disparate and insufficient compensation for the displaced," the experts said in a statement issued in Geneva.

The experts are: Balakrishnan Rajagopal, Special Rapporteur on adequate housing as a component of the right to an adequate standard of living, and on the right to non-discrimination; Ms Tlaleng Mofokeng, Special Rapporteur on the right to physical and mental health; Ms Cecilia Jimenez-Damary, Special Rapporteur on the human rights of internally displaced persons; Olivier De Schutter, Special Rapporteur on extreme poverty and human rights; and Ms Mary Lawlor, Special Rapporteur on the situation of human rights defenders.

"The legal basis for this mass displacement and the remedies available to those who are affected are unclear. What is clear is the horrid effect on the displaced population, putting many poor families out on the street in the middle of the COVID-19 pandemic."

The evictions and demolitions, ordered after last year's devastating rains, may affect up to 12,000 homes housing 96,000 people. According to latest data, more than 66,500 people have already been affected. In Gujjar nullah, 4,900 homes of 50,000 people have been demolished, along with 1,700 homes housing 16,500 people in Orangi nullah. Many of the affected homeowners have established tenure through land leases, or were connected to public utilities such as gas, water and electricity.

'These actions were undertaken without consultation with the affected residents'

"We are extremely concerned that on June 14, the Supreme Court of Pakistan dismissed the stay orders issued earlier by the Anti-Encroachment Tribunal, which so far protected some of the homes from demolitions," the experts said. "In the wake of this decision, there are worrying reports that demolitions are underway again in Gujjar and Orangi nullahs, causing continuing stress and anxiety to residents."

Human rights law does not prohibit resettling people who live along waterways if they are exposed to significant flood risk that cannot be mitigated otherwise. However, any project to reduce risks of natural disasters requires due process and full compliance with international human rights norms governing relocation and resettlement, and guaranteeing that no one is rendered into homelessness.

"We are also extremely worried that intimidation and unlawful detention have allegedly been used on numerous occasions against residents protesting the demolitions, and even against their allies, human rights defenders," the experts added.

"This raises additional concerns about access to justice and remedies for those concerned."

The UN human rights experts urge Pakistan, currently a member of the Human Rights Council, to ensure that its policies and practices are in full compliance with international human rights standards governing relocations, evictions, and internal displacement.
(By Amin Ahmed Dawn, 13, 26/06/2021)

SHC extends pause on Gulshan-e-Mustafa demolition

The Sindh High Court (SHC) on Tuesday once again restricted the Karachi Metropolitan Corporation (KMC) from conducting a demolition operation in Gulshan-e-Mustafa.

It extended the stay order issued to Karachi Commissioner and others who were restrained from issuing fresh notices to residents of the locality which had been declared illegal by the Supreme Court of Pakistan.

The court directed the parties to submit replies by July 12. A two-member bench comprising Justice Muhammad Junaid Ghaffar and Justice Rashida Asad conducted the hearing of the petition moved against action taken on illegal constructions on amenity plot ST-14.

The counsel of the petitioners maintained that Gulshan-e-Mustufa is at a distance of two kilometres from ST-14. An operation against leased houses of Gulshan-e-Mustufa has been instigated in the garb of demolishing encroachments in ST-14, he said. The apex court had ordered action on ST-14 alone.

The state counsel maintained that the concerned institutions did not receive the court notice and asked for an extension to submit a reply.

Police funds stolen

An SHC bench on Tuesday sought a response from the investigation officer on arrest warrants issued to suspects in a corruption reference against former Sindh IG Ghulam Haider Jamali for allegedly embezzling police funds. The hearing of the case was adjourned till August 25.

A two-member bench comprising Justice Yousuf Ali Saeed and Justice Adnan Iqbal Chaudhry conducted the hearing of the bail plea.

The counsel of the suspects maintained that NAB did not issue arrest warrants for Jamali and several others in the reference filed in 2018. The lawyer further maintained that he would further inform the court after checking the arrest warrant.

The court also extended the interim bails of the former IG and others until the next hearing. According to NAB, the suspects embezzled police funds and caused a loss to the national exchequer.

Tracker number plates case

An SHC bench on Tuesday rejected the petition of a private contractor who sought on an exemption in the tendering process to install the latest tracking number plates.

A two-member bench, comprising Justice Muhammad Junaid Ghaffar and Justice Rashida Asad, announced the reserved verdict on putting the latest tracking number plates on vehicles in Sindh.

The court approved the tender of the institution run under the defence ministry to install the latest number plates and rejected the petition of the private contractor.

The court, in its judgment, maintained that all law enforcement agencies should be consulted on the installation of the latest tracking number plates.

The Sindh government maintained that making of radio-frequency identification (RFID) number plates was sensitive work. Thus, keeping the sensitivity in view, the tender was issued to the National Radio and Telecommunication Corporation (NRTC) which works under the ministry of defence.

According to the counsel for the provincial government, only NRTC is authorized to make the electronically readable RFID number plates in the country.

The government counsel maintained that owing to the sensitivity of the issue, the Sindh government exercised the authority to grant exemption from open bidding, hence, the objection raised by the private contractor should be rejected. The court rejected the petition of the private contractor.

The verdict was earlier reserved by another bench, comprising Justice Muhammad Ali Mazhar and Justice Arshad Hussain Khan.

Denied CNIC

A differently-abled 31-year-old Rubina approached the Sindh High Court (SHC) for her Computerised National Identity Card (CNIC).

The petition maintained that despite reaching the age of 31, she has yet to receive the card which is vital for opening bank accounts, buying a SIM card and accessing government assistance and education.

Though paralysed from the waist below, Rubina said she made numerous visits to the NADRA office over the last 13 years, but they keep putting up objections. "I have not seen my father, but I have his CNIC," she said. The petitioner appealed to the court to help her obtain a CNIC.

(By Newspaper's Staff Reporter The Express Tribune, 05, 30/06/2021)