

# NEWSCLIPPINGS

***JULY TO DECEMBER 2018***

## HOUSING



## Urban Resource Centre

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## **Ranikot Fort crumbling because of official neglect**

A LARGE collapsed section of the Ranikot Fort rampart is a proof of the official indifference to the centuries-old heritage.—Photo by writer

A 1,000-foot-long portion of Ranikot Fort's rampart has collapsed while large cracks have appeared in the walls close to the fort's Shahpar gate due to the relevant authorities' neglect.



Ranikot Fort, also known as the Great Wall of Pakistan, is believed to be the largest fort in the world with a circumference of about 32 kilometres. It is located 30km from Sann, Jamshoro district, and has four gates and 28 watchtowers.

Its architects and the purpose of its construction is still not known. Some believe it was built about 2,000 years ago.

Shahpar gate is located at a distance of six kilometres from a smaller fort 'Meeri Kot' built within the main fort. The other three gates are named Sann, Mohan and Amri.

Villagers, who have been living on the fort premises for centuries, said the rampart was in vulnerable condition at many places and it might vanish completely if the authorities concerned did not carry out repair and preservation work on a war footing.

Mohammad Sadiq Gabol, 80, who has been working as a tourist guide for the last 30 years, said neglect was the real cause of the rampart's fall. He said nearby portions of the collapsed wall had also developed cracks and feared that they could also crumble at any time.

"If no timely action is taken, the walls on both sides of the Shahpar gate will collapse," he said.

"I have seen many historians, researchers and archeologists who visited the site over the years but they could not determine the fort's actual age and its builders. The fort is still a mystery."

Aurangzeb Shahani, a resident of the area, said the fort had been repaired from time to time in the past by both the federal and Sindh governments, while non-government organisations also gave funds for its repair but the work for preservation and protection was not carried out properly, which changed the original shape of the wall.

"The use of cement in repairing the structure is in fact damaging it because in olden days there was no concept of cement. At that time, a construction material called Cheeroly was used," he added.

He asked the government to start repair and preservation work of the fort immediately with the right material.

(By Qurban Ali Khushik Dawn, 14, 01/01/2018)

## **300 buildings in District South added to heritage list**

The Sindh government has begun new surveys of the 1,700 buildings and locations that had earlier been declared heritage sites. Soon, 300 buildings in District South will be added to the list.



Governor House, Chief Minister House, Jinnah Courts, Junagarh Haveli, Frere Hall, KMC School and Karachi Gymkhana are among a few of the buildings being surveyed.

The tourism, culture and heritage department is surveying the 1,700 buildings on the orders of the court. Earlier, all these buildings had been declared heritage sites by the department. However, after objections from the owners of private buildings and on the court's orders, the buildings are being surveyed.

While speaking to Express News, Culture Director-General Manzoor Kanasro stated that 350 buildings have been surveyed and 300 have been notified.

Chawkandi graveyard preservation: SHC questions utilisation of UNESCO, government funds for heritage site

The building owners are being informed of the action through advertisements in newspapers, so that in a month they could submit their objections to the department. The non-submission of objections would add these buildings to the heritage list.

He said that attempts to change, modify or deconstruct, to pose threats or to construct building at the sites would be considered a violation of the law under Section 18 of the the Sindh Cultural Heritage Preservation Act, 1994 and violators would be punished. The owners will not be liable for any changes after the declaration. Saifee House, Crystal Ice and Cold, Najmi and Company, Victoria Mansion, Lotia Building, Edward House, Jenning Private School, KRS Captain School, State Guest House, Bristol Hotel, Haji Abdullah Haroon Trust Building, Russian Embassy Building, North Western Hotel, Chief Secretary House, Katrik Mansion, Judges House, Pakistan American Cultural Centre and the Sindh Club are among several buildings that have been declared heritage sites.

(By Vakeel Rao, THE EXPRESS TRIBUNE , 15, 05/01/2018)

### **Apex court permits construction of six-floor buildings in Sindh**

The Supreme Court (SC) allowed on Sunday construction of high-rise buildings up to ground plus six floors, subject to the availability of proper water supply and sewerage system in new projects in the province.



A three-judge bench, headed by Chief Justice of Pakistan (CJP) Mian Saqib Nisar, however, directed the builders and developers to ensure that no units will be booked beyond this limit in their projects.

Also comprising justices Faisal Arab and Sajjad Ali Shah, the bench was hearing an application filed by various builders' associations seeking review of the court's May, 2017 order.

The apex court directed the association to write a proposal on installation of desalination plants in each multi-storey project in order to resolve the problems relating to sewage.

In May last year, the apex court had restrained the Sindh Building Control Authority (SBCA) and cantonment boards from issuing building approval plans for new high-rise and multi-storey commercial and residential projects without the availability of proper water supply and sewerage systems.

These directives were issued in a case relating to non-availability of potable water and deteriorating sanitation conditions in Karachi and the rest of the province. Subsequently, the SBCA stopped issuance of new building approval plans for skyscrapers.

At the outset, the CJP remarked that the court will protect the fundamental rights of the citizens and will not let such rights be violated.

CJP comes down hard on authorities, says SC will deal with Karachi water tanker mafia  
Barrister Abid Zuberi, who represented the Association of Builders and Developers, said that 308 projects had been stalled due to a ban imposed by the SBCA on the court's order, which was causing huge losses to the developers.

On the court's query, he informed it that 20 of these projects fall in the high-density zone of the city.

Zuberi contended that there was no shortage of water in the city, but there was instead mismanagement of water distribution, due to which the residents were forced to get water through tankers at high costs of upto Rs4,000 per tanker.

On the court's query to name the people who were behind the mafia running the water tankers, Zuberi said he buys water from water tankers run by the National Logistics Cell (NLC).

**Businessmen protest against ban on high-rise buildings**

Justice Nisar remarked how any action could be taken if those involved in the practice would not be named.

A lawyer, Masroor Ahsan, said every influential MPA was behind the water hydrants.

The CJP asked him to give names and evidence so that action could be ordered against them. He observed that the court could not order the shut down of an industry which provided employment to many people.

Justice Nisar asked Zuberi to hold a consultation and inform the court under what conditions high-rise buildings' construction could be allowed in the areas which had adequate quantity of water.

He also asked another senior lawyer, Mujeeb Pirzada, to assist the court in identifying the people behind the tankers' mafia so that action against them could be ordered.

**SC dismisses ABAD's request to lift ban on high-rise buildings**

Mayor Wasim Akhtar, who appeared on the court's notice, informed the judges that water was being sold from illegal water hydrants against bribe. He added that the city's sewerage system had almost collapsed, as illegal encroachments and buildings had been constructed on the drains.

"Most of this was done during the tenure of your party," remarked the CJP, asking the mayor to assist the court on how to resolve these issues.

Justice Nisar told the mayor he was an elected representative, therefore, should make suggestions on public issues apart from politics.

The CJP also asked the mayor to go through the report of the commission and cooperate with it during implementation proceedings. He asked him whether the residents of Karachi were satisfied with the state of affairs, to which the mayor replied in the negative.

**SC maintains ban on construction of high-rises**

The top judge told Akhtar to work with the provincial government as a team and rise above political differences.

To this, the mayor undertook to work for the resolution of water and sanitation related issues above political differences with the provincial government.

Advocate Pirzada said that the desalination plant of the Defense Housing Authority (DHA) was lying non-functional.

CJP Nisar said he had received a suggestion that sewerage-related problems could be resolved if the provincial government and builders jointly install desalination plants.

Barrister Zuberi said the builders were ready for the installation of the desalination plants. To the court's query, he said the construction of up to eight floors in high-rise projects should be allowed.

However, the CJP ordered that the builders could construct only six floors in the projects strictly subject to ensuring availability of spaces for parking and other amenity purposes.

**Apex court orders lab tests of packed milk in Sindh**

He ordered the builders to strictly book the units till the sixth floor. Otherwise, the CJP warned that the project will be cancelled and the money will be returned to the clients.

Advocate Ahsan Iqbal pointed out that the officials were still allowing construction of high-rise buildings in Clifton and DHA in violation of the stay order granted by the court.

The CJP asked him to submit documents and evidence so that action could be taken against the builders, who will be sent straight to jail from the court in the presence of the media.

The next hearing was fixed after two weeks at the SC's Karachi Registry.  
(By Naeem Sahoutara, THE EXPRESS TRIBUNE , 05, 15/01/2018)

### **'Illegal' land allotment issue to be sent to ACE, SC told**

The Supreme Court of Pakistan was informed on Sunday that the provincial authorities would refer the matter of the Mehmoodabad Treatment Plant land 'illegally' allotted by former city nazim Syed Mustafa Kamal to the Sindh Anti-Corruption Establishment for investigation.

In compliance with the court's earlier order, the provincial government's chief law officer placed before a three-judge bench of the apex court the report of the local government secretary on the allotment of 49.1 acres of the treatment plant land to the affectees of Lines Area by the then City District Council.

Headed by Chief Justice Mian Saqib Nisar, the bench was conducting the suo motu proceedings on pollution.

During a previous hearing the apex court had asked the local government secretary to conduct an inquiry into the allotment of land reserved for the treatment plant after Mr Kamal had deposed that the land was allotted to the affectees of the Lines Area. Later, the court directed Chief Minister Syed Murad Ali Shah to conduct the inquiry into the matter when he appeared before the court in "drinking water case".

The local government secretary's report said that the district council of the City District Government Karachi (CDGK) on Feb 2008 passed a resolution for allotment of the treatment plant's land to the people displaced due to the construction of the Preedy Street.

The report said that the record revealed that 1,319 plots of 120, 80 and 20 yards were carved out for the affected people on the orders of the then city nazim.

It said that the original note sheet regarding the approval of allotment of land was missing, but its photocopies were provided by the Karachi Water and Sewerage Board. "The note sheet reveals that at para-6 the managing director of the KWSB informed the then nazim, who was also chairman of the KWSB, regarding handing over 49.25 acres to the CDGK for utilisation of same for resettlement. The then nazim in his capacity as the chairman of the KWSB approved the proposal on 26-12-2008," the report said.

In its conclusion, the local government secretary stated that the land reserved for the treatment plan was of amenity purpose and using it for any other purpose was violation of Section 10 (2) of the Sindh Disposal of Urban Land Ordinance 2002 and the Sindh Building Control Authority regulations.

He said the CDGK was not authorised to convert the purpose of amenity land to residential as the land did not belong to the KMC/CDGK.

The local government secretary further concluded that although the land belonged to the water utility, approval of its board was not obtained and "only the chairman of board who also nazim of CDGK (Mr Mustafa Kamal) accounted approval for allotment of land to the affectees of Lines Area as resolution of CDGK council and note date 26-12-2008 submitted by the managing director of the KWSB to the nazim CDGK/chairman KWSB".

The local government secretary stated that the matter needed a thorough probe by a professional investigation agency to fix responsibility. "The chief secretary has been requested to refer the matter to the Anti-Corruption Establishment or any other investigation agency", he said.  
(By Tahir Siddiqui Dawn, 15, 15/01/2018)

## **TDF Ghar brings the women closest to Quaid-i-Azam into focus**

Growing up, every Pakistani learns about Quaid-i-Azam Mohammad Ali Jinnah – the founder of Pakistan, a brilliant lawyer, a farsighted and an effective politician. But what is not commonly known is who he was in his personal life – as a brother, a husband and a father. There were people around the Quaid-i-Azam, particularly three women, who were an integral part of his journey as he continued the struggle for Pakistan and that is what The Dawood Foundation (TDF) aims to highlight via its exhibition, 'The Jinnahs', being held at TDF Ghar.



"Most people only know him as a lawyer and politician, people hardly know him as a person," said Hiba Zubairi, TDF's communications team head. "We wanted to highlight the people who were closest to the Quaid, who helped Pakistan come into being from the shadows."

This is also the first exhibition TDF Ghar has launched since it opened its doors in October, 2017.

The TDF Ghar team worked with interns who conducted independent research and curated the content now on display at the period house. But finding the material was not easy.



"It was a bit disappointing as we couldn't find many books or other pieces of literature that chronicled Fatima Jinnah's life, or Rattanbai and Dina's interactions with the Quaid," lamented Zubairi, who also headed the project.

Following Jinnah's values can keep Pakistan safe, strong: COAS

"There were a ton of books that talked about Jinnah's politics but a very limited insight was available about his personal interactions," she said. "During our research, we learned that books that might have had any such personal accounts or oral histories went out of publishing some 25 years ago."

Pictures on display at TDF Ghar speak of the Quaid's relationship dynamics with the three women in his life. In one picture, he sits with his sister Fatima, enjoying a wholesome conversation. The excerpt below the picture tells a story of how the two regularly had interactions over the dinner table to discuss topics of interest, social issues and political events. Then, there are pictures and letters the family exchanged with each other during trying times. Sound bites allowed visitors to have an immersive experience – what was it like to be married to an elusive man, to be a strong-willed daughter of an equally headstrong father and to grow up as a dreamer with an elder brother who also loved to dream.

The exhibition provided insight into Jinnah's personal life.

Learning about heritage and history does not have to be dry or boring and the exhibition at TDF Ghar is a testament to this. "With this exhibition, we want to connect visitors and society at large with our history and heritage," Zubairi added.

The exhibit is open for visitors from 10am to 10pm everyday till January 31.  
(By Yusra Jabeen, THE EXPRESS TRIBUNE, 04 , 17/01/2018)

## **Irregularities detected in contracts for repair work of historical sites in Sindh**

Renovation of historical sites in Sindh has become a profitable business for the officials of the antiquities and archaeology department. Millions of rupees are allocated and utilised for the repair and refurbishment of historical sites. However, due to sub-



standard repair work, the condition of these sites deteriorates after a few years and repairs are required once again, for which funds are again allocated and released, resulting in a never-ending cycle.

Everything does not seem transparent with tenders worth around Rs200 million recently awarded by the government for the repair of 25 historical sites in Sindh. Funds allocated for archaeological sites are reportedly misappropriated through poor repairs or low-quality renovations. However, this time the procedure adopted for granting tenders also gave birth to suspicions.

SHC suspends notification declaring 1,061 buildings as heritage sites

The tenders for the repair work of historical sites were issued by one office while the address for obtaining the documents was of another office, which suggested that the authorities wanted to create difficulties for the contractors seeking to win tenders.

According to official sources, the contracts were awarded to preferred contractors. These contractors had their licensed registered with the Pakistan Engineering Council after the contracts had been allotted. Sources also revealed that the experience of the contractors was not considered while awarding the contracts. The chosen contractors did not have any prior experience of working on archaeological sites.

300 buildings in District South added to heritage list

The historical sites for whose repair the contracts have been awarded include Moomal Ji Mari in Ghotki, the Buddhist stupa in Mirpurkhas, the Buddhist stupa in Benazirabad, Barhamanabad in Sanghar, Lakhueen Jo Daro in Sukkur, Shadipali in Umerkhot, the tomb of Mian Yaar Muhammad Kalhoru in Dadu, Tijar Building in Larkana, Chatori Graveyard in Mirpurkhas, Bhodesar Temple in Tharparkar, Sonda Graveyard in Thatta, Kalankot Fort in Makli, Nawab Ameer Khan Mosque in Thatta, the birthplace of Mughal emperor Akbar in Umerkot, Chaheen Jo Daro in Nawabshah, Qadir Bukhsh Ja Quba in Khairpur Mir and others.

It has been revealed that instead of the workforce of the contractors working at these historical sites, employees of the archaeology department are performing the repair work.

Govt committed to preserving heritage sites: CM

It has also been pointed out that work on Rs200 million renovation projects was broken up into different contracts. As per the rules and regulations of the Sindh Public Procurement Authority, it is not allowed to break up one contract into multiple contracts. Dividing one project worth Rs200 million into many contracts, using separate offices for issuing and receiving tenders, awarding contracts to inexperienced contractors and posting employees of the archaeology department instead of the workforce of the contractors lends credence to suspicions that through these contracts, an attempt has been made to siphon off a huge amount of money.

When contacted, Archaeology Department Director-General Manzoor Kanasaro denied the allegations of irregularities in the project and said the suspicions were ill-founded. He claimed that the contracts for the renovation of heritage sites had been awarded on merit.

( THE EXPRESS TRIBUNE , By A Razzak Abro, 05, 22/01/2018)

## **Karachis land use**

infrastructure and services management is constantly on the judiciary's radar. Many issues have come to light during these deliberations; poor drinking water quality, absence of universal household services (especially to the urban poor), untreated waste being dumped into the rivers and sea, and the dismal performance of both older and new institutions that manage these perennial problems.

The Karachi Water and Sewerage Board has a listed consumer base of over 1.5 million retail customers, with a growing demand to expand its services to new developments along the suburbs and what were once agricultural lands in eastern and western locations. But KWSB may not be able to immediately

extend its services to the many low-density, low-rise housing estates emerging along the M9 and N5 highways.

It goes without saying that no city can manage its services and infrastructure if it does not plan for future challenges, based on a dispassionate analysis of the present situation, and commit to follow through. One immediate task for Karachi's urban planning team is to articulate the city boundaries and service jurisdictions for effective land management and provision of adequate infrastructure and services.

*Public land is a social asset, not a commodity.*

Almost all the previous city plans emphasised articulating urban territory, service provision networks and jurisdictional demarcation in a scientific manner. In the 1920s, A.E. Mirams came up with physically verifiable zoning for what is now called Karachi's historic quarters. One of the main reasons that led to this initiative was a land adjustment dispute between the then Cantonment administration and the Karachi Municipality. Subsequent development plans addressed articulating the city boundaries and projecting land uses according to the respective times in which they were prepared. But trends show that these plans were overlooked and compromised in favour of ad hoc decisions that still haunt us.

Land transactions in Karachi and its environs are marked by poor decision-making, without scientific analysis. For instance, the provincial administration granted more than 12,000 acres to a military housing authority in suburban terrain predominantly for agriculture. Soon thereafter, a private realtor acquired huge tracts of land along the M9, thus creating immense pressure on already fragile water, sanitation and waste management mechanisms.

The limits of the Karachi metropolitan area, which previously extended to Toll Plaza, now stretch many more kilometres ahead. Distinctions between Karachi's urban and rural territories are diminishing. The Karachi Strategic Development Plan 2020 has no provision for expanding city boundaries to such unmanageable limits. Once developed, the managers and developers of new housing estates then exert pressure on infrastructure agencies to provide services.

Karachi has suffered immensely due to impotent land use controls, resulting in poor infrastructure provisions. According to the Karachi Development Plan 1986-2000, the city comprised 46,000 acres, with a sizable percentage of this land reserved for future usage. Current dynamics suggest that not only this but also adjoining lands have already been put up for sale through different real estate ventures, mostly low-density and low-rise in nature, which tend to accommodate fewer residents per acre.

Many negative types of fallout emerge from this peculiar approach. Truly needy households find it impossible to access affordable housing. Land use conversions are done without any land use plan, which is yet to be prepared and notified. Infrastructure/utility agencies are neither properly consulted nor informed about future schemes.

We can learn from better-managed cities. Many observers find that London stretches far beyond its conventional limits due to services, transportation links, economic potential, residential convenience and a distinct city sense that it generates for residents. However, in governance and management, the Greater London Authority and other stakeholders exercise scientific control on development trends and expected levels of services (all the way up to 2065).

Reinvigorating city centres, enhancing quality of life in suburbs, addressing housing deficits, modernising green belts and bolstering linkages with surrounding areas are key tenets of this urban planning attempt. Its mayor recently visited Pakistan to market London as a globally desirable choice for upmarket economic and commercial enterprises.

Land is an asset, not a commodity. Its utilisation must have social justice as its guiding principle, with government departments that own land acting as trustees of this asset. In order to promote transparency at all levels, agencies must endeavour to publish land records with all necessary information. Karachi needs a capable, independent and legally strong urban planning agency to manage its land and services issues. (By Noman Ahmed, Dawn, 09, 24/01/2018)



## Notices issued in amenity plots' encroachment case

The Supreme Court (SC) issued on Thursday notices to the provincial advocate-general and Karachi Development Authority (KDA) administration in a case of encroachments on 35,000 amenity plots in the city. A two-judge bench, comprising Justice Gulzar Ahmed and Justice Maqbool Baqar, will take up the case at the SC's Karachi Registry tomorrow (Saturday).



The SC had given a three-day deadline to KDA Land Director Syed Arshad Abbas on November 29 last year to get thousands of public recreational places cleared of illegal encroachments.

Earlier, KDA Director-General Samiuddin Siddiqui had disclosed that around 35,000 amenity plots in different parts of the city had been encroached upon through 'China-cutting' – a term used in Karachi for the illegal occupation of state or private land by carving the land into smaller plots.

In a compliance report, the KDA land director had informed the court that the authority managed to retrieve only 1,569 amenity plots from land grabbers in the city, leaving over 33,400 recreational spaces under encroachment.

### **KDA has little to show for 'massive' encroachment drives**

According to the report 1,569 amenity plots were retrieved via demolition operations against 239 houses, 509 structures, 204 boundary walls, 371 shops, 167 marriage halls, 12 hotels, four dispensaries/hospitals and 18 thallas (paved works). The report stated that operations were also carried out at eight amenity plots illegally converted into commercial plots, 14 plots turned into warehouses, four offices, 12 farmhouses and seven illegal cattle pens.

Out of the total operations, 189 operations were carried out in Gulistan-e-Jauhar Scheme 36, 22 in Gulshan-e-Iqbal Scheme 24, 274 in North Karachi, 847 in Surjani Town Scheme 41, 104 in Korangi, 43 in Landhi, 38 in Federal B Area Scheme 16, 22 in North Nazimabad, 28 in Malir and two in Shah Faisal Colony.

Abbas had also claimed that the authority wrote letters to the Sindh Building Control Authority's (SBCA) master plan department, requesting verifications of all the amenity and commercial plots in the city and demanding maps of areas falling within the KDA jurisdiction.

"However, the [SBCA] department failed to provide the required information within the stipulated time, due to which the operation was delayed," Abbas said, adding that the KDA officers had numerous meetings prior to and after removal of encroachments to review and discuss the anti-encroachment operation.

### **SC to take up seven major cases today**

#### **Former nazim's plea**

The bench will also take up a seven-year-old petition, filed by former Karachi nazim Advocate Niamatullah Khan in 2010, against illegal conversion of public spaces for residential and commercial purposes in the metropolis.

In his petition, the former nazim had accused political parties of setting up offices on 127 amenity plots and parcelling out another 35 plots and some parkland for residential and commercial purposes over the past four years.

Khan had pleaded to the court to declare the conversion of public land and amenity plots to any other purpose or use as a gross violation of the fundamental rights of citizens and liable to be set at naught.

The former city nazim also requested the court to hold that the land or plots he had mentioned in the petition belonged to the public at large and should be allocated and maintained for their recreation. He had also questioned the authority of the local government to convert the public land and amenity plots into residential or commercial estate or to allot these to any person or authorise construction over the same.

### **NAB swings into action in China-cutting cases**

Similarly, the petitioner also asked whether any political party, group or coalition could establish its party or camp offices on such land.

(By Naeem Sahoutara THE EXPRESS TRIBUNE 04, 02/02/2018)

## **CM approves underground shopping area at Numaish**

Sindh Chief Minister Syed Murad Ali Shah on Thursday approved the design of an underground shopping area at Numaish which would serve as central point for passengers.

He accorded the approval while presiding over a meeting held at the CM House in connection with Bus Rapid Transport Service (BRTS) Green Line project.

Briefing the CM, project director of the Green Line scheme and principal secretary to the governor, Suaaleh Farooqui, said the design had an underground floor at Numaish to develop retail area. Since Numaish was going to be a terminus for BRT passengers, this retail area was envisaged to contribute significantly for BRT's self-sustenance through non-fare revenue.

The CM said the retail or shopping area could be developed under public-private partnership mode after launching of the project. "Completion of the project and starting Green Line Bus Service is most important for which the people of Karachi are waiting," he said and approved the underground station at Numaish.

The chief minister also directed the project director to invite tenders on Feb 15 so that work could be awarded well in time. "I am interested to start the project in April, therefore things should be moved accordingly," he said and also stressed the need to notify the date of completion of the BRT Green Line infrastructure so that the Sindh Mass Transit & Transport Authority (SMTA) could issue the notice for readiness accordingly.

On the occasion, Transport Minister Syed Nasir Shah told the meeting that he had started preparation for procurement of buses for Green Line and Orange Line projects.

When CM's attention was drawn towards the need for establishing a bus depot at Surjani Town, he directed Law Secretary Iftikhar Shalwani to make necessary amendment in the land document so that 3.5 acres of land could be developed as the bus depot. But this must be done within 15 days, he said.

The CM also approved the design of BRT system from Numaish to Tower.

(Dawn 18, 09/02/2018)

## **Governance innovation and land disputes**

The writer is a public policy expert and an honorary Fellow of the Consortium for Development Policy Research. He tweets @hasaankhawar



Last week, I visited Chakwal for some work. At the deputy commissioner's office, I was invited as an observer to an unusual meeting. All the district revenue administration and police leadership were present and providing an update on something called Revenue-Police Committees, set up in each tehsil of Chakwal district.

These committees, established only three months ago at the direction of the DC and the district police officer, objectively look at land-related disputes, providing a verified record of rights and titles and amicably resolving such conflicts, where possible, preventing prolonged litigation. So far, a total of 44 cases have been referred to these committees, out of which 26 have been resolved, reflecting a resolution rate of 59%. None of the parties in these resolved cases felt the need to either appeal the committee's decision or to go for civil litigation.

I was greatly impressed on three counts. Firstly, the focus of district administration on something very relevant to the local context was admirable. Not only land-related disputes are quite common in rural settings but a significant proportion of crimes are also known to have land disputes as their root cause.

In most cases, the opposing parties muddle the situation through involvement of both the police and land revenue administration separately and generating multiple conflicting reports on titles — by greasing a few palms. Such tactics complicate the case facts and lead to civil litigation that may take years. Only last month, the Supreme Court decided on a 100-year-old property inheritance case, originally started in 1918.

Availability of both agencies together along with availability of original record however helps in objectively looking at facts and leaving little ground for confusion or malafide intent on the part of either party.

Secondly, such initiatives provide a platform for alternative dispute resolution (ADR). Use of ADR can prevent litigation and reduce the judiciary's workload. The chief justice of Pakistan recently disclosed that in Punjab and Khyber-Pakhtunkhwa, only one judge is available for 62,000 people, whereas in the Lahore High Court, only one judge is available for 2.2 million people. Every civil judge has to deal with an average of 150 cases daily with about 2.4 minutes to hear each case. Furthermore, taking pendency into account, the disposal rate for civil cases was 55% in 2014 in the courts of district & sessions judges across Punjab.

For a complainant, the median cost of a single interaction with courts and the police in Punjab is about Rs17,000 (UNDP survey in 2012). Considering that each case involves multiple such interactions increases the cost to hundreds of thousands of rupees for citizens.

There is already a broad realisation of these impediments and the Lahore High Court has set up ADR centres in the province. So far 13,500+ cases have been referred to these centres, with 8,500+ mediated successfully.

Thirdly and most importantly, the initiative provides a classic example of a local home-grown innovation undertaken by civil servants. In this particular case, the local district leadership realised that merely through better inter-agency cooperation, it could enhance transparency in how such disputes are handled and provide quick relief to citizens. The police and land revenue administration are twin pillars of local governance in a district. Working together systematically to tackle a major justice-sector problem is a simple, practical and cost-effective solution.

Governments all over the world are on the lookout for innovations in public service delivery to improve efficiency, reduce costs and enhance citizen satisfaction. The ideal nursery for such innovations however continues to be the service delivery front-end, where local problems are best understood and can be resolved. The Jhang Model of seeking citizen feedback to check corruption was introduced by a former DCO a few years ago and gained attention of the Punjab chief minister, resulting in provincewide replication. The role of the government therefore is to recognise and take stock of such innovations, review and refine them and scale them up for improved governance.

**(THE EXPRESS TRIBUNE** By Hasaan Khawar 16, 13/02/2018)

## **Governor lauds low-cost housing scheme**

Sindh Governor Mohammed Zubair has said that with the increasing population in Karachi, it has become extremely difficult for the low-income groups to have their own home and that is why “launching of a low-cost housing scheme by the government augurs well for the poor people”.

The governor, who was presiding over a meeting of New Malir Housing Scheme in Governor House here on Tuesday, expressed the hope that this scheme would help poor families to get a house, a plot or a flat in Karachi at a reasonable price on easy instalments.

Earlier Malir Development Authority Additional Director General Arif Memon, and other officials concerned highlighted the salient features of the scheme saying that the authority had initiated measures to provide basic facilities in the scheme as providing low-cost housing to people was among the priorities of the government while the federal government was also prepared to extend every possible cooperation to them.

(Dawn 19, 14/02/2018)

## **Hazardous fumes from furniture-making shops perturb PECHS residents**

Residents of PECHS (Pakistan Employees Cooperative Housing Society), who have lodged multiple complaints against the use of hazardous chemicals in a commercial activity in their locality, are yet to be noticed by the authorities.

Speaking to Dawn, residents of Block 6, PECHS, complained that hazardous chemicals being used in polishing furniture in their locality posed a serious threat to public health.

Owners of the furniture-making shops, they said, ignored their repeated complaints, saying that it's a residential-cum-commercial plot and they were allowed by the government to carry out that kind of business in the area.

The matter was reported last year to higher authorities, including the commissioner of Karachi, deputy commissioner (East), Karachi Metropolitan Corporation and the Sindh Environmental Protection Agency (Sepa). But there had been no response, they said.

“The E-furniture market near Masjid-i-Aqsa has been operating in our locality for the past many years. Gradually, its workers started using different chemicals for polishing furniture,” said a resident on condition of anonymity, adding that initially people, unaware of how the hazardous activity could affect their health, did not complain about it.

“In recent years, however, the number of furniture shops has increased and so has the polishing of wood. This is done with the help of different chemical-containing spray paints and paint thinners whose fumes make breathing difficult,” another resident said.

The issue, according to him, did not attract much attention also because a number of residents had rented out their ground floors for furniture work and were reluctant to speak out on the matter.

“I took up this matter for the first time in 2014 with the commissioner but failed to get any positive reply. Last year, a number of residents complained against it to various government officials. The situation, however, remains the same,” said M. Tahir Rajput, representing an NGO.

On a recent visit to the locality this writer found the residents' concerns valid. The air in some congested lanes of the market was filled with a pungent smell. The area was also affected by noise pollution being created by wood cutting.

"We have become used to this smell now and none of us suffers from any breathing problems. However, we do eat gur (a type of unrefined sugar) at night to clean our lungs as someone has told us that this smell can affect our health," said a worker engaged in polishing furniture without any protective gear.

Paint thinners, he said, were also used to wash hands once workers finished their work.

The Institute of Environmental Studies (IES), Karachi University, carried out an environmental assessment of the area last year.

According to its findings, the average ratio of total volatile organic compounds was found to be 2,900µg/m<sup>3</sup> (the US environmental guideline is 500µg/m<sup>3</sup>), particular matter 2.5 (an air pollutant of serious health concern) was 151.5µg/m<sup>3</sup> (Sepa guideline 35µg/m<sup>3</sup>) whereas sound pressure was 71db (60db per Sepa guideline for commercial area).

"We carried out analysis at five different places in the market and presented an average data in the report, which means that there was variation in air and noise pollution levels," Dr Waqar Ahmed of IES said.

On health effects of volatile organic compounds, he said that most of them were carcinogenic (cancer causing) in nature and considered as respiratory irritants.

"Their immediate [effect] could be in the form of eye and skin allergies. Their prolonged exposure can cause cancer, a disease that usually takes a long time to develop and show symptoms," he said.

**Sepa's shortcomings**

Sharing his legal opinion on the matter, Zubair Ahmed Abro, a senior environmental lawyer, cited Sections 13, 2A and 11 of Sepa regulations 2014 and said that any activity posing risk to public health was prohibited regardless of the nature of a plot where it was carried out.

He said: "The environmental law doesn't make any classification or categorisation in matters pertaining to the discharge or release of hazardous material/ fumes. Inspectors of Sepa have powers under the law to take action on such complaints."

Mr Abro also explained that any land-owning agency could declare a plot under its jurisdiction as commercial. But, if the plot was being used for any activity posing threat to public health, the environmental law would prevail and Sepa had powers to act.

When contacted, Ashiq Langha, director of Sepa, Karachi office, which received the PECHS complaint in May last year, said the department was pursuing the matter and had also sent a technical team to carry out an environmental analysis.

"Both parties, the residents as well as the shop owners, have been called for a personal hearing. If shop owners didn't show up, they will be given another chance," he said, adding that Sepa regulations lacked standards on organic volatile compounds.

The department, he pointed out, could take up the matter with the environmental tribunal or the ombudsman if shop owners did not cooperate and the department did find public health at risk in the relevant area.

About delay in departmental action, he said that neither the shops bore any address plates nor workers were willing to share information, which prevented timely action.

"Since the shops have no numbers or address, it hasn't been possible to serve them with notices so far. But, we have started collecting information on our own," he said in reply to a question.

Mohammad Azhar Khan, also representing Sepa, added that his technical team did recently visit the affected locality but failed to carry out an environmental analysis.

“Our vehicle couldn’t go into the congested lanes where this business is going on. We will take the help of a third party laboratory certified by Sepa.”

He also spoke about the threats Sepa team faced in the area and said the department might take police help as shop workers had been posing a hostile posture to Sepa representatives.

(By Faiza Ilyas Dawn 17, 15/02/2018)

## **Monitoring committees set up for graveyards**

Mayor Wasim Akhtar on Saturday said monitoring committees had been established on city and district levels to monitor the matters pertaining to maintenance and improvement of graveyards.

Reviewing arrangements for better upkeep of the graveyards under the control of the Karachi Metropolitan Corporation at a meeting, he said under the new rules formulated by the municipal leadership registration of gravediggers, watchmen and gardeners had been made mandatory.

Besides, he said better cleaning and tree plantation would be done on all graveyard premises, and proper monitoring with checking of record of graveyards would be ensured.

Officials in the KMC said that following the directive issued by the mayor the relevant department of the KMC had issued orders for the establishment of a provisional city graveyard committee and district graveyard monitoring committees headed by the mayor and KMC metropolitan commissioner, respectively.

### *Registration of gravediggers, watchmen and gardeners made mandatory*

The provisional city graveyard committee would have a director of graveyards as its secretary and metropolitan commissioner, senior director municipal services, DMC chairman concerned and representative of the Edhi Trust as its members.

For the district graveyard monitoring committee, the graveyards director would be its secretary, a representative of the city mayor, relevant DMC municipal commissioner, district health officer, director for land, KMC, and deputy director of graveyards would be its members.

According to terms of reference, the city graveyard committee will prepare monitoring policies for the existing graveyards, proposing from time to time amendments to graveyard byelaws and policies, monitoring proper suggestions and policies issued from time to time, closure of crammed graveyards and their maintenance.

The district graveyard monitoring committees would implement suggestions of the district graveyard committees regarding the betterment of graveyards, registration of gravediggers, watchmen and gardeners on the recommendations of the secretary of a committee. In case of breach of terms and conditions, registration of gravediggers, watchmen and gardeners would be cancelled.

The district graveyard monitoring committee will take care of the graveyards located within their limits and issue instructions for their proper care, including tree plantation.

It will also check records of graveyards and prepare proposals for the provision of lights, water and installation of lamps for religious events and hold fortnightly meetings.

(Dawn 18, 18/02/2018)

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(Dawn 18, 18/02/2018)

## **Saving Ranikot Fort**

REGRETTABLY, it is only after the loss or wilful destruction of heritage and culture that our government is moved to assign resources and expertise to save ancient sites. For decades, the ruinous state of Ranikot Fort in Jamshoro district in Sindh was overlooked by state officials charged with its protection. Its dilapidated look should be attributed to the lack of know-how, funding and most certainly absentee political will. Fortunately, the Endowment Fund Trust for Preservation of the Heritage of Sindh intervened a few years ago to restore sections of the fort, including its wall and gates. This past weekend, visitors were taken to view the ongoing restoration works at Shahpar gate which is located along its southern wall. Given its majestic proportions, the fort's present structures were reconstructed by the Talpurs in 1812 though its original architect remains unknown — some historians believe it was the Sassanian dynasty; others claim the Bactrian Greeks were the prime architects. With ramparts at par with the Great

Wall of China, it is listed under the Antiquities Act, 1975, which means it should have been protected from ruin. Instead, entire sections of its wall were reduced to rubble. While more than 50pc of the restoration work remains, funding dependent on a cash-strapped government is problematic. However, solutions should emerge when there is international and local expertise involved.

With the history of other sites in Sindh eg Makli and Moenjodaro about to disappear, the state must find the funds to address the challenge. It must act as a custodian of cultural heritage instead of sanctioning countless, characterless concrete buildings for the sake of placating voters. One way to preserve history and generate revenue at the same time is to tap into international cultural donors to convert spectacular historical ruins into tourist attractions. It is only when a nation learns to value its diverse culture and heritage that it can figure out its true sense of identity.  
(Dawn 08, 20/02/2018)

### **Saddar food street to open its doors in June**

Work to convert Mir Karam Ali Khan Talpur Road into a food street will be completed in June this year as a part of the 'Revival of Surrounding of the Empress Market and its Adjoining Areas' project.



This was stated by the chief engineer of the project. According to him, work on converting Raja Ghazanfar Ali Khan Road (Bohri Bazaar) into a night bazaar will also be completed by June.

The project's chief engineer, Navaid Izhar, also told *The Express Tribune* that a part of Mir Karam Ali Khan Talpur Road, formerly known as Napier Street, would be pedestrianised so that vehicles could not obstruct the view of the main entrance of Empress Market and its tower from the food street.

Currently, the road has been closed for all sorts of traffic and steel structures are being erected in the middle of the road, under which kiosks of different food brands will be set up. The entire road will be paved with walkways on both sides.



by the project.

"Citizens will be able to enjoy the food offered by different restaurants and can spend time in Saddar, which is rich with heritage buildings," the chief engineer said, adding that the existing shops on both sides of the road will not be affected

### **Renovating Saddar**

The food street project is part of a bigger plan to overhaul the Saddar area through re-routing public transport, development of the area as a traffic-free pedestrian zone, development of art and cultural activities, and value addition to the area through food and entertainment activities.

"The project aims to reduce the traffic mess in Saddar by re-routing traffic on alternative routes as decided in the master plan," said Izhar.

### **Entrepreneurs look to venture into foods business through Karachi Eat**

The project, which aimed to control traffic issues and air pollution in the heart of Karachi, was launched by former governor Dr Ishratul Ebad in March 2014. It was supposed to be completed within two years. However, it was delayed like many other projects.



According to the project engineer, five roads in the area were to be renovated along with Empress Market and Jehangir Park. Of the five roads, three were to be pedestrianised while the other two roads were to be reconstructed, making them one-way streets.



### **The flip side**

Many residents and traders are, however, unhappy with the ongoing work. The traders are complaining that their businesses have been adversely affected due to the closure of roads.

“Roads are meant for traffic, not for food streets,” complained Zohaib Ali, a local resident, adding that the government was making the area a bottleneck for traffic, which would ultimately add to the commuters’ woes.

According to Ali, the government needed to understand that it was adding to the traffic problem in Saddar rather than resolving it. The resident also said that 127 shopkeepers and residents had signed a declaration against the project, terming it an ‘anti-citizens project’.

### **Beautifying the metropolis: Sindh CM orders reconstruction of roads in old city area of Lyari**

Muhammad Khalil, a trader who owns a teashop on one side of the road where the food street is being constructed, alleged that the government was forcing the traders to switch their businesses. Khalil also lamented that no effort was made by any government department to take the traders into confidence regarding the project.

Other citizens expressed mixed opinions regarding the issue. “I am not sure whether things would get better or worse but the development work being carried out is an applaudable thing,” said Sajid Hussain, resident of a building situated on the road.

(By Mudaser Kazi THE EXPRESS TRIBUNE 04, 26/02/2018)

## **Bill passed to levy sales tax on properties, services**

Despite a protest by the opposition, the Sindh Assembly on Wednesday passed the Sindh Sales Tax on Services (Amendment) Bill, 2018, empowering the government to levy and collect sales tax beginning on July 1, 2015 on movable or immovable property and services by way of lease, rent, licence or other similar arrangements.

Before the adoption of the bill, the amendments suggested by Muttahida Qaumi Movement parliamentary leader Syed Sardar Ahmad during clause-by-clause reading of the bill were put to the house by the chair, which were rejected.

According to the statement of objectives and reasons, it is expedient to amend the Sindh Sales Tax on Services Act 2011 with a view to safeguarding the revenue to government and avoid any litigation.

Earlier Syed Sardar Ahmad opposed the amendment saying that imposing sales tax on services and renting immovable property either be withdrawn or the bill be referred to the standing committee or a special committee.

*‘How much does the PPP government want to squeeze Karachiites?’* The MQM leader quoted the ruling of the high court against imposition of sales tax on immovable property saying it was not a commercial activity and further suggested that the tax should not be levied on the owner of the property but on the person taking the property on rent or lease.

During the discussion on general principles, Syed Sardar Ahmad read out his proposed amendment to the bill. He said the law was discriminatory in nature as it would be applicable to urban property while in rural areas agricultural land was not covered in the bill. As such it was against Article 25 of the Constitution and would be struck down by court.

He said that 90 per cent sales tax was being collected from urban areas, particularly Karachi, Hyderabad and Sukkur, and 85pc of the total revenue was collected from these urban areas while under the GST on services act, agriculture and fisheries land’s renting was not taxable. If the government was keen to levy sales tax on services, the law be made applicable to renting lands in rural areas as well.

MQM lawmakers Muhammad Hussain and PTI defector to the PSP Hafeezuddin opposing the bill said that it would widen the gulf between the urban and rural populations in the province and termed it a law discriminatory against the urban population. Mr Hussain said that already five types of sales tax were levied on the urban areas and their share in Rs100 billion was 95pc, and by imposing further tax they were being further burdened. He said that if it was inevitable, it should also be levied on rural properties.

Hafeezuddin said that under the law if any high court had given verdict on any matter, it was applicable to every province. As such if anyone went to court, such litigation would be struck down. He said last year Rs61bn was generated from sales tax on services and this year's target was Rs90bn. "How much does the PPP government want to squeeze Karachiites?" he remarked.

Senior Minister Khuhro responding to the opposition's arguments said that the tax on rented urban property would be only 3pc while hostels, boarding houses would be exempted from it. He also said that sales tax on services would not be charged from the owner but from the tenant. He also said that the bill was not for Karachi or any particular urban area, but would be collectable on immovable property across the province.

The minister also objected to the contention of opposition lawmakers Muhammad Hussain and Hafeezuddin about generation of 90pc tax from Karachi, saying that Karachi was part of Sindh and the deprived people of Sindh had every right on Karachi, which is capital of the province.

After the adoption of the bill of sales tax on services, the speaker called it a day at 2.30pm to reassemble on Thursday at 10am.

#### **Partnership (amendment) bill deferred**

The other bill on the agenda was The Sindh Public Private Partnership (Amendment) Bill, 2018, whose consideration was deferred till Thursday on the suggestion of Syed Sardar Ahmad soon after its introduction in the house by Mr Khuhro.

The house also witnessed a protest walkout by PTI lawmakers Samar Ali Khan and Khurram Sher Zaman when the latter was not allowed to speak on the admissibility of his adjournment motion after it was opposed by Mr Khuhro.

Before the walkout, there was an exchange of harsh words between the deputy speaker, who was in the chair at the time, and Mr Sher Zaman.

#### **MQM backs PTI lawmaker**

Muhammad Hussain of the MQM backed Mr Sher Zaman, asking the chair to allow the PTI MPA to speak on the admissibility of his motion.

Khurram Sher Zaman through his adjournment motion wanted to discuss on the floor of the house the re-appointment of Dr Asim Hussain as chairman of the Sindh Higher Education Commission, terming it a recent matter of public importance. As he was not allowed to speak on its admissibility by the chair, Mr Sher Zaman and his colleague Samar Ali Khan staged a walkout in protest and did not return to participate in the rest of the proceedings of the day.

Earlier on a calling-attention notice, Nusrat Sahar Abbasi of the Pakistan Muslim League-Functional said the deployment of over 6,000 police officials on VIP protocol duties cost Rs2bn annually. She gave figures referring to names of VIPs but her mike was turned off by the chair. However, responding to the notice, Home Minister Sohail Anwar Siyal said the legislator had quoted the figures from a TV channel report and a clarification was being sought from the channel.

In response to the calling-attention notice of Syed Ameer Hyder Shah about the increasing sale of raw liquor in Mirpur Sakro, Thatta district, under police patronage, the home minister gave the figures of the seized drugs, including raw liquor, hashish and other drugs. He said if narcotics were being sold under some police official's patronage, he should be named so that action could be taken.

### **Dilapidated buildings**

In reply to the notice of MQM defector MPA Syed Nadeem Razi of the PSP about the collapse of a building in the old city area and providing alternative accommodation to the residents living in dilapidated old buildings, Local Government Minister Jam Khan Shoro said that residents of such buildings were not prepared to vacate them though they were declared heritage. "We are ready to constitute a committee in which Nadeem Razi would also be included to persuade the residents to vacate such buildings."

Responding to the notice of Irtiza Khalil Farooqui about piles of garbage in Gulistan-i-Jauhar and overflow of sewage, minister Shoro said the MPA himself had pointed out that the locality was part of the cantonment area.

There are a number of cantonments in the city which collected garbage from their respective localities. If the responsibility of collecting garbage was given to the Sindh Solid Waste Management Board, the government was prepared to discharge it. He also agreed with the MPA for the need to evolve some mechanism under an umbrella to discharge this responsibility collectively.

(By Habib Khan Ghori Dawn 17, 01/03/2018)

### **Culture secretary, others acquitted in building demolition case**

An anti-corruption court acquitted on Wednesday the Culture and Tourism Department, Sindh, secretary and two other officials in a case regarding demolition of a British-era building in Soldier Bazaar.

The investigating officer had named Culture, Tourism and Antiquities Department Secretary Ghulam Akbar Leghari, Additional Secretary Bux Ali Maher and another official Eijaz Ahmed Rind as accused in final charge-sheet for allegedly manipulating the record and issuing letters to IO and alleged owners of the building in question, located inside Jufelhurst School in Soldier Bazaar, that it was not declared a heritage structure.

The officials of culture department through their lawyers moved acquittal applications. After hearing arguments from both sides, the judge of provincial anti-corruption court Iqbal Hussain Maitlo allowed the applications.

The court in its order observed that the IO seized a note sheet dated June 20, 2017 which was allegedly maintained by the applicants for deleting the demolished building from the heritage list, but one of its signatories, Fauzia Mursaleen, a section officer at the culture department, was produced before a judicial magistrate and her statement under Section 164 of CrPC was recorded without adopting the procedure for approver or accused.

It further said that the section officer had falsified the allegation of maintaining forged note sheet by stating that it was moved as per routine for its approval by higher authority, then she signed the note sheet after its approval and thereafter Eijaz issued the same. But she had not deposed that accused Eijaz maintained the note sheet or issued letter without her consent.

The court noted that on same set of allegations the IO had made section officer a witness and others accused, adding that this act of pick and choose on the part of IO was not warranted by the law.

Referring to the minutes of an advisory committee of provincial government and a notification issued on Jan 29, 2016, the court further observed that the documents revealed only the Jufelhurst School was recommended and then notified as heritage property.

Moreover, the IO issued a letter to the section officer of the culture department in July last year seeking clarification and reply. It was categorically stated that two plots were recommended as heritage and the third plot on which the old bungalow was situated was not recommended or declared as it was bifurcated on Sept 6, 2012, by the revenue department, it added. The court also ruled that it appeared from the reply

of the section officer that they had not adopted a proper procedure for declaring the said property as heritage and it amounted to nullity in the eyes of the law.

The court also referred to the judgement of high court, handed down on Oct 27, 2017, and stated that the high court directed the provincial government to hand over possession of the property in question and also ordered to pay Rs217,056 as arrears of rental together with 10 per cent markup.

The high court's order attained finality as Sindh government and other defendants had not filed an appeal against it, adding that the order of higher judiciary also affected the notification about declaring the property heritage.

The IO had filed the final charge sheet in October last year about the British-era building, located inside Jufelhurst School in Soldier Bazaar, which was demolished on the night of April 8 last year. The IO also named the alleged owner Sajjad Bashir, FIA Inspector Adnan Ali, private persons Zeeshan, Mohammad Amin and Abid, the then mukhtiarkars Zulfiqar Ali and Abdul Ghani Abbasi, the then Soldier Bazaar SHO Irshad Soomro and others as accused in the final report.

(By Ishaq Tanoli Dawn 18, 01/03/2018)

## **One of Karachi's oldest festivals, Sheedi Mela comes to a close**

Festivities at the three-day Sheedi Mela concluded on Sunday in Manghopir. Sheedi elders will place a chadar at the shrine of Hazrat Khawaja Hassan, also known as Manghopir, today (Monday) to mark the end of the annual event.



The festival, which was once a regular feature in Manghopir, resumed last year after a gap of seven years due to the tenuous law and order situation in the area. However, the festival was only held for a single day. This year, though, it was celebrated for three days.

The sounds of drums and ululations echoed in the streets of Manghopir Sunday morning as men, women and children of the Sheedi community performed their traditional dhamal.



The annual procession started from Sheedi Goth, which is located near the shrine. Seven girls, whose faces were covered with chunri dupattas, balanced trays full of sweets on their heads during the march. The men held the community's historic blue flag as they moved in synchrony with the beat of the drums.

Later, the community visited the pond alongside the shrine to pay respect to the crocodiles living there, which are believed to be spiritually associated with the saint. The heads of four clans of the Sheedi community went inside the enclosure and called the name of the oldest and largest crocodile in the swamp, Mor Sahab. According to locals, Mor Sahab is 127 years old and is the chief of the crocodiles. When the animal came out of the pond, the chiefs adorned its body with fragrances, a garland of flowers and sprinkled sindoor on its forehead. Later, they offered meat to Mor Sahab.

When the crocodile ate the meat and raised its neck above the ground, the devotees perceived that their ritual had been accepted.

Situated on a hill in District West, the shrine of Manghopir stands amid the dust of nearby marble crushing factories. The shrine is considered a cultural hub for the Sheedi community.

The Sheedi community arrived as slaves and soldiers from Africa centuries ago, according to a local resident, Ghaus Qambrani. "The sounds of celebrations have echoed in the area after many years," he added. Qambrani complained that the government was not providing facilities to the devotees of Manghopir.

### **Devotees perform dhamaal in memory of Sehwan blast victims**

Ghulam Ali, who came from Balochistan to take part in the festival, said that for the past few years the festival could not be celebrated due to law and order situation. "Only we can understand how we stopped ourselves from celebrating the annual urs of our master," he lamented.

"All the wealth we have today is a blessing of Mor Sahab," said Saira Sheedi, a member of the Sheedi community. "The government needs to help us expand the pond, as the area where more than 150 crocodiles are living is not sufficient enough to house all of them," she remarked.

The festival sends a message of peace, tolerance and brotherhood of Sheedi community, said another local resident, Abdul Ghani.

(By Mudaser Kazi The Express Tribune, 05, 05/03/2018)

### **Apex committee resolves to start delayed Safe City Project**

In its 22<sup>nd</sup> meeting, the Sindh Apex Committee observed that the Safe City Project was delayed due to the intervention of the National Accountability Bureau (NAB).

It was decided in the meeting to take NAB into confidence and restart the project to ensure the security of Karachi's residents through an anti-terrorism monitoring network, traffic management system, integrated emergency response and modern communication system.

The meeting was held Thursday evening at Chief Minister House with CM Murad Ali Shah in chair. Home Minister Sohail Anwar Siyal, Information Minister Syed Nasir Hussain Shah, Law Minister Ziaul Hassan Lanjar, V Corps Commander Lt Gen Shahid Baig Mirza, Chief Secretary Rizwan Memon, Sindh Rangers Director-General Major General Mohammad Saeed, Principal Secretary to CM Sohail Rajput, Advocate-General Zameer Ghumro, Home Secretary Qazi Shahid Pervez, Inspector-General of Police Allah Dino Khawaja, Federal Investigation Agency Director Muneer Shaikh, provincial heads of intelligence agencies and other officers concerned attended the meeting.

The meeting's agenda included the madaris law draft, Karachi Safe City Project, cybercrime, detention powers under the Anti-Terrorism Act (ATA), trial of street crime cases, land grabbing, banks' security, installation of trackers in motorcycles, security audit of dargahs, standard registration number plates and other issues.

### **Restoration of peace in Karachi is success of Karachiites, says chief minister**

The participants expressed reservations on the unnecessary delay in the Safe City Project. The meeting was informed that the project was started with the hiring of a consultant but NAB raised objections to the process, after which the project was delayed.

The apex committee agreed that the project was crucial for Karachi's security. The CM directed the chief secretary to hold a meeting with NAB and take its officials into confidence so that the project could be started.

The issue of the trial of street crime cases in anti-terrorism courts (ATC) was also taken up in the meeting. It was pointed out that judicial sources were of the view that street crime cases could not be heard at ATCs. The committee members argued that when a gun is used in a street crime, the act comes under the domain of terrorism and could be heard at the ATCs.

The CM informed the committee that legal reforms would be introduced in consultation with the Sindh Judicial Academy to allow the trial of street crime at ATCs. "I want street criminals to be dealt with severely. We have restored peace in the city after paying a heavy price and now street criminals will not be allowed to keep the citizens harassed, insecure and afraid," the CM said. He directed the law minister to expedite the process of consultation and take the matter to the Cabinet.

On the issue of land grabbing, law enforcement agencies' representatives informed the meeting that operation against land grabbers was in progress and satisfactory results had so far been achieved.

The home secretary told the meeting that he had held a number of meetings with bank officers on the security of banks. There is a standard operating procedure (SOP) for the security of banks but most private banks do not follow it properly, he said, adding that the government was implementing its security plan for banks whereas the banks had been directed to follow the SOP.

### **Armed operations to kill suspects is 'policy' of Sindh police, alleges Anwar**

The committee also discussed the issue of acquittals of various alleged terrorists and decided that in such cases appeals would be filed well in time.

Briefing the meeting on installation of trackers in motorcycles, Siyal said he held a number of meetings with motorcycle manufacturers and assemblers. "A proper mechanism has been evolved to install factory-fitted tracker in all the motorcycles," he said, adding that the final trial in this regard would be held on March 12.

The meeting also decided to launch a targeted operation against criminals and dacoits in the katcha area.

It was pointed out that there were still 62 buildings and roads in Karachi named after Altaf Hussain and his family members. The meeting resolved that those who were against the state did not deserve any kind of honour or memorial. The chief secretary was directed by the committee to rename all such buildings and roads.

(By Our Correspondent The Express Tribune, 04, 09/03/2018)

### **Apex court wants ETPB building in Lyari vacated, demolished**

The Supreme Court ordered on Wednesday the provincial chief secretary to take concrete measures to have illegal sections of a building owned by the Evacuee Trust Properties Board (ETPB) in Lyari vacated and demolished.



A two-judge bench, comprising justices Gulzar Ahmed and Sajjad Ali Shah, told the top provincial bureaucrat to also compensate the occupants, if need be. The judges were hearing a petition regarding unauthorised construction on evacuee trust property in Lyari's Moosa Lane area at the court's Karachi Registry.

During the course of the hearings, the trust's lawyer had informed the judges that additional floors had been constructed on ground-plus-one buildings in violation of the law. The Sindh Building Control Authority (SBCA) lawyer countered that unauthorised constructions were demolished but were once again raised by the occupants.

The authority's lawyer had further informed the bench that the new construction will be demolished after sealing the building and sought time to complete the process. Therefore, the court directed the SBCA to demolish the illegal construction, take action against those responsible and submit a compliance report.

### **Apex court permits construction of six-floor buildings in Sindh**

During Wednesday's proceedings, the judges expressed their displeasure over the poor performance of the SBCA, the ETPB and others concerned for failing to remove the illegal structures.

Justice Ahmed, the bench's head, remarked that if the practice of illegal encroachments continued, the buildings of the Sindh Assembly, Supreme Court Registry and Sindh High Court will also be encroached upon tomorrow.

The apex court's judge observed that the officers of the SBCA turn a blind eye to illegal constructions. Justice Shah remarked that the officers who used to earn Rs30,000 had become billionaires.

Expressing dismay over the state of affairs, Justice Ahmed remarked that the SBCA was not only to be blamed for mushrooming illegal constructions in the city, the Sindh government too had its share in it.

He noted that city had turned into a jungle of cables and cited the example of main thoroughfare Sharae Faisal. He deplored that there was no one to check illegal encroachments and constructions in the city, which had been turned into a menace.

He told the officers that there were a number of illegally constructed buildings in the Saddar locality and the builders had slipped away after minting money from the public due to a lack of checking by the authorities concerned.

### **Illegal building: RDA demolishes Golden Tower**

Addressing an additional advocate-general, the bench's head remarked that the SBCA should be disbanded if it had failed to perform.

The law officer informed the judges that action for the removal of illegal structures could not be launched because of law and order situation in Lyari.

The government law officer maintained that the contractor had been arrested in compliance with the orders passed by the Supreme Court, but the high court had granted him bail.

The bench ordered the provincial chief secretary to take concrete measures to get the building vacated by its occupants and also make sure they were compensated, if need be. He was told to submit a report on compliance with these directives by the next date of the hearing.

(By Our Correspondent The Express Tribune, 04, 15/03/2018)

## **Supreme Court censures SBCA for not stopping illegal constructions**

The Supreme Court on Wednesday expressed extreme annoyance at the Sindh Building Control Authority for failing to take action against illegal construction of buildings in the city and remarked that the SBCA should be closed, if it was not giving fruitful results.

Taking exception over the performance of SBCA and other civic departments, a two-judge bench of the apex court observed that the buildings of Sindh Assembly, Supreme Court and Sindh High Court would be illegally occupied one day, if the land grabbers' mafia remained active and unchecked by the authorities.

Headed by Justice Gulzar Ahmed, the bench was hearing a petition regarding unauthorised construction on Evacuee Trust property in Lyari's Moosa Lane.

The bench, which also comprised Justice Sajjad Ali Shah, asked the provincial government law officer why action was not being taken against people involved in illegal constructions on Evacuee Trust property.

According to the trust's counsel, additional floors had been raised on ground-plus-one buildings in violation of the law.

The provincial government's law officer informed the court that the construction contractor was arrested, but he was later released after obtaining bail from the SHC.

During the previous hearing, the bench had ordered the contractor's arrest after the SBCA counsel informed the judges that a private builder constructed illegal portions on the evacuee property and sold it.

On Wednesday, the apex court came down hard on the SBCA over their failure in removal of unauthorised construction on the said land.

“SBCA officials keep their eyes closed against illegal construction. The SBCA should be closed, if it is not giving fruitful results,” Justice Gulzar said.

He went on to observe that there was heaps of illegal buildings in the city in general and in the Saddar area in particular, saying the builders use to flee after receiving amount in advance but there was nobody to take them to task.

Justice Gulzar also remarked that the provincial government was equally responsible in this regard.

Justice Shah noted that the persons who were earning Rs23,000 in the past had now become billionaires through malpractices.

(By Tahir Siddiqui Dawn 17, 15/03/2018)

### **Way being paved for property tax collection by LBs**

The Sindh government has decided to devolve property tax collection to the local bodies, for which a proper database and capacity building of the relevant local bodies staff would be undertaken soon.

A decision was also made to undertake a survey of all buildings in the six district municipal corporations of Karachi; collect qualitative and quantitative data for each building, including property use, to collect the GPS co-ordinates for each building, including digital image, and to build upon the experiences from Sukkur and with participation from the excise and taxation department and the DMCs.

These decisions were taken by Chief Minister Syed Murad Ali Shah in a meeting he held with a World Bank team led by senior economist Yoonhee Kim at CM House on Thursday.

#### *World Bank recommends a self-assessment and self-payment platform for taxpayers*

During the meeting through a presentation the WB team said the current collection of property tax in Sindh is Rs2 billion while there was a potential for Rs7.2bn. Citing examples, the presentation said Punjab collected \$88 million during 2015-16, Chennai \$90m, Indian Hyderabad \$179m, Bengaluru \$201m and Mumbai \$373m. “These figures are enough to assess how much Karachi in terms of its size and household can collect property tax,” said the WB representative.

The tax base has been eroded by virtue of very generous exemptions. Besides, the administration of property tax is based on ‘old’ system technology, current billing system is not fit for the tax collection, the WB said and recommended a self-assessment and self-payment platform for property tax customers, which “is need of the hour”. The property tax arrears constitute a major problem and significant loss of revenue.

The chief minister in his opening remarks said that he had already devolved property tax to the local bodies in Karachi but they had to develop a system for collection. He added that a property survey of Sukkur had been conducted.

Earlier, there were only 35,000 households registered for collection of property tax but the fresh survey has revealed an amazing figure of 65,000 houses fit for levy of property tax.

The WB suggested devolution of urban immovable property tax (UIPT) to local bodies, DMCs. But the chief minister was of the opinion that the local councils of Karachi — DMCs — in the absence of trained staff in property tax law and procedures, and lack of IT capabilities, do not yet have the capacity to administer UIPT collection functions.

However, he already had issued a directive to the local bodies to develop an efficient UIPT collection system.



It was agreed that immediate measures would be taken within the next three months. These measures include an agreement and legislation about UIPT devolution road map and institutional arrangement and survey preparations and their launch.

The WB also suggested phase-I (July 18 to June 2020) in which a survey would be completed with the preparation of a property tax database. Taxpayers services would be improved. Training and capacity building of DMCs staff identification, procurement, pilot deployment of ICT system for DMCs would be undertaken.

In phase-II (July 2020 to June 2023) there would be legal reforms, introduction of a self-assessment and self-payment system. The valuation methodology and updating valuation table would also be made and the exemption and relief system would also be reformed and the enforcement powers would be strengthened further.

The chief minister directed the excise department to identify and legislate changes needed to support a modern, ICT-based, revenue management system.

12 ambulances for Tharparkar hospitals

The Sindh chief minister on Thursday handed over 12 Toyota Hilux ambulances to Tharparkar district — two each for its six taluka headquarters hospitals.

Elected representatives of Thar received the ambulances at a ceremony held at CM House, which was attended by MNAs, senators, MPAs, chairmen of the taluka municipal committees and relevant officers. (By Habib Khan Ghori Dawn 17, 16/03/2018)

### **Apex court wants strict action against China-cutting**

The Supreme Court (SC) directed on Friday the Karachi Development Authority (KDA) to take strict action to end illegal carving of land, commonly known as China-cutting, and remove illegal encroachments from 35,000 amenity plots in the metropolis.



A three-judge bench, comprising Justice Ejaz Afzal Khan, Justice Gulzar Ahmed and Justice Umar Ata Bandial, gave these orders while hearing a case relating to the allotment of an amenity plot to a female petitioner by the KDA after her own plot was encroached upon in New Karachi.

At the outset, the bench members inquired from the KDA director-general (DG) about action against the illegal carving of thousands of amenity plots in the city and encroachments on them.

The DG submitted a report, stating that encroachments had been removed from more than 17,000 amenity spaces in compliance with court's earlier directives.

Justice Ahmed remarked that thousands of amenity spaces were still encroached upon. He asked the DG what steps the authority took to recover them. The judge observed that there were encroachments everywhere in the Gulistan-e-Jauhar locality.

An illegal furniture market had been set up at a space reserved for parking in front of the Samama Shopping Mall, the judge told the KDA DG and ordered him to remove the same.

#### **Graveyard encroachment: SHC issues notices to district administration, HMC**

A law officer for the KDA informed the SC that the authority needed help from the police and other departments concerned to launch anti-encroachment operations, to which the bench members remarked that it was the KDA's responsibility to seek assistance from the relevant authorities.

"First a donkey cart is parked at an open plot, then a flag is raised and then the land is encroached [upon] by setting up huts," the bench remarked.

The apex court directed the KDA DG to end the illegal carving of amenity plots, remove all encroachments from them and submit a progress report to the court.

### **Case history**

On November 28, a KDA director informed the SC that many amenity plots in Karachi had illegally been occupied, carved out into small plots and sold. According to the authority's statement, there were 35,000 amenity plots in 112 areas that had been encroached upon.

The apex court ordered the KDA DG and others to remove all encroachments from such plots within two months.

### **SC to take up seven major cases today**

After two months, the KDA chief informed the court that 1,569 amenity plots were retrieved through demolition operations against 239 houses, 509 structures, 204 boundary walls, 371 shops, 167 marriage halls, 12 hotels, four dispensaries and hospitals, and 18 thallas (paved works).

A report submitted by the KDA DG also stated that operations were also carried out at eight amenity plots illegally converted into commercial plots, 14 warehouses, four offices, 12 farmhouses and seven illegal cattle pens.

A breakup suggested that 189 operations were carried out in Gulistan-e-Jauhar Scheme 36, 22 in Gulshan-e-Iqbal Scheme 24, 274 in North Karachi, 847 in Surjani Town Scheme 41, 104 in Korangi, 43 in Landhi, 38 in Federal B Area Scheme 16, 22 in North Nazimabad, 28 in Malir and two in Shah Faisal Colony.

(By Our Correspondent The Express Tribune, 05, 17/03/2018)

### **NAB says illegal land allotment in Malir riverbed caused Rs15bn loss**

The Karachi chapter of the National Accountability Bureau (NAB) has found that the illegal allotment of 307 acres in the Malir riverbed during 2011-12 for housing societies not only damaged the natural structure but also caused a loss of over Rs15 billion to the national exchequer, an official said on Friday.

He said this was uncovered in an inquiry by the bureau and on its basis NAB's Karachi chapter had sought the approval from its chairman to launch a proper investigation into the alleged violation of rules and destruction of natural resources which may lead to filing of references against top provincial and local administration officials, including the then chief secretary.

"A principle decision was made for recommendation to the NAB chairman for authorising four investigations in an inquiry concluded against Sindh government functionaries and others regarding realignment and construction of Malir River Bund for the purpose of housing societies and illegal allotment of land from within Malir riverbed," said a NAB statement issued after the meeting of its regional board here.

The meeting, which was chaired by NAB Karachi director general Mohammad Altaf Bawany, reviewed the progress made so far on different inquiries and investigations.

"It was concluded in the inquiry that 307 acres of land were illegally allotted to various beneficiaries in violations of law and rules by way of fresh allotment and exchange after squeezing the boundaries of Malir River," the statement said. "The inquiry recommended for four investigations contains prima facie allegations of misuse of authority allegedly committed by 20 government officials including senior officers of chief secretary level and below, along with various beneficiaries and frontmen. Preliminary calculation of the loss to the national exchequer is Rs15.7 billion."

### **Dadu funds**

The board meeting, it said, also approved an investigation for filing a reference against officers of the district accounts office, Dadu and others on charges of embezzlement and misappropriation of pension funds allocated to the district administration.

“The reference allegedly contains charges against Ghulam Mustafa Lund, Muhammad Nazir Bhutto — both former district accounts officers of Dadu — and others for corruption, misuse of authority for personal illegal gains and thus causing loss to the national exchequer worth Rs736 million,” said the statement.

Accused Ghulam Mustafa had also entered into a voluntary return agreement whereby he agreed to deposit in the exchequer an amount of Rs356m and was still defaulting for remaining Rs146m, it added. (By Imran Ayub Dawn 17, 17/03/2018)

### **Low-Income Families: Govt to construct 500,000 housing units**



The Ministry of Housing and Works will construct around 500,000 housing units for low-income families throughout the country, under the ‘Apna Ghar’ scheme. “Presently, there is a shortfall of approximately 9-10 million houses in the country and the present government is making efforts to bridge the gap,” an official in the Ministry of Housing and Works said. Under the scheme, the government would provide houses to homeless families by constructing low-cost units in different localities. “To ensure cost effectiveness, the government will pick up a portion of the financing cost as subsidy,” the official added. He said in order to commence execution work for launching the housing project, “Apna ghar” limited company has been registered with the Securities Exchange Commission of Pakistan.

(By APP The Express Tribune, 02, 20/03/2018)

### **SHC orders inspection of construction on land reserved for a park**



The Sindh High Court (SHC) appointed on Wednesday its nazir to carry out inspection of alleged illegal constructions over an amenity plot measuring 11,266 square yards reserved for a public park in the Gulistan-e-Jauhar locality.

A two-judge bench, headed by Justice Syed Hasan Azhar Rizvi, directed the nazir to submit the inspection report within five weeks and adjourned the hearing till a date to be later notified by the office.

The directives came on a petition filed by a former legislator belonging to the Jamaat-e-Islami (JI), Younus Barai, who along with other residents of Gulistan-e-Jauhar Block 15 had challenged encroachments on a 11,266 square yard plot reserved for a public park.

In the petition filed in 2013, the residents had argued that the amenity plot ST-32 was to be turned into a public park and its development was to be started by a private contractor as per the decision of the directorate of parks and horticulture of the Karachi Metropolitan Corporation (KMC). However, armed land grabbers, who wanted to usurp the plot, did not allow the work on park, the petitioners alleged.

The petitioners cited the Supreme Court’s judgments, according to which no private or commercial construction could be carried out on an amenity plot.

### **CJP takes suo motu notice of encroachment of public parks in Islamabad**

Therefore, the former JI legislator and other petitioners pleaded to the SHC to order the KMC and other authorities concerned to stop the land grabbers from encroaching upon the amenity plot.

During Wednesday’s proceedings, the petitioners’ lawyer recalled that in February, 2013, the court had passed an interim order that no construction be carried out on the subject plot except for the development of a public park, until the next date of hearing.

After rounds of hearings, the court had on October 19, 2015 reserved its verdict on the plea after hearing arguments from the lawyers representing the petitioners, KMC and others concerned.

The petitioners informed the court on Wednesday that private persons, in the meantime, had constructed buildings up to fourth floor in violation of the interim stay order passed by the court.

### **Graveyard encroachment: SHC issues notices to district administration, HMC**

The bench directed the nazir to carry out inspection of the plot in question to ascertain its physical position and submit the report within five weeks. The nazir was also directed to clearly mention the number of houses that had allegedly been built on the land in violation of the stay order and the nature of the constructions.

(By Our Correspondent The Express Tribune, 04, 22/03/2018)

### **SBCA asked to submit list of housing schemes, buildings erected in last two years**

The Supreme Court-appointed judicial commission on water quality and drainage in Sindh on Thursday directed the Sindh Building Control Authority (SBCA) to submit a list of housing schemes and buildings which were erected in the last two years and their approvals.

Retired Justice Amir Hani Muslim, who heads the one-member commission, also bound the SBCA DG to provide details if the buildings had obtained relevant certificates from civic agencies.

The commission also issued notices to Bahria Town and Airport Security Force on an application filed by Jamil Yousuf, a former chief of Citizens-Police Liaison Committee (CPLC), and others against the builder stating that the Supreme Court had banned construction beyond six storeys but it was going on without any hindrance at Bahria Town.

The commission ordered issuance of notices to respondents and Sindh advocate general for March 27.

#### **ARTICLE CONTINUES AFTER AD**

The commission heard Hyderabad Mayor Tayyab Hussain and asked the local government secretary to file comments.

#### *Clifton Cantonment Board vows to clean up solid waste in its jurisdiction*

It said that task force chairman Jamal Mustafa Syed in the intervening period shall sit with Hyderabad mayor, Hesco's chief engineer and Water and Sanitation Agency's managing director to solve the problems.

"In case there is any issue relating to the local government, its secretary may join the meeting," the commission said.

The commission also ordered that all financial issues of the Shikarpur municipality will be dealt with by the deputy commissioner from March 22 onwards.

"The DC shall be handed over statements of accounts along with chequebooks and other requisite material by the chairman of the corporation/chief municipal officer (CMO)," it said.

The commission appointed Shikarpur sessions judge as an inquiry officer to look into the allegations levelled against the chairman and CMO and submit a detailed report to it.

"The inquiry shall be completed within two months. Finances shall be controlled and run by the DC till commission's orders on the inquiry report."

Larkana Commissioner Abbas Baloch was asked to look after Shikarpur.

He was put on notice that he being a member of the task force by virtue of apex court's March 16, 2017 order was required to facilitate the commission.

The commission also issued a notice to Shikarpur district hospital's medical superintendent asking him to improve working on the administrative side.

Ghulam Mohammad Abro, Clifton Cantonment Board's deputy cantonment executive officer (CEO), informed the commission that the cantonment board would ensure that no solid waste was seen on streets or roads in future.

He was granted four day's time to ensure that all solid waste was collected and disposed of properly.

"The board should ensure its permanent disposal at landfill sites after three months.

"The board shall designate primary disposal collection centres for public so that people could dispose of waste at designated places. The board shall also increase bins within their area forthwith," the commission said.

Sindh health secretary Dr Fazlullah Pechuho termed rehabilitation of district headquarters hospitals (DHQs) and taluka headquarters hospitals (THQs) as a dead horse, saying the project failed to deliver.

The Sindh chief secretary stated the monitoring and evaluation cell of the planning and development department could evaluate continuity or discontinuity of projects, therefore, it should be given the task in this regard.

The commission asked the monitoring cell to submit its report within one week and in the intervening period, consultants appointed in these projects should be de-notified as according to the chief secretary, there was no need for them in repair and maintenance works when the nature of the project was rehabilitation.

"The technical committee will exercise powers over all projects of the health department as from now onwards it will procure medicines, instruments etc."

The National Accountability Bureau chairman was requested to appoint any officer in the technical committee as proposed earlier to ensure transparency.

The Sindh Environmental Protection Agency secretary submitted report about inspection of Kiran sugar mill where violations were found and the officer concerned had lodged a complaint with a judicial magistrate in Rohri. A show-cause notice was issued to the mill management.  
(By Mohammad Hussain Khan Dawn 17, 24/03/2018)

### **'Absence of amenities makes people violent'**

Provision of equitable transport, solid waste disposal system and domestic water supply for the poor should be priority sectors for government intervention as absence or lack of these basic facilities are at the nexus of multiple modes of violent behaviours.

This point was raised during a lecture held at the Irtiqa Institute of Social Science on Saturday.

Titled 'Gender & Violence in Urban Pakistan', the lecture was delivered by Dr Nausheen Anwar, a professor of city and regional planning currently teaching at the Department of Social Sciences & Liberal Arts at the Institute of Business Administration, Karachi.

The lecture was an extension of her earlier work completed between 2013 and 2016. Funded by the International Development & Research Centre, Dr Anwar's work attempted to understand how discursive constructions of masculinities and femininities contribute to violent geographies in urban spaces like Karachi, Rawalpindi and Islamabad. Focusing on water as a critical resource, her lecture at the institute explored how the rapidly changing face of urban Pakistan is leading young people, particularly young women, to renegotiate the urban spaces for exercising their choices of sexuality, mobility and career.

Some other conclusions her study put forward were about water shortages. Inadequate supplies of domestic water, according to her, was a major source of gendered violence within the household, while solid waste remained a major source of anxiety and community conflict.

Talking about the Rohingya-Burmese population in Ali Akbar Shah Goth, she pointed out that the state's refusal to grant citizenship rights to these marginalised communities have left them with little choice but to exist in a landscape of continuous violence.

She recommended through her study that gender empowerment programmes should take into account the new realities of masculinity, femininity and aspirations of urban Pakistanis and as such should be designed by or with them.

"Additionally, facilitating citizenship registration can help mitigate violence. Provision of equitable transport, solid waste disposal and domestic water supply for the poor should be priority sectors for government intervention since they seem to be at the nexus of multiple modes of violent behaviours," she said.

She explained how city's vulnerability was increasing owing to drivers like climate change, ecological disruptions, water shortages and political/social uncertainty that came from a fragmented governance and how these larger dynamics of power would affect lives of the people, especially the marginalised sections of society.

(Dawn 16, 26/03/2018)

## **Heritage Foundation calls for restoration of Calcutta House in Karachi**

Saddar town contains the largest concentration of British colonial architecture in Karachi and forms much of the historic colonial centre of the city.



From the Sind Club, once the heart of British colonial society and now a private members' club for Karachi's elite, to Frere Hall, which was originally intended to serve as a town hall but now serves as an exhibition space and library, the area is scattered with historic architectural landmarks built during the colonial era.

### **Pakistan's crumbling architectural heritage**

The Nanakwara area is a neighbourhood that runs through Saddar with Civil Lines to one side, Garden and Gazdarabad on the other.

Nanakwara is home to Calcutta House, located on Chand Bibi Road, a late 19th century residential building, which is a good example of a colonial construction and one of the few surviving ones on these streets.

The building, which partially collapsed recently, displaced 18 families. Five of these families were given shelter at a local school and the rest moved in with relatives.

### **HERITAGE FOUNDATION OF PAKISTAN**

Addressing the media and guests at the Karachi Press Club, architect Yasmeen Lari, who is the chief executive of the Heritage Foundation of Pakistan, an organisation she established in the 1980's to document and conserve the traditional and historical environment of Pakistan, appealed, "Heritage Foundation has carried out a study of Calcutta House and our findings have proved that its walls are in a robust state and the minor cracks can easily be rectified."

Yasmeen Lari, Chief Executive of Heritage Foundation of Pakistan calls for restoration of Calcutta House in Karachi. VIDEO: EXPRESS/ Faizah Malik

She said that threat to the structure could be minimised by undertaking restoration works, therefore making the building safe for habitation. But the people of Karachi have to come forward and own their city, its heritage and culture, she said.

### **Govt committed to preserving heritage sites: CM**

Lari estimated that the cost of restoration work on Calcutta House is no more than Rs2.5 million to Rs3 million, which can be raised by Karachi's citizens if they are keen to preserve history.

She said, "We [the Heritage Foundation] were the first ones to get about 600 historical buildings notified in the early 90s. We got a law, the Sindh Cultural Heritage Preservation Act, 1994, under which 600 buildings were given protected status. Currently we have 1,200 or more notified buildings."

Lari added that 50% of the notified buildings are now under threat owing to new development. "In the inner city there is multi ownership of a building and overnight things would happen and things [a building] would just disappear.

This happens because there is collusion [with the authorities]," she continued.

Karachi continues to grow at a very fast pace and, among those in authority, the popular opinion has been that it is more simple, beneficial and cheaper to build new buildings instead of preserving the old ones. Demolishing the crumbling structures along with their history and constructing a shiny skyscraper instead is the method adopted.

Shanaz Ramzi, CEO at Starlinks said, "A citizen's heritage community needs to be created, like a watch group to keep an eye around the city and raise awareness of any building work, which is damaging historical sites."

### **Remnants of the Raj**

Rapid urbanisation has caused land and property prices to rise dramatically. A one-bedroom flat for sale in Nanakwara can range from between Rs1.5 million to Rs2.6 million.

As the country's premier industrial and financial hub, Karachi has undergone an exponential rise in its population. Saddar's population is estimated at one million alone.

Almost every part of the city is becoming a commodity for developers who need land to construct new homes or fill the city skyline with tall skyscrapers, which they hope will be more profitable.

Calcutta House is unfortunately one of the many poorly preserved and neglected historical buildings in the city that can easily be rebuilt and preserved with restoration work.

Historical architecture is a direct and substantial representation of history and place. By preserving historical structures, we are able to share the very spaces and environments in which the generations before us lived.

### **Remnants of time: Pre-partition buildings in dilapidated state**

Preserving a building is often called the ultimate recycling project, yet preservationists like Lari commonly fight the stigma that historical buildings are inefficient and require daunting corrective measures to retrofit for energy saving devices and systems.

A building's architecture, its location, its spatial configurations, and the ways it contributes to its surrounding landscape, can serve as evidence of a community's collective past.

"Other countries, especially in Europe, preserve their history but in Pakistan we are too commercially minded. We need to take start taking ownership of the city we are in and the country overall," said Samar Khan, architect and PTI MPA Sindh Assembly.

A historical building is part of a community's tangible past. There is no chance to renovate or save a historic site once it has been demolished.

(By Faizah Malik The Express Tribune, 04, 28/03/2018)

## **SBCA limits construction of floors in five towns**

Sindh Building Control Authority has imposed a ban on construction of more than ground-plus-two floors on 120 square yards residential plots in five towns of the city.

A notification issued by SBCA director general Agha Maqsood Abbas on Tuesday said the five towns where the ban had been imposed were Gulshan-i-Iqbal, Gulberg, North Nazimabad, Liaquatabad and Jamshed towns.

Earlier, the SBCA chief had ordered town building controllers to ensure that no illegal construction was carried out in their respective areas and to demolish illegal constructions wherever detected.

But despite demolitions, unscrupulous elements and builders' mafia got the plans approved for the houses but violating the approved plans illegally constructed additional floors and portions in the bungalows, said a statement.

Sources said that construction of additional floors and portions on 120 square yards residential plots increased the population density, which in turn put an additional burden on the already overstretched infrastructure, including water and sewerage network, that led to its collapse, causing hardships to the area residents.

(By The Newspaper's Staff Reporter Dawn, 17, 04/04/2018)

## **Frere Hall to be handed over to 'Guardians Board' for five years**

The Karachi Metropolitan Corporation is set to hand over the management and maintenance control of the iconic Frere Hall and surrounding gardens to an 18-member "Guardians Board" for a period of five years, said Mayor Wasim Akhtar on Friday.

A memorandum of understanding (MoU) in this regard was signed between the KMC and the Guardians Board. Speaking at a press conference, the mayor said that the MoU would take effect the day the City Council approved it. Mayor Akhtar and board's chairman Shahid Feroz signed the MoU.

The board comprises noted personalities, including Amin Hashwani, Arshad Tayebaly, Asif Fancy, Durriya Kazi, Ghazi Salahuddin, Jameel Yusuf, Komal Pervez, Saleem Khan, Pervez Said, Shahid Abdullah, Tariq Huda, Yawar Jillani.

Five officials of the KMC and members of the City Council are also part of the 18-member board. The project area (working area) mentioned in the agreement comprises Frere Hall building including Sadequain Art Gallery and Liaquat Hall Library, surrounding Bagh-i-Jinnah and adjoining area.

The five-year agreement is extendable, with mutual consent, for another five-year period. However, the agreement could be cancelled by the KMC after giving a 30-day notice if violations were noticed.

Weddings, food festivals out

The agreement forbids holding of weddings or related functions and food festivals. But it allows organising events of a quality and quantity that is commensurate with the historic stature of Frere Hall to promote culture and heritage of the country.

The board would receive an annual grant from the KMC (roughly Rs10 million) and it could also generate funds and get donations to be utilised for the upkeep of the historic building and maintenance of the gardens. All accounts would be audited.

Around 40 KMC staffers posted there would remain functional and their salaries would be borne by the KMC.



Mayor Akhtar said that the civic agency would be utilising the expertise of the board members for better maintenance and protection of the historic Frere Hall — protected under the Sindh Cultural Heritage Preservation Act — to improve its condition.

Board chairman Shahid Feroz and member Jameel Yusuf said on the occasion that the historic and beautiful building had been constructed during the British era but unfortunately it had not been looked after later and its condition deteriorated. Pointing out the careless handling of priceless paintings of Sadequain displayed in the gallery inside Frere Hall, they regretted that these were left to be destroyed and many murals were even exposed to sun and were gathering dust.

Efforts would be made to protect the art and the historic building, they added.  
(By Bhagwandas Dawn, 07/04/2018)

## **SC upholds ban on construction of high-rise buildings in Sindh**

The Supreme Court (SC) ruled on Saturday that the ban imposed on construction of high-rise buildings in specific residential and commercial localities will remain in force in the metropolis.

A two-judge bench, comprising justices Faisal Arab and Sajjad Ali Shah, passed this order while disposing of an application seeking review of the apex court's May, 2017 order banning high-rise constructions beyond six floors. The special bench was constituted to hear the matter relating to supply of clean drinking water and sanitation across the province at the SC's Karachi Registry.

At the outset of the hearing, the judges ruled that the ban will remain in force till further orders are given.

Justice Arab, the bench's head, remarked that if constructions of high-rise and multi-storey buildings were allowed and six upper floors were permitted, the whole city would turn into a jungle.

The bench clarified to the builders that the court's previous order permitting private builders and developers to construct buildings only up to six floors should not be misinterpreted. "By passing this order, the court has not made any rule in this regard, it has just placed a ban on raising constructions beyond the sixth floor," the judge explained.

### **Misleading claims: Illegal builders told to stop advertising**

The bench members directed that the restrictions imposed on the construction of the upper floors of the buildings in specific residential and commercial localities of the city would remain in force as usual. They also maintained the court's earlier order banning construction of buildings beyond six floors and disposed of the application.

### **Case history**

In May last year, the SC had restrained the Sindh Building Control Authority (SBCA) and cantonment boards from issuing building approval plans for new high-rise and multi-storey commercial and residential projects without the availability of proper water supply and sewerage systems.

The top court was compelled to slap a ban on new projects being allowed by the government sans proper planning to resolve the worsening crisis of potable drinking water and deteriorating sewerage system in Karachi and the rest of the province.

The court had also directed the private builders and developers association to write a proposal on installation of treatment plants in each multi-storey project in order to resolve the problems relating to sewerage.

Subsequently, the SBCA had stopped approval of new building plans for skyscrapers. Later, the private builders and developers association approached the SC, pleading to review its restraining order.

### **CDA to regularise buildings individually**

The court was informed that 308 under-construction projects had been stalled due to the SBCA's ban on high-rise buildings, which was causing heavy monetary losses to builders. The court was assured that all these buildings had proper water supply and sewerage systems while the builders were also ready to install desalination plants in each building to manage sewage-related issues.

Upon such assurance, Chief Justice of Pakistan Mian Saqib Nisar had modified the earlier order by permitting construction of high-rise buildings 'only' up to six upper floors, subject to availability of proper water supply and sewerage system in new projects across the province.

The court had cautioned the builders and developers to ensure that no units will be booked beyond this limit in their projects.

(By Naeem Sahoutara The Express Tribune, 04, 15/04/2018)

### **Judicial commission cancels permits of Hyderabad's housing schemes**

The judicial commission on water and sanitation ordered on Tuesday the cancellation of all the approvals granted to housing schemes in Hyderabad.

Justice (ret'd) Amir Hani Muslim, the commission's head, also directed that any new approval for a housing scheme would be conditional to the no objection certificates (NOCs) from civic institutions. The commission ordered work to be stopped on housing schemes that were initiated without the NOCs of civic institutions.

The commission's proceedings took place at the Sindh High Court. Responding to the commission's question regarding the road along Nehr-e-Khayyam, Mayor Wasim Akhtar said the Karachi Metropolitan Corporation (KMC) could not complete the road as it was waiting for the laying down of a new water line for which tenders would be invited.

Justice (ret'd) Muslim expressed his displeasure when the KMC chief engineer informed the commission that the tenders would be invited soon. "You have been fooling the commission for the last month and you seem more interested in Nehr-e-Khayyam than the road," Justice (ret'd) Muslim said.

The local government secretary said the mayor had alleged that he had been facing hurdles in the way of constructing the road. The secretary added that on the commission's orders, the government allowed the construction of the road and facilitated the mayor.

### **Pollution, filth repulses judicial commission**

The commission remarked that a non-governmental organisation (NGO) had undertaken to carry out beautification of the city. "If the KMC carried out that work, what work would be left for the NGO?" the commission questioned.

Regarding the cleaning of Karachi's nullahs, the chief secretary informed the commission that the government would provide the KMC Rs500 million by today (Wednesday). He added that work on Gujjar nullah and other schemes were also being transferred to the KMC.

The commission directed that the schemes of nullahs that were under the Karachi Development Authority be transferred to the Sindh government. It also ordered the mayor to start the cleaning of the nullahs immediately.

There shall be no compromise on the quality of work on the cleaning of nullahs, Justice (ret'd) Muslim said, adding that the National Engineering Services Pakistan would be asked to check the quality.

The commission rebuked the project director for not preparing the PC-II in two years. The project director informed the commission that Pachar nullah was 12,000 feet (ft) long, of which, the length of

around 6,000ft had been encroached upon. The commission remarked that the project director should have removed the encroachments.

Justice (retd) Muslim admonished the authorities for not ensuring cleanliness along the nullah. There is nothing except heaps of garbage along the nullah, he said. Only God is the saviour if this is the level of cleanliness, he told the mayor.

### **Judicial commission seeks list of environment-polluting industries**

Regarding reports which claimed that the area along the nullah was clean, the commission remarked whether such reports were correct or their observations. The project director argued that people were constantly throwing trash due to which garbage was accumulated.

Were officers sleeping when markets were being constructed on the nullah, the judicial commission asked. The commission asked a KMC officer why Project Director Zafar Baloch did not appear for the hearing despite that he was summoned. The commission was informed that he was on vacation.

Addressing the mayor, Justice (retd) Muslim remarked that his officers did not speak the truth in front of the commission.

A KMC director informed the commission that Rs306 million had been released to clean 6,000 feet of nullahs, of which cleaning of 5,600 had been completed. Justice (retd) Muslim remarked that he had visited the site and there was no cleanliness over there. The commission will take the Karachi mayor along and visit the nullahs, he said.

The Karachi Water and Sewerage Board managing director explained that steps had been initiated to stop water theft. The commission head observed that no one could use underground water without permission.

### **100 officers will be fired if you fail to work: judicial commission**

Petitioner Mujahid Baloch argued that daily around 400,000 to 500,000 gallons of water were stolen. Through wells, freshwater was being stolen, he claimed. The petitioner adopted the stance that police and other institutions were involved in this activity. The local government secretary admitted that water theft was taking place on a large scale. He informed the commission that legislation was under way to regulate the use of underground water.

### **Treatment plants**

The commission censured the authorities concerned for not setting up treatment plants in industrial areas. Justice (retd) Muslim remarked that it happened nowhere in the world that industrialists did nothing for the environment. The industrialists cannot stand near the place where industrial effluent flows, he said.

A lawyer representing the Sindh Industrial Trading Estate Association informed the commission that the association was willing to comply with the commission's orders. The commission asked the counsel to inform his clients that they would face consequences if they did not follow the commission's orders.

The lawyer remarked that it was a moral responsibility of the industrialists to comply with the commission's orders, to which Justice (retd) Muslim observed that had the industrialists realised their responsibility, the issued would have been resolved earlier.

The commission sought a report on the cleaning of canals and installation of treatment plants in industrial areas on April 23.

(By Our Correspondent The Express Tribune, 04, 18/04/2018)

## **'Nexus between builders, politicians damaging city's interests'**

Nobody in the audience expressed any surprise or raised a question when seasoned architect and urban



planner Arif Hasan presented a very bleak picture of Karachi's future during a lecture at the PMA House on Monday.

Perhaps, people in attendance already had an idea where poor governance that they had been experiencing for many years could lead to.

"In coming years, Karachi is likely to experience the kind of traffic problems Bangkok faced in mid-1990s. It took travellers three to four hours to reach their destination during those days," said Mr Hasan, who was delivering the first Ardeshir Cowasjee Memorial Lecture on urbanisation trends and future of the city.

The event was organised by Ardeshir Cowasjee Memorial Lecture Organising Committee and the Pakistan Medical Association.

This traffic scenario, he explained, would develop owing to the massive infrastructural development taking place in the city without a project design and continued addition of vehicles on roads.

"Currently, 120 buildings having stories between 20 and 50 are being constructed in the city. What worries me more is not the fact that buildings under construction lacked provision of water or electricity as there are examples [in the world] where basic utilities were provided later. But, the absence of any vision, any project design," he told the audience.

*Expert says government is allowing more and more vehicles on roads yet ignoring fuel stocks*

At the same time, he said, the government was encouraging vehicles' import and supporting the automobile industry to set up more plants, ignoring the fuel stocks available in the country.

He strongly criticised the government for bringing pro-builder laws and policies. Under the high-density zone act, the government deliberately commercialised a number of corridors and allowed construction of high-rises to earn profit, he said.

"The members of its nine-member board are either builders or members of political parties. The builders have the patronage of politicians who have destroyed institutions by forcing the good officers to leave and appointing incompetent persons," he said, adding that there was a nexus between politicians and builders.

He also flayed the government decision of contracting out important municipal functions and taking up the project of Karachi's improvement without inviting public comments.

"The city has been handed over to contractors. Where is the regulatory authority? The common man is the loser in such public-private ventures as he fails to get any service."

The government, in his opinion, should have informed the public through the media about Karachi's uplift project being executed with the help of World Bank loan.

Highlighting some other factors that complicate Karachi's situation, according to him, was continued migration which, he said, would increase particularly from the interior districts of Sindh and the Seraiki belt undergoing great social and cultural changes.

On Karachi's water woes, he said that shortages were related to operational and maintenance issues and the government never bothered to take relevant expert advice.

He suggested land reforms, launch of low-cost housing schemes for the poor and the revival of the local body responsible for designing and developing city's plans as important steps to bring improvement.

Earlier, Dr Mirza Ali Azhar, Dr Shershah Syed and senior journalist Zubeida Mustafa paid tributes to Mr Cowasjee and remembered him as a bold and fearless person who fought for Karachi, its people, heritage and environment.

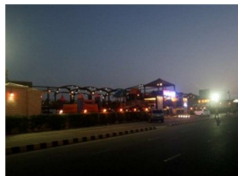
“He was a visionary, a voice of the nation’s conscience and an institution unto himself. His death has left a vacuum that perhaps would never fill up,” Dr Azhar remarked.

Karachi University students also read out passages from Cowasjee’s columns.

(By Faiza Ilyas Dawn, 18, 24/04/2018)

## **Karachi may lose its seaside food street this year**

The Do Darya food street is a must visit for everyone who visits the port city. For Karachi’s upper class, it is at least a monthly ritual to munch on grilled steaks at one of the many restaurants overlooking the Arabia Sea against a backdrop of waves crashing against the rocks.



But all this may change very soon. Tension has been brewing between the restaurant owners at Do Darya and the Defence Housing Authority (DHA) since 2013. Recently, news of shutting down all the restaurants at Do Darya stormed social media but the rumours are only partially true.

Do Darya is a popular spot and lies at a distance of around 3.5 kilometres from Village Restaurant on Abdul Sattar Edhi Avenue. Almost half of the stretch of road from the Village Restaurant to Do Darya has been recently covered by streetlights. At the end of the road is a cluster of restaurants shining like a beacon in the darkness that have become a city landmark.

Since streetlights have been installed in most of DHA’s Phase VIII, the area opposite the Do Darya is soon expected to become populated. That is the reason, according to a reliable source in DHA, that the housing authority wants to have Do Darya vacated.

### **Guns and egos — the Karachi dilemma**

In 2010, a few of the restaurants entered a licensed agreement with DHA for the operation of eateries along the shore. The agreement, according to the source, was for a period of two years, after which some restaurants obtained a stay order from the Sindh High Court (SHC) for four years in 2014. That stay order ends in 2018.

In light of the SHC’s order, the source said that the restaurant owners have started to vacate the area and DHA is taking over the place gradually. “Since this is not a commercial strip, the residents who are going to reside opposite Do Darya had reservations about the late night hustle bustle there,” the source explained, adding that their reservations were legitimate.

### **Licensed agreement**

The other side of the story is slightly different. Only a few of the restaurants at Do Darya obtained the stay order against DHA’s eviction notice from the SHC in 2014, which is still in operation. Some other eateries entered into another two-year agreement with DHA in 2016 which will end by May.

### **23-year-old woman’s body found near Do Darya**

Yahya, the counsel for alSajjad and Charcoal restaurants situated at Do Darya spoke to *The Express Tribune* on the issue. He said that the stay order they had obtained from the SHC is still in place – a copy of which is also available with *The Express Tribune*.

A letter was sent to the management of Sajjad Restaurant in March, 2013 with the subject ‘notice for vacation of licensed area’ with reference to the license agreement signed on May 6, 2010. A copy of the letter is also available with *The Express Tribune*.

According to the letter, upon the expiry of the actual two-year license period and the expiry of the further one-year extension granted on April 30, 2013, the restaurants will no longer be licencees. “You are hereby required to stop the licensed business and vacate the area where you were licensed to

conduct your business,” reads the letter. It is also mentioned in the notice that if there is an advertisement for further licensing of the property, they may bid for it. However, this is contrary to what the source at DHA had said regarding the commercial status of the strip.

This also raises questions on how DHA allowed commercial activities for so many years in an area that has been designated as residential.

The SHC, according to the counsel, suspended the notice and issued the stay order. “The stay has no time limit,” the counsel claimed, adding that every month they pay rent to DHA through the court.

#### **Off limits: No roads lead to Do Darya in DHA**

Meanwhile, the owner of another restaurant told *The Express Tribune* on the condition of anonymity that they were operating on more than one plots at Do Darya. The owner of one of the plots on which they were operating surrendered to DHA and left. “The DHA immediately took over that plot and tried to give an impression that all agreements and stay orders have come to an end,” he claimed, adding that the DHA only has possession of one of their two plots.

He explained that in 2016 they entered an out of court settlement with DHA and signed another agreement for two years so that they could recover their initial investment.

In 2017, he said DHA again served a notice on them to vacate the property and they again went to court and obtained a stay order. “The Do Darya strip has become a landmark in the city,” he said, adding that thousands of people will be unemployed if DHA evicts the restaurants. He requested the Chief of Army Staff and Chief Justice of Pakistan to look into the issue in the interest of the public and bar DHA from having the area vacated.

(By Oonib Azam The Express Tribune, 04, 24/04/2018)

### **No approval for housing schemes in Sindh without civic agencies' NOCs**

The judicial commission on water and sanitation has ordered the authorities to stop approving housing schemes and building projects throughout Sindh that have not been issued no-objection certificates by the civic agencies concerned.



“This order will extend to all the housing schemes and buildings where the work hasn’t started yet,” reads the order issued by the commission’s head, Justice (retd) Amir Hani Muslim, following the hearing in Karachi on Tuesday.

“In the absence of certificates, all these schemes shall be cancelled and permissions, if granted, shall be withdrawn,” the order reads.

The former Supreme Court judge specifically took up the case of Hyderabad where rampant violations of building rules and alleged connivance of the officials concerned had reduced the city to an urban mess.

#### **Monitoring teams formed to meet judicial commission’s deadline**

He went on to bar the Sindh Building Control Authority (SBCA) and Hyderabad Development Authority (HDA) from approving housing schemes, apartments and commercial building projects in Hyderabad which lacked certification of the civic agencies. “This mushroom, ill-planned and unregulated growth of the housing schemes and multi-storey buildings...has also rendered the exercise of realignment of urban planning very difficult,” Justice (retd) Muslim observed.

The commission asked the SBCA and HDA to submit a compliance report on April 23.

The commission also pointed out that many schemes in Hyderabad lacked prior approval from the utility agencies for the supply of water, gas and electricity. Justice (retd) Muslim observed that consequences of such residential projects were widespread because they affected the entire city.

To an inquiry, HDA Assistant Director Asghar Memon apprised the commission that the schemes approved without NOCs of the civic agencies were usually completed in eight to 10 years. His reply dismayed the commission, which noticed that instead of completing a project within a standard period of three years, the HDA's officials kept extending the deadlines of the projects.

### **Judicial commission seeks list of environment-polluting industries**

"This is very unfortunate and no less than an outright crime," Justice (retd) Muslim said. He observed that allottees suffered due to repeated extensions to the projects. The commission head said the authorities should approve the projects only after receiving NOCs from the civic agencies. "...it has landed Hyderabad in absolute urban mismanagement and entire water supply and sewerage schemes have failed."

### **Solar panels**

On February 24, the commission had banned the use of solar panels to supply power to the water supply and drainage schemes in rural areas. The decision was based on the observation that the solar panels were being installed at schemes where the civil works were either incomplete or had been suspended for some reason.

However, the commission allowed on Tuesday the public health engineering department to install solar panels at schemes where civil works had been completed. "It is, however, clarified that unless the aforesaid conditions [of completing the civil works] are met, not a single penny [will] be released for installing the solar systems which will be sheer wastage of the public money."

### **Drinking water in Sehwan**

Irrked by non-compliance of its orders to provide clean drinking water to the residents of Sehwan, the commission sought record of funds released to the taluka municipal administration during the last three years. The commission also summoned the Sehwan town committee chairperson and chief municipal officer on April 23 to explain their 'defiance' of its orders.

### **Judicial commission wants water, sanitation schemes working plan today**

A recent water sampling carried out on the commission's directives had found physical, chemical and microbiological parameters in Sehwan's water injurious to human health.

(By Our Correspondent The Express Tribune, 05, 29/04/2018)

## **PA allows Sindh govt to convert status of two amenity plots in Karachi**

After a threadbare discussion and exchange of arguments and counter-arguments by the treasury and opposition benches, the Sindh Assembly on Monday unanimously passed a bill to allow the provincial government to convert the status of two amenity plots in Karachi's Surjani Town and Numaish areas to utilise them for its mass transit projects.

Originally, Law Minister Zia Lanjar tabled the Karachi Development Authority (Sindh Amendment) Bill, 2018 before the house for introduction and consideration. The bill aimed at amending the Karachi Development Authority Order, 1975.

It sparked a debate when the opposition benches said converting amenity plots through a generic legislation could open floodgates of conversion of amenity plots in the city, many of which had already been illegally converted for residential and commercial purposes in the past and the matter attracted the Sindh High Court to take cognizance of it.

Muttahida Qaumi Movement's parliamentary party leader Syed Sardar Ahmed said that the amendment was gravely generic, which could expose all the amenity plots to the whims of the government of the day.

### ***Some MPAs say they are receiving death threats from banned outfits***

"Take this issue seriously," said Mr Ahmed. "Or, we'll see every amenity plot in Karachi housing commercial structures."

Pakistan Tehreek-i-Insaf's Samar Ali Khan also said the bill was too generic.

Originally, a clause in the bill says: "[The] government may, if it considers that the conversion or utilisation of amenity plot is of public importance and recording the reasons thereof in writing, allow the conversion or utilisation of such amenity plot."

Another clause reads: "The amenity plots can be converted to other public purposes only for [the] government-sponsored Mass Transit Projects subject to the approval of the government [cabinet]."

Minister Lanjar insisted that the bill had carried no hidden agenda and would not benefit individuals or groups.

MQM's Faisal Subzwari said the government should declare which plots it actually wanted to convert for the mass transit project.

Transport Minister Nasir Shah said an elaborate mass transit system was around the corner and there were certain areas where the government had no space available for the projects. He said the bill related to government-funded transport only involving no commercial activity whatsoever.

Opposition Leader Khwaja Izzat Hasan said that the issue was certainly specific and the house should be told about it.

As Mr Lanjar failed to convince the opposition, Chief Minister Murad Ali Shah rose and said that the house had no further time because of the coming budget session. The bill was of huge importance with no mala fide content and merited being passed immediately, he added.

Mr Shah offered the house to suggest and include certain amendments.

Later, Samar Ali Khan and Mohammad Hussain of the joint opposition held talks with Minister Lanjar and after a consensus the bill was amended by keeping conversion of specific plots for the mass transit purpose.

In the amended bill, the government was allowed to convert two amenity plots — ST Plot-1 in Sector 4, Surjani and KDA Ground, Numaish, for the project.

### **Bill to revise agri-income tax**

In supplementary agenda, Mr Lanjar presented the Sindh Land Tax and Agricultural Income Tax Ordinance, 2000 (Amendment) Bill, 2018.

It omitted the land tax entirely or substituted it with advance agricultural tax in various clauses and sub-clauses.

It changed the rates of tax on total agricultural income by imposing no agricultural tax where the total income does not exceed Rs1.2 million. Earlier, the least tax was five per cent of the income where the total income does not exceed Rs1m.

CM Shah said his government would also amend the rules to ensure that owners having certain acreage should file tax returns.

PTI's Samar Khan said collection of taxes had been the major issue. MQM's Sardar Ahmed and Faisal Subzwari also supported the bill, which was passed into law unanimously.

The Sindh Development and Maintenance of Infrastructure Cess (Amendment) Bill, 2017 was also passed unanimously, while the third quarterly budget report till March 31 was laid in the house.

### **Lawmakers blame banned LJ for sending death threats**

A number of lawmakers from the opposition benches informed the house that they were getting death threats from some banned militant outfits in case they did not pay them extortion.



MQM's Sabir Qaimkhani from Hyderabad said certain banned groups were demanding extortion from him and other lawmakers.

MQM's Kamran Akhtar said he had received threat. He said banned Lashkar-i-Jhangvi was sending him threats.

Ameer Sheerazi of the Pakistan Muslim League-Nawaz from Thatta also blamed the same group for threatening him and demanding extortion money.

Speaker Agha Siraj Durrani asked the legislators to submit details about the threats to the law minister.  
(By Hasan Mansoor Dawn, 17, 01/05/2018)

## Where's Empress Market?

KARACHI'S pre-Partition mayors and colonial administration placed most of our beautiful institutional and iconic buildings on the axis of important roads. As a result, these buildings, before pollution obscured them from view, could be seen from a distance, making them an integral part of the cityscape.



Thus Saint Patricks Cathedral and Christ the King Monument are placed at one end of Shahrah-i-Iraq (previously Clark Street) and the high court's east facade on the other. The west facade of the High Court is on the axis of what is now Shahrah-i-Kamal Ata Turk. Similarly, the Eduljee Dinshaw dispensary lies on the axis of Raja Ghazanfar Ali Road (previously Somerset Street) and is visible all the way from its intersection with Sarwar Shaheed Road (previously Depot Road). Merewether Tower is on the axis of Napier Mole Road and there are many other examples as well

The founding fathers of Pakistan also followed the same tradition when they chose the location for the mausoleum of the Quaid. They placed it on the axis of what were then Bunder Road and Bunder Road Extension. These roads, following his burial, were renamed after him.

*Iconic monuments in Karachi have been hidden from public view.*

An elevated Bus Rapid Transit (BRT) had been proposed on M.A Jinnah Road earlier this year. When it was pointed out by a few citizens that the elevated BRT would obscure the view of the mazar from M.A Jinnah Road, the chief minister of Sindh directed that the BRT be brought down to grade thus preserving the sanctity of the mazar, public space and saving, what is perhaps the most important monument in the city, from being hidden from public view.

Among the colonial buildings, Empress Market is undoubtedly the most important, not only for its architecture but also for the fact that various specialised markets within and around it are visited by all classes of citizens, something rare in Karachi.

In addition, it is built on the grounds where freedom fighters against colonial rule were blown up from the mouths of cannons by the British in 1857, while their supporters were hanged or deported to the Andaman Islands (known locally as kala pani) to die of starvation and disease. Many of those who were deported belonged to Chanesar Goth. A low key monument in their memory in the precincts of the market would be in order.

Empress Market lies on the axis of Mir Karam Ali Talpur Road and was visible all the way from Lucky Star, more than two kilometres away from it. However, next to it and bang in the centre of Karam Ali Talpur Road, a huge shed has been built recently to house a food street. The shed has completely hidden the view of the market building from the entire road on whose axis it had so lovingly been placed. The idea of the food street is most welcome but it could have been done easily without hiding an iconic piece of architecture (whose image is often used to represent the city) from public view.

For those who have some aesthetic sensibility, and this includes Saddar shopkeepers and transporters, what has happened to Empress Market is tragic. This and the elevated BRT fiasco on M.A. Jinnah Road, along with so many environmentally unfortunate decisions that Karachi has had to put up with, could have been avoided if the government's proposals had been shared with the citizens of Karachi.

Given the discussion here, it is important that:

- a) the structure erected in front of Empress Market be demolished and the food street be redesigned so as not to hide the market building.
- b) a firm decision be taken that in the future no construction will be carried out that hides a heritage building from public view.
- c) roads on whose axis heritage or exceptional buildings are located be developed in a manner that enhances the visibility and importance of those buildings.
- d) in future, all development plans that are in their conceptual stage be exhibited at a public space with drawings and 3-D images for a period of 30 days for comments by the citizens. A committee of members from civil society, academia, professional institutions and public representatives could then jointly take decisions in the larger interests of the city and its citizens.

To begin with the government could put up for display the physical proposals, along with their images, that have been prepared for the World Bank project for which the government has negotiated an \$80 million loan. At a meeting held sometime in mid-2016 with civil society organisations, Bank representatives had promised that they would share all their plans with civil society organisations and with the residents and businesses of the project areas. Not only has there been no sharing, no contact has been established either for that purpose.

(By Arif Hasan Dawn, 09, 01/05/2018)

## **SC stops Bahria Town from selling, allotting plots, flats**

The Supreme Court on Friday barred Ms Bahria Town Karachi from selling any plot or constructed apartment in the housing scheme on the outskirts of the port city, declaring the grant of land to the Malir Development Authority and its exchange with the land of the private land developers illegal and void ab initio.

Thus, the government land would go back to the government while the land exchanged for the government land would [go] back to the Bahria Town, the apex court declared in a judgement authored by Justice Ejaz Afzal Khan.

The three-judge bench by a majority decision also declared that as a third party interest had been created in favour of allottees, the Board of Revenue might grant the land afresh under Colonisation of Government Land Act-1912 (COGLA) and Chief Justice of Pakistan Mian Saqib Nisar might constitute an implementation bench of the apex court to determine terms and conditions of the fresh grant.

*Declares grant of land to Malir Development Authority and its exchange with land of private developers illegal*

Justice Khan, who headed the bench, pronounced the judgement that also ordered National Accountability Bureau to resume its inquiry into the matter and take its investigations to its logical end within three months.

### **ARTICLE CONTINUES AFTER AD**

The bench had taken up a number of petitions involving the grant of 9,385-acre land in 43 Dehs — about nine kilometres from Toll Plaza on the Karachi-Hyderabad Superhighway and a 25-minute drive from the Jinnah International Airport —to the Bahria Town Karachi in 2015.

The land was granted for the launch of an incremental housing scheme. However, the MDA instead of launching the scheme exchanged it with the Bahria Town through its henchmen to allow the latter to launch a scheme of its own. The allegations levelled in the petitions moved before the apex court said the government land value was far higher than the value of the private land it was exchanged for.

For the purpose of development of certain areas of Karachi division, the MDA was created under the Malir Development Authority Act 1993.

### **Note of dissent**

Justice Maqbool Baqar dissented with the majority decision and suggested that a nine-member committee be constituted to assess and evaluate the market price of the lands at the time of their exchange between the MDA and Ms Bahria Town Karachi.

Justice Baqar suggested that the committee to be headed by former Punjab chief secretary Nasir Mahmood Khan Khosa should carry out the exercise with the assistance of senior most officers from the Survey of Pakistan as well as a similar department in Sindh. He said Ms Bahria Town Karachi should deposit Rs2 million with the Sindh High Court within four days towards the expense that may be incurred by the committee and would also deposit further amount if needed.

Justice Baqar said the committee should complete its task within two months and submit its report to the apex court so that an appropriate order is passed accordingly. According to him, the Sindh police chief and Rangers director general be asked to provide adequate security to committee members during the conduct of the exercise, whereas the MDA, Karachi Development Authority, the local government department, Karachi commissioner, Board of Revenue, land utilization department, provincial secretary finance and others facilitate the assessment by the committee.

### **Implementation bench**

According to the majority decision, since a great deal of work has been done by the Bahria Town Karachi and a third party interest has been created in favour of hundreds of allottees, the land can be granted to the Bahria Town afresh by the Board of Revenue under the COGLA provisions.

The judgement said an implementation bench of the apex court to be constituted by CJP Nisar would determine terms and conditions of the fresh grant, the land price and related questions such as whether it would be the price at which the Bahria Town sold the land to the people by and large, how much of the government land and how much of the private land has been utilised by the Bahria Town and what Bahria Town was entitled to receive in terms of money on the account of land development.

The verdict said the private developers would not sell any plot or any apartment after the announcement of the decision, as any allotment made after the announcement of this judgement would be considered void.

### **Account for allotment dues**

The judgement said as a huge amount of money on account of allotment of plots, build-up units and commercial buildings was still outstanding against the allottees, some makeshift arrangement should be made to facilitate the recovery and secure it.

The bench ordered the additional registrar of the Supreme Court Karachi registry to open a special account facilitating the deposit of the outstanding amount against the allotments through pay orders, demand drafts or cross-cheques.

### **NAB to complete probe**

Meanwhile, the National Accountability Bureau (NAB), which had earlier initiated an inquiry into the matter, will pick up the thread from where it left and take its investigations to its logical end. The bureau will also collect its initial investigation report which was submitted before the court in a sealed envelope to complete further probe within three months from the date of the announcement of the judgement, according to the verdict.

The judgement said NAB would also move a reference before the accountability court concerned against all those found responsible for causing loss to the state exchequer.

The verdict said it came to the court attention that lands had also been allotted to the Defence Housing Authority (DHA) and many other societies on cheaper rates. If so, the verdict said, the chief justice would be requested to take a suo motu notice so that all of them are treated alike.

(By Nasir Iqbal Dawn, 01, 05/05/2018)

## A landmark verdict?

A MONUMENTAL plunder of land has, at the very least, been highlighted in the highest court of justice. Led by a majority decision, a three-judge bench of the Supreme Court on Friday delivered separate verdicts declaring that Bahria Town, the gigantic real estate developer, had acquired land for several of its projects through illegal means and that the transfers were null and void. As per its verdict in the Bahria Town Karachi case, Bahria has been banned from selling “any plot, built-up unit, apartment etc”; this mammoth scheme has so far reportedly expanded to more than 30,000 acres. In another verdict, the court struck down a deal between Bahria and the forestry department resulting in nearly 2,000 kanals of forest land being encroached upon near Islamabad. Similarly, the apex court ruled that land acquired for the New Murree Development Scheme was in violation of the law.

The judgement takes to task the government departments that have colluded with Bahria to facilitate the wholesale theft of government land for eye-watering profits. In the case of Bahria Town Karachi, the Malir Development Authority’s role is denounced as “a brazen betrayal of the trust of the state and the people” and that of the Sindh government as a “collaborator”. The venality of those party to the scam can be gauged — if one were to pick but a single example — by the fact that the profit-driven Bahria was given, at shockingly low rates, government land earmarked for a low-cost housing scheme. At the same time, while the judgement on BTK has touched upon many of the salient points in the case, certain aspects of it are cause for concern. The development of the multibillion-rupee enterprise has laid waste to the lives of those settled for generations in small villages scattered across the area. In complicity with influential figures in the establishment, the political elite and government officials have used the state’s coercive powers to forcibly remove these already marginalised indigenous communities from their land. However, although it orders NAB to take action against those involved and alludes to the injustice done to the locals, the verdict — recognising the third-party interest created in BTK — provides for a resolution that protects the investors. That will result in the legalisation of a product spawned by brazen violations of the law. What relief, one may ask, does this fait accompli give the local residents who have the first right on the land? Also of concern is NAB’s poor track record in a matter which it has again been entrusted to investigate.

Last but not least, the role of the media in this deplorable saga. Instead of being a watchdog for the public interest, which is its duty, most media houses in this country chose to be silent onlookers so as not to antagonise a business tycoon. They too, in effect, betrayed public trust.  
(By Editorial Dawn, 08, 06/05/2018)

## Commission displeased with DHA, cantonment boards' performance in Karachi

Taking notice of the perpetual pollution of the recreational beach, Sea View, the water commission has put the defence secretary on notice.



Justice (retd) Amir Hani Muslim, who heads the Supreme Court-mandated commission on water and sanitation, in his order after Tuesday’s hearing in Karachi, held the Defence Housing Authority (DHA) and Cantonment Board Clifton (CBC) responsible for the pollution.

During the hearing, Dr Ghulam Murtaza, a senior research officer of the Pakistan Council of Research on Water Resources, and the DHA submitted their separate reports. The commission’s head described the former report, based on examination of water samples collected from different locations along the Sea View, as ‘alarming’ and the latter as ‘evasive’.

“The DHA and cantonment boards in Karachi have made the lives of the visitors going to Sea View miserable.” The commission noted that the restaurants at Sea View and Do Darya drain sewage in the sea and that there is no mechanism for collection of solid waste either.

Justice (ret'd) Muslim observed that the DHA has filed an evasive report, while no official from the authority appeared before the commission, except its counsel, Advocate Shahid Hussain. But even the counsel failed to respond to the commission's queries, it added.

#### **Judicial commission comes down hard on KWSB**

"... the officials of DHA have failed to come forward to provide any assistance and cantonment board is shifting responsibility on DHA," Justice (ret'd) Muslim observed. "... the commission is constrained to issue notice to the defence secretary to appear in person and justify as to how these agencies [DHA and CBC], which are under administrative control of the Ministry of Defence, can play with the lives of the citizens under their laws in defiance of the Constitution."

Additional Attorney-General Salman Talibuddin briefed that the DHA is a development agency and, hence, it is its responsibility to construct the infrastructure for sewage treatment. The cantonment board operates the developed infrastructure and manages the municipal responsibilities, he added. He said that the DHA and CBC have been giving contradictory stances.

#### **Judicial commission directs focal person to coordinate between agencies**

The commission directed Dr Murtaza to re-collect the samples for an updated examination from different locations along Sea View and to submit the report at the next hearing. He will be accompanied by a senior officer of the Sindh Environmental Protection Agency.

#### **Defence secretary**

The commission asked the defence secretary to explain to the commission which law permitted the civic agencies to release untreated sewage into the sea, which is injurious to human health and hazardous to marine life.

"If the secretary fails to appear, the commission will file a reference to the Supreme Court to take appropriate action against those who have defeated the directives of the commission."

The defence secretary will have to give a reply to the commission's queries in light of Dr Murtaza's initial report at the next hearing on May 21.

#### **Judicial commission cancels permits of Hyderabad's housing schemes**

Major (ret'd) Shaukat Alvi, advisor to the projects in DHA, and Colonel (ret'd) Tariq Mehmood, the additional director of DHA engineering project, had informed the commission on May 8 that a functional treatment plant existed earlier. "But it was [either] abandoned or allowed to become non-functional after the scheme was handed over to the cantonment board," they claimed.

The sewage, according to the commission, is being discharged from four separate locations from Dua and China Town restaurants to Do Darya.

During the previous hearing, Justice (ret'd) Muslim had ordered that the original development plan of the DHA should be submitted to the commission. The details of the planned treatment plants, operating treatment plants and the quantity of sewage should be elaborated in the plan, it was said. The officials of DHA and CBC had sought a week's time to furnish the details.

(By Z Ali The Express Tribune, 04, 16/05/2018)

### **NAB begins probe into three Bahria Town projects**

The National Accountability Bureau (NAB) has launched a probe into the alleged wrongdoings of real estate tycoon Malik Riaz in his three mega projects in Karachi, Lahore and Rawalpindi.

NAB Chairman retired Justice Javed Iqbal ordered the anti-graft watchdog to start investigations against Bahria Town Karachi, Bahria Town Lahore and Bahria Town Rawalpindi in the light of recent decisions of the Supreme Court.

The chairman directed the respective directors general of NAB in Karachi, Lahore and Rawalpindi to complete the investigations within three months.

He said the decision of the Supreme Court should be implemented in letter and spirit. The chairman was quoted as saying: "No laxity in implementing the decision of the Supreme Court would be tolerated."

*Bureau officials given three months to complete investigations*

On May 4, the Supreme Court barred the owner of Bahria Town Karachi from selling any plot or build-up unit from the housing scheme it launched in the city.

It also ordered NAB, which had earlier initiated an inquiry into the matter, to pick up from where it had left off and take its investigations to its logical end within three months from the date of the announcement of the judgement.

NAB was also told to investigate the case and file references against all those found responsible for committing, aiding and abetting the crime at any level or in any form.

The apex court had taken up a number of petitions involving the grant of 9,385-acre land in 43 Dehs — about nine kilometres from Toll Plaza on the Karachi-Hyderabad Superhighway and a 25-minute drive from the Jinnah International Airport — to the Bahria Town Karachi in 2015.

The land was granted for the launch of an incremental housing scheme. However, the MDA instead of launching the scheme exchanged it with the Bahria Town through its henchmen to allow the latter to launch a scheme of its own. The allegations levelled in the petitions moved before the apex court said the government land value was far higher than the value of the private land it was exchanged for.

The apex court ordered that the government land would go back to the government and the land of Bahria Town exchanged for the government land would go back to the real estate firm.

On the same day, the Supreme Court had declared that the area of Takht Pari located six kilometres from the Rawalpindi city near GT Road encompasses 2,210 acres and not 1,741 acres.

Therefore, the exchange of land purportedly encroached by the Bahria Town and the Punjab forest department was based on erroneous assumption about the area.

The court had taken up a number of cases involving the encroachment of the forest land in Rawalpindi. At one stage it was concluded that the area measuring 1,170 kanals of the forest was found to have been encroached by the Bahria Town and an area measuring 765 kanals of the Bahria Town was found to have been encroached by the forest department and that the area thus found to have been encroached was not only accepted by one another but mutations witnessing exchange of the said areas were also entered and attested.

A NAB statement issued on Monday said: "Investigation against Bahria Town Lahore may also be started."

**Inquiry against housing minister, PPP MNA ordered**

In a separate decision, the NAB chief ordered the Rawalpindi NAB director general to conduct complaint verification against Housing and Works Minister Akram Khan Durrani in alleged illegal appointments of the people of his constituency belonging to Bannu against all vacant posts in violation of merit and laid down rules and regulations.

The chairman also directed the Sukkur NAB DG to conduct complaint verification against Pakistan Peoples Party leaders MNA Mehreen Bhutto, Asif Bhutto, Kashif Bhutto and Arif Bhutto for allegedly having assets beyond known sources of income.

(By Syed Irfan Raza Dawn, 01, 22/05/2018)

## NAB uncovers bogus allotment of 10,000 acres in Jamshoro



The National Accountability Bureau (NAB) claims to have unearthed a land scam in Jamshoro district where 10,000 acres of land, the value of which was estimated at Rs75 billion, was given under bogus allotments.

NAB Spokesperson Rizwan Soomro said on Thursday that the bureau's actions led to the cancellation of the land allotted by the revenue authorities of Jamshoro.

“On the basis of irrefutable evidence, NAB has cancelled [the allotment of] more than 10,000 acres of state land acquired by the land mafia,” read a statement issued by the bureau.

### NAB recovered Rs50b

“Several housing schemes are minting money on land [which has been acquired illegally],” the spokesperson told *The Express Tribune*. He added that the investigation into the matter was in its last phase after which a reference will be filed against the persons involved in the scam.

Earlier on April 17, NAB arrested three officials who were allegedly responsible for making fake entries in the record of rights. This included Revenue Officer Ghulam Nabi Mallah, City Surveyor Liyar and a private citizen Hanif Lalani.

The three suspects allegedly connived in the allotment of 731.28 acres of land worth around Rs11 billion in Thana Bula Khan taluka. The officials allegedly helped Lalani acquire the land by forging the records.

(By Our Correspondent The Express Tribune, 05, 25/05/2018)

## Urbanisation rate in Sindh follows national trend

Approximately 35% of Sindh's total population live in Karachi and Hyderabad.



This has been revealed in a report prepared by the federal finance ministry. According to the report, Karachi is the most populous city of Pakistan with as many as 14.91 million people living in the city. The city has witnessed population growth of 59.8% during the last 19 years. Likewise, the population of Hyderabad city has increased from 1.16 million to 1.73 million in 19 years, resulting in a growth of 49.1%.

Between the last two censuses, the population of Lahore city increased by 116.3% from 5.14 million to 11.12 million.

Increased urbanisation in Pakistan has significantly impacted the country's economy and demographics. As urbanisation takes place, major shifts occur in labour market opportunities, family structures, education and health management, environment, security systems and governance.

Therefore, it is important to undertake studies to understand the changes required in policies due to the ongoing urbanisation.

### Rising poverty, population, climate change a threat to Pakistan's future

According to the housing census 2017, the population of 10 major cities of Pakistan has increased by 74% compared to the 1998 census. The urban population shows a growing trend as now 36.38% of the population is living in the urban areas. Greater employment opportunities in cities is a major reason behind the continuing migration of people from rural areas to urban centres.

In an effort to curb the ever-increasing burden on the urban areas, the government has taken different measures, one of which is the establishment of the Centre for Rural Economy (CRE). The overall goal of the CRE is to improve sustainable and inclusive growth in the rural areas. The core objectives of the centre include reduction of rural poverty, improvement in food security, providing social protection, generation of gainful employment in rural areas and reduction of rural-urban gaps.

The population census is an important source to measure the composition of a population and its distribution. The sixth national population and housing census was held in Pakistan after a lapse of about 19 years. The census was carried out in two phases. The first phase started on March 15 2017 and lasted till April 15 2017, while the second phase ran between April 25 2017 and May 25 2017.

Provisional results of the census have been revealed, according to which an increase of 57% in the total population of the country, excluding Azad Jammu and Kashmir and Gilgit-Baltistan, has taken place. The total population is now 207.77 million in comparison to 132.35 million in 1998. The nationwide average household size is of 6.45 persons.

#### **Census results before govt by April end: Statistics secretary**

The growth of population in the urban areas has been estimated at 2.7% in the provisional results of the current census, which is higher than the population growth rate in the rural areas, which is 2.23%. (By PPI The Express Tribune, 05, 28/05/2018)

#### **Urban planner calls for protection of fields, fruit farms in Karachi suburbs**

Agricultural fields and fruit farms outside Karachi, particularly in the rural areas of Malir and Gadap, should be developed and protected as they provide a green shield against heatwaves as well as help sustain the economy of rural areas.

Urban planner and architect Arif Hasan said this while speaking on Thursday at a consultation titled 'Exploring Strategies to Respond to Heatwave in Karachi', organised by a group of citizens at the office of the Urban Resource Centre.

Due to improperly planned development in the city, the rural suburbs of Karachi have become barren, Hasan said. Flow of natural drains has been obstructed due to which wells have not been receiving water and agriculture is affected, he added. According to him, the water shortage was very severe in the Malir area.

"By making rural Karachi economically viable, we can make Karachi city cooler," the urban planner said. He recalled the days when guavas and poultry products of Malir were exported. He lamented the that production of guavas had declined in Malir. The farmers of Malir are not interested in agriculture any more, he said.

#### **K-E increases load-shedding as heatwave strikes Karachi**

Hasan was of the view that heatwaves in Karachi were not an unusual phenomenon, as the city temperatures went as high as 47 to 48° Celsius in the past. He informed the gathering that a devastating cyclone hit the city in 1906, which destroyed its greenery.

As much as 60% of Karachi's population lives in slums and and without their involvement in development, the problems of the city cannot be resolved, Hasan said. He advised that residential buildings be made insulated and materials be used that absorbed less heat.

Dr Noman Ahmed said many factors were causing severe hot weather in Karachi, including development and environmental pollution. Our luxurious lifestyle has not only increased the cost of living, but has also posed threats to the environment, he said.



"We use air conditioners, which cool our homes inside but cause an increase to the temperature outside," Dr Ahmed said, adding that the sale of air conditioners in Karachi in 2016 increased by 17.5%. According to him, air conditioners were a major cause of increasing temperatures in the city.

### **IN A SORRY STATE : CM feels sorry for Karachi**

Public spaces like parks, playgrounds and open grounds are shrinking and overall plantation has decreased in Karachi, Dr Ahmed lamented. He cited a study that said that public open spaces in the major cities of the world were on average 9%. However, in Karachi such places only occupied 4.5% of its area.

High-rise buildings along the coast of Karachi have obstructed the wind corridor, the scholar said, adding that people living in Clifton had started to complain about the absence of sea breeze.

Dr Ahmed informed the gathering that according to studies, concrete structures and roads caused increase in temperatures in cities. A study conducted by the Motorway Police revealed that the temperature of road surface is seven to 8°C higher than the surrounding temperatures.

According to Dr Ahmed, buildings made of concrete absorbed heat during the day which they emitted at night, which was the reason why they remained hot even during nights.

(By Our Correspondent The Express Tribune, 05, 01/06/2018)

### **Water commission threatens to stop constructions in DHA, Clifton**

The judicial commission on water and sanitation threatened on Monday to place a ban on construction within the Defence Housing Authority (DHA) and Cantonment Board Clifton (CBC) areas.

During the hearing of the water commission held in the Sindh High Court, head of the commission, Justice (retd) Amir Hani Muslim warned that all construction activity may be put to a halt if CBC and DHA fail to define their territorial limits.

Meanwhile, the federal defence ministry assured the Supreme Court-mandated water commission of immediate measures to stop pollution of Sea View beach.

During the hearing, Defence Ministry Joint Secretary Farooq Hassan said they will make sewage treatment plants functional at the earliest to stop discharge of untreated sewage in the sea.

He informed the commission that the defence secretary convened a meeting in Islamabad on May 31 in light of the commission's directives. The meeting instructed the CBC and DHA to stop discharging sewage at Sea View beach.

### **Justice (retd) Amir Hani Muslim-led commission to start proceedings today**

It decided to construct a sewage treatment plant in the Kublai Khan area and complete this project by August, 2019, he added. The existing practice of releasing untreated sewage in the storm drains leading towards the sea will be stopped after four months and the sewage will be channeled to a treatment plant.

In May, a senior research officer of the Pakistan Council of Research on Water Resources, Dr Ghulam Murtaza, collected water samples from the beach for a lab test. He described the beach's contamination in his report to the commission as alarming, injurious to human health and hazardous to marine life.

It was pointed out that the sewage was being discharged from four separate locations from Dua and China Town restaurants to Do Darya.

The meeting agreed that the restaurants and kiosks along the beach will be barred from disposing off sewage in the sea. The joint secretary assured that the sewage of DHA Phase VIII will be treated at the existing treatment plant in the same phase.

However, sewage of Phases I to VII will be treated in the proposed plant. Hassan maintained that the sewage of some of the phases is supposed to be treated at the Mehmoodabad treatment plant, which is operated by the Karachi Water and Sewerage Board (KWSB).

**CJP forms judicial commission to probe APS attack**

“... the stance of the DHA is debatable as according to them, some of the phases were planned in such a manner that their sewerage was to be treated through Mehmoodabad,” the commission observed.

However, KWSB Managing-Director Khalid Mehmood Shaikh denied that any such agreement existed over the plant in Mehmoodabad, the capacity of which is 180 million gallons per day. Justice (ret'd) Muslim directed the commission’s focal person, Syed Asif Hyder Shah, to coordinate with the CBC, DHA and KWSB over construction of the new plant and its capacity.

The commission was informed that the KWSB has provided 114 water connections to the cantonment boards and related installations. These include 41 metered connections and 73 which are not metered.

The KWSB was ordered to install metres in all the connections, along with cameras to monitor the flow of water.

With regard to the billing disputes between KWSB and K-Electric, the commission ordered the water board’s managing-director to pay the amount to the power distribution company within seven days. The focal person was asked to coordinate between the two agencies for resolution of the matter of load-shedding of the water board’s water pumping stations.

Justice (ret'd) Muslim objected to the water board’s procedure of collective punishment by stopping supply from the bulk supply to a certain locality instead of cutting off the individual supply line of illegal connections.

The water board was asked to cut the illegal connections and resume the stopped bulk supply and submit periodical reports in this regard to the focal person. “No compromise [can be made] on unjust distribution of water.”  
(By Our Correspondent The Express Tribune, 04, 05/06/2018)

**Bahria Town Karachi built without any NOCs: SBCA**

If claims made in a report submitted by the Sindh Building Control Authority (SBCA) in the Supreme Court on Saturday are correct, construction in Bahria Town Karachi (BTK) is taking place in brazen violation of building rules and regulations. The explosive revelations are all the more significant given the massive size of the upcoming gated community in district Malir.

They come a little over a month after the Supreme Court judgement on May 4 that found massive illegalities in the process of acquiring land for Bahria Town Karachi (BTK).

S.No.	Project Name	Builder/Developer	Location	Status	Office Address
1.	Bahria Homes	Urban Homes	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
2.	All Town	C.P. Builders	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
3.	CPEC City	State Business Corporation	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
4.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
5.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
6.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
7.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
8.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
9.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
10.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
11.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
12.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
13.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
14.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
15.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
16.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
17.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
18.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
19.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
20.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
21.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
22.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
23.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
24.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
25.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
26.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
27.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East
28.	Al-Balqa	Al-Balqa	Phase 2, D.I. Khan, District East	Under Construction	Plot No. 2, D.I. Khan, District East

They also raise many **public questions** about the role that Sindh’s regulatory bodies and provincial land bureaucracy have played in the sordid saga. SBCA is the regulatory and supervisory body that approves building plans and issues NOCs for any and all construction in Sindh.

Notice placed in newspapers by SBCA warning the public not have any dealings in connection with the housing projects on the list. It contains no mention of Bahria Town Karachi.

The General Public / Specialty Civic Utilities Agencies are clearly informed that, the Sindh Building Control Authority has not issued any approval of NOC for Sale & Advertisement as per requirement of Section 12 Sindh Building Control Ordinance 1979. Approved up to date, on the said project. Utilities Agencies are requested to not provide utility connections to these fake projects. The public also informs not to involve in Sale / Booking and Purchasing and any Transaction with the Builder / Developer of above noted projects.

This publication is for general awareness and SBCA will not be responsible for any claims / disputes in terms of sale purchase in the above illegal projects.

**Sindh Building Control Authority**  
DESIGN & COMPLAINTS SECTION  
4th Floor, Civic Centre Annex Building, Sindh Road, Karachi  
SAFAY TO COMPLETION

The SBCA report gives a timeline that purports to show how Bahria Town disregarded all the terms and conditions it had to meet at every stage in the regulatory process before undertaking construction in BTK.

As per the document, the Malir Development Authority (MDA) approved the first layout plan for land measuring 1,330 acres on March 20, 2014. The same day, SBCA issued a 'Conditional NOC' for sale and advertisement for 3,098 residential and 748 commercial plots in favour of Zain Malik, executive director of Bahria Town Ltd, "in the capacity of special power of attorney of co-owners. The subject NOC required among others that registered power of attorney and registration of mortgage deed (15 per cent) of all open plots shall be submitted within three months..."

MDA approved a second, revised layout plan on August 21, 2014 for 4,696 acres that "consolidated" the earlier 1,330 acres.

*In May, an SC judgement found massive illegalities in the process of acquiring land*

SBCA approved building plans for 1,055 ground plus one houses on April 2, 2015 on land measuring 4,696 acres. However, it did not issue an NOC for sale and advertisement submitted on September 14, 2015 because Bahria had not fulfilled the conditions stipulated in the previous NOC.

Individual building plans for 444 houses out of the 1,055 mentioned above were submitted to SBCA but approval remained pending because the builder had not complied with any of the earlier conditions.

Approval for proposed building plan for ten apartment sites was submitted in July 2015, but that too, remains pending for the same reason.

The SBCA report then states: "The latest site inspection reveals that construction activities without approval of SBCA are being carried out..." A long list of residential and commercial buildings follows. This includes: 9,319 villas, 51 flat sites, four office buildings and 10 public buildings such as restaurants, schools, a hospital, a club house, parks and dancing fountains, as well as two mosques, among them the Grand Masjid.

All of them are either under construction, or have been constructed — without obtaining even basic NOCs from the building control authority.

As the report states, Karachi Building & Town Planning Regulations, 2002 (KB&TPR) require that along with the building plan, the owner/builder of a project has to submit documents proving title to land before SBCA can issue an NOC.

The owner/builder is also legally required to mortgage 15pc of plots as a security deposit in favour of SBCA.

Bahria Town has met none of these conditions. A former bureaucrat with experience in land matters describes Bahria Town's actions as an outrageous transgression. "A builder in Karachi can't build a single floor without approval."

The report however does not explain why basic SBCA conditions as per sections 5 and 12 of the Sindh Building Control Ordinance (SBCO) 1979 that require submission of title documents, builder's licence, approved layout plan for sale NOC and approved building plans for houses and flats, etc were completely disregarded.

These documents are basic prerequisites for SBCA to ensure that the builder/developer owns and possesses the subject land.

A retired senior land official points out that the SBCA report has been written up after the retirement on June 5, 2018 of Agha Masood, who was DG SBCA for two years, and after the caretaker set-up was installed in Sindh. "Has the SBCA, which is part of the Sindh government, only woken up to its responsibilities now, when the project has spread to over 30,000 acres in Karachi's outskirts?"

According to Section 5 of the SBCO: "Sale of Plots (i) No developer shall transfer any plot or plots on the basis of ownership or by sale or advertise such transfer, without obtaining a no objection certificate from the Authority (SBCA) in the manner and on payment of such fee as may be prescribed."

Similarly, Section 12 deals with the sale of buildings: "No builder shall sell or advertise for sale any building, through any audiovisual aids or any other means before he has obtained approval in writing of the Authority, and he shall mention such fact in the advertisement which will further specify all such details about the building as may be prescribed."

Section 19 provides ample opportunity for penalising any builder violating the above rules. It states that "whoever contravenes any provision of this ordinance, shall be punished with simple imprisonment for a term not exceeding two years or with fine not less than Rs20,000 or with both and if the offence is a continuing one, further fine not exceeding Rs500 for each day after the date of the first commission of the offence".

Similarly, Chapter 5 of the KB&TPR, in exercise of the powers conferred by section 21-A of the SBCO that deals with public sale projects, stipulates that NOCs from SBCA are mandatory for sale of units in buildings.

Sub-section 5-1.6 requires the security deposit from the developer to be deposited with the SBCA in cash or a bank guarantee equivalent to 2pc of the cost of the project. In addition, in case of delay in completion of the project, where such delay has not been condoned as per clause 5-1.18, deduction from the security shall be made in proportion to the extent of the delay.

Interestingly, the SBCA report claims that the security deposit (5-2.5) was to be provided by Bahria Town in form of 15pc of the plots. However there is no provision of such mortgage in KB&TPR. All amendments to KB&TPR are available on SBCA website at <http://www.sbca.gos.pk/bylaws.aspx> except the amendment to 5-2.5 that seems to have been inserted recently and is being applied in retrospect to save SBCA from further embarrassment.

An investigative report in Dawn on April 18, 2016 clearly showed that every land authority concerned was not only aware of, but complicit in the scam. These bodies also came in for harsh criticism in the recent SC judgement. "At times the MDA appears to have acted as a property dealer and even as a go-between in the deal. Likewise, the government of Sindh which ... acted as a collaborator than a protector of the government land...it is thus a brazen betrayal of the trust of the state and the people and a blatant fraud on the statute."

There has even now, been no accountability for the fact that the huge cost of constructing the major roads, culverts and bridges in BTK is being borne by MDA, rather than the builder. "That is further evidence, if any is needed, of the mutually beneficial relationship between the two, not to mention the enormous clout of Bahria Town," says the former land official.

Recently, the SBCA placed a notice in the newspapers with a list of housing projects it says are illegal and sponsored by the land mafia. The notice warns the public to refrain from any sale or purchase activity in the said projects. One may well ask why the list includes no mention of BTK.

(By Naziha Syed Ali Dawn, 01, 11/06/2018)

## **Popping the property bubble at last**

"SOMETIME back a salaried person came to me wanting to buy a house. But every time he'd save up enough money, property prices would go up. He gave up eventually. Buying a house is just not possible for a middle-class person anymore," says Tahir, a long-time property consultant.



Real-estate market correction in Pakistan is long overdue. Housing, over the past three decades, has become expensive and increasingly opaque.

Realising perhaps the enormity of the situation, or merely as a symbolic gesture to be taken up by the next government, the PML-Nawaz government in its exceptional final budget attempted to burst the highly-sensitive — considering the oft-touted vested interests in the sector — property bubble.

It introduced three major changes that, if implemented, may change the way the game is played: the concept of the government's pre-emptive right to buy any property at a fixed rate, demolition of both District Commissioner rates and Federal Board of Revenue (FBR) valuation tables, and the bar on non-income tax filers from investing in property over and above Rs5 million.

Since properties are not documented at their real value in Pakistan, it is difficult to determine the actual worth of the sector, but data from the FBR and industry surveys estimate that the sector is worth around \$700 billion (Rs85.4 trillion at the rate of Rs122 to a dollar).

*Real-estate market correction in Pakistan is long overdue. Housing, over the past three decades, has become expensive and increasingly opaque*

Currently, the dynamics of the property market are wholly dependent on private sector players with little or no government intervention to ensure price stability or affordable housing.

This is evident in renowned economist Dr Hafiz A. Pasha's latest book, rather aptly titled "Growth and inequality in Pakistan", which observes that private investment accounts for 70 per cent of total investment in the country; and that almost the entire investment in six sectors, including housing (100pc) and construction (96pc) is by the private sector.

As a result "all the country's illegal and untaxed money now gets parked in property. We have ended up giving legal protection to illegal money," states Mr Shabbar Zaidi, a director at the House Building Finance Company Limited (HBFCL) and senior partner at A.F Ferguson and Co.

Mr Zaidi, passionately using the term "parking lot" during our conversation, explains that there are two types of buyers: those who buy residential property and those who buy land as investment. The problem arose owing to the latter category that has the power to buy in bulk — sometimes to cover questionable sources of income — and then sell at an exorbitant profit.

Based on the basic concept of demand and supply, skewed investment and artificial price hikes have led to the creation of a property bubble which means that the rate at which land is sold will quite obviously be hugely inflated.

For an average salaried individual this means that the price of a plot of land will have become too high to invest in. Due to this, according to a project financing document by the World Bank, the estimated housing shortage in Pakistan is up to 10m units, of which about 40pc is in urban areas.

Studies indicate that "the gap continues to widen by roughly 350,000 units per year, as new housing production falls short of the rate of household formation and existing housing units become obsolete."

The concept of pre-emptive right has been introduced as a means to "pop the bubble". The government now has the right to buy any property at double the declared price within six months of its sale.

This puts individuals, who do not want their sources of income questioned, at a disadvantage. If they pay Rs150m for a house and declare its value at only Rs20m on paper, when we all know otherwise, the authorities will be able to snoop in and buy it from them at Rs40m.

The government would be paying double but the initial buyer still losses Rs110m. The net result of all these changes will be that people dealing in property will not only be forced to enter the tax net but that property prices will also come down.

Is this a win-win scenario? Not quite. Mr Zaidi puts a damper on my enthusiasm by pointing out that while these changes do come into effect on July 01, 2018 under the Finance Act 2018, they are reliant on the government actually notifying the concerned authorities — which it has not done as yet.

Not to mention that nothing will actually go into effect till the time the provinces likewise don't replicate the changes; which they don't seem inclined to do at all. And considering the current political climate Mr Zaidi sympathetically tells me to "forget about it."

So does that mean the ball has been dropped? "No." Mr Zaidi states. "It will not be dropped. People need to be aware that this law is right and that it should be there. Even leaders with vested interests respond to social pressure."

But, there is a fear that the market might experience a "jolt" if the government's initiatives do get implemented. "So let there be a jolt" is the unanimous answer from all the experts this writer spoke to.

Surprisingly, all counter with a statement to the effect of "while buyers for an incredibly expensive property will decrease, the gap will be met by those investing in more affordable housing. The sector will be compensated through volume."

Once these changes do come into effect it is important that the central bank work with the financial sector to further encourage housing finance loans to ensure the volume mentioned above.

Pakistani banks, notorious for being risk averse, tend to "put their money in government treasuries to secure it," says Mr Mazhar Ali Nasir, senior vice president of The Federation of Pakistan Chambers of Commerce and Industry. "They need to develop tools that encourage the middle class to take advantage of loans to invest in housing."

Those loans that are being given are heavily skewed in favour of individuals on the higher end of the income bracket. The World Bank report states that "mortgage loans are typically extended to the extreme end of the high-income group, that is, the 10th income decile of urban households."  
(By Zahra Anum Dawn, Business & Finance, 03, 19/06/2018)

## **Real-estate tax reforms: a recipe for disaster**

THE recent decision to keep income tax non-filers out of property transactions of more than Rs5 million is ill-conceived and does not bode well for the economy.

The real-estate sector in Pakistan has been in the experimental laboratory of lawmakers for the last many years, especially with regard to tax reforms. The initiative to document the economy is a step in the right direction; however, it should not be at the expense of inflows to the national exchequer.

The behaviour of the public towards tax compliance cannot be changed overnight by the introduction of new legislation. The non-filers, by and large, will instead prefer to stay away from property transactions and the government would lose the tax that they were otherwise receiving from them.

Government functionaries themselves are not conditioned to take long-term steps for sustaining growth or increasing the tax net; constrained by political exigencies, the government needs an immediate visible impact of any of their reforms.

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The problem therefore, is not of tax payment or its avoidance; it is a conflict between the conditioning of government officials and the behaviour of the public. This becomes a paradoxical situation.

The introduction of capital gain tax (CGT) on the sale of property and the Federal Board of Revenue's (FBR) rates for registering a real estate transaction were the two tax reforms that the government introduced with the intention to increase the tax base.

FBR rates were introduced to replace the earlier prevailing Deputy Commissioner (DC) rate. However, the government had to revise said FBR rates subsequently in major cities earlier this year, which was reflective of poor homework before implementing the law.

*Taking non-filers out of the real estate transactions' net means that the federal government and provinces are going to lose their collective share of 11pc from this revenue*

The move did not increase the tax collection as per projections; however, it reduced the number of transactions and helped correct the real-estate prices. That was an unintentional but welcome result of the tax reforms.

The government introduced another set of tax reforms in the federal budget 2018. These include the removal of FBR rates on property, requests to the provinces to end DC rates, and a bar on non-filers from buying property exceeding Rs5m. At the federal level, the advance tax has been cut to one per cent of the declared value.

The size of the real-estate sector and its contribution to the gross domestic product is substantial. Any impact on it will have an immense multiplier effect on the 70 plus construction-related industries.

In the GDP composition of 2016-17, the size of housing services and construction was \$28 billion, which was 9.3pc of the total GDP of Pakistan.

In the last seven years, the contribution of housing services and construction has been over 9pc of GDP. As per an estimate, the size of real estate sales transactions in 2016 was \$60bn.

The non-filers in the country are paying 4pc withholding tax, nonadjustable, on real-estate purchases and 2pc withholding tax, nonadjustable, on sales transactions. The provinces are getting 5pc on account of stamp duty and CVT.

Non-filers form a major population of property transactions. Taking non-filers out of the real estate transactions' net means that the federal government and provinces are going to lose their collective share of 11pc from this revenue.

Considering the quantum of transactions (estimated to be R6,000bn), this would be a heavy cost, which in the back drop of the existing fiscal deficit the government can hardly afford. Builders and land developers pay a sizeable advance tax of R210 per square yard.

Expecting fewer buyers, they will also stay away and the government would lose their tax contribution as well.

As regards the documentation of economy, it is a misconception that real estate accommodates the entire chunk of the undocumented economy. Another major reservoir is the banking sector that has been left unattended in this phase of tax reforms.

Non-filers continue opening and maintaining accounts with banks. In a country where the GDP has been growing in the range of 3-5pc, the banking sector has been growing at 12-15pc on an average, as per State Bank of Pakistan's annual reports. This translates into trillions of rupees.

This necessitates an immediate review of the tax reforms. A holistic consideration of all sectors is required to facilitate gradual documentation of the economy in the next 10 years, without creating a dent in existing tax collections.

Pakistan can take a leaf out the United Arab Emirates' real-estate business model to build investor confidence. The gross income of UAE has grown by over 190 times within just 40 years. The catalyst in this process was an enabling environment with a business-conducive tax regime that attracted investors in real estate.

This was supplemented by the government's investment in public wellbeing and family tourism from all across the world that in turn attracted renowned brands to enhance their activity in a duty-free UAE.

*The writer is the Director Retail at Knightsbridge Capital Group; a private equity management group.  
(By Aamir Ali Rizvi Dawn, Business & Finance, 03, 19/06/2018)*

## **SC denies extension in leases, orders open bidding to ensure transparency**

The Supreme Court on Tuesday came down hard on provincial authorities for leasing out state land to people without any transparent mechanism.

Chief Justice Mian Saqib Nisar asked Sindh's secretary for land utilisation department why land was being given on 99-year and 30-year leases on the basis of favouritism and observed that it must be done through open auction.

A three-judge bench of the SC headed by the chief justice and comprising Justices Sajjad Ali Shah and Munib Akhtar was hearing a set of petitions and suo motu proceedings at the apex court's Karachi registry.

Dozens of applicants had moved the court asking it to clarify and relax its Nov 28, 2012 judgement in which it had imposed a ban on mutation, allotment, transfer or conversion of any state land.

Some of the applicants submitted that they obtained land on a 30-year lease for poultry farms, farming and other purposes, but the authorities concerned were not granting them extension after the SC judgement. Some others contended that they had applied for lease of state land to set up wind power projects and other industrial and agriculture purposes. However, it was not being processed owing to the restrictions imposed by the apex court, they added.

### *Applicants seek relaxation in ban on allotment, transfer of state land*

The chief justice made it clear that they would not entertain the pleas seeking extension in lease and directed the lawyers of other applicants to come prepared with convincing arguments on Wednesday.

The CJP asked the applicants and provincial authorities that under what law or policy the state land was being leased out to people without open bidding.

Every Pakistani is in debt of Rs117,000 while the authorities concerned were wasting the state resources and leasing out land at throwaway prices, he added.

The chief justice said that they had also ordered open auction for leasing out state land in Punjab for the welfare of the state and the same practice must be adopted in Sindh.

### **Compensation for slain lawyers' families**

The advocate general of Sindh, Zameer Ghumro, informed the bench that in compliance with its earlier order, compensation had been paid to 46 of the 54 families of lawyers killed in targeted attacks in Sindh.

The provincial law officer said that the remaining families could not be compensated for lack of residential addresses, adding that allotment of land to the affected families was under process.

The bench asked the bar associations to provide details of the remaining families to the advocate general.

### **Non-payment of salaries in SSIC**

The bench directed the provincial authorities to pay salaries to the employees of the Sindh Small Industries Corporation (SSIC).



When the court asked the advocate general that why salaries had not been paid on time, he said that around 800 surplus employees had been appointed in the SSIC and their case was pending before the Sindh High Court.

Justice Shah expressed resentment on the authorities concerned for making appointments on the basis of favouritism and said that now they should pay the salaries and pension to the serving and retired employees.

The chief justice said that the salaries and pensions must be released in due course of time after the advocate general said that a summary had been sent to the authority concerned in this regard and he was pursuing the matter.

(By Ishaq Tanoli Dawn, 17, 20/06/2018)

## **Supreme Court dismisses request to allow advertisement walls**

The Supreme Court (SC) disposed of on Thursday all petitions calling for the removal of advertisement walls from the city.

A larger bench, headed by Chief Justice Mian Saqib Nisar, heard the matter at the Karachi Registry. Representatives of cantonment boards and the Outdoor Advertising Association attended the hearing.



Responding to a query, the cantonment boards' officials said most of the advertisement walls, including those in the limits of the Faisal Cantonment Board, had been demolished.

The advertising association requested the apex court to devise some mechanism to allow the use of advertising walls as the advertisers had invested Rs15 billion to construct the walls. However, the bench dismissed the plea, stating that the advertisers were themselves responsible for their losses.

### **Do not want to run government from courts, says SC judge**

The SC also directed to remove advertisements from walls constructed for security purposes.

### **Illegal constructions**

The SC also clubbed all the petitions pertaining to the construction of illegal high-rise buildings in the metropolis.

The apex court summoned all the parties concerned and directed them to bring complete records.

Petitioner Advocate Faisal Siddiqui, counsel for the Sindh Building Control Authority (SBCA) Shahid Jamil Khan and other officials attended the hearing.

The petitioner argued that a large number of new and old buildings in the city had been illegally constructed. He informed the bench that many buildings were being illegally constructed in Defence Housing Authority.

### **Authorities have three weeks to submit work plan**

A lawyer representing builders, however, contended that the constructions were legal and the builders had obtained all the necessary no-objection certificates and permits by the SBCA.

After listening to arguments from both sides, the court directed to club all the related petitions and told the parties concerned to bring all the records on the next hearing.

(By Our Correspondent The Express Tribune, 05, 22/06/2018)

## Heritage in danger

WHAT had for a long time seemed inevitable, finally appears set to pass. The Lahore Fort and the city's historic Shalamar Gardens are to be placed on the World Heritage in Danger list of the World Heritage Committee. The organisation is scheduled to meet at Manama in Bahrain from June 24 to July 4, and the inclusion of these two Pakistani sites follows proposals by the World Heritage and the ICOMOS Reactive Monitoring mission to this end. The two sites are considered to be at risk because of the construction of Lahore's Orange Line Metro train system (which will pass through the front of the south entrance of the Shalamar Gardens), as are other historic places in the city. Months ago, the Supreme Court of Pakistan gave the opinion that the metro line construction would have an irreversible impact on the values relating to the artistic and aesthetic accomplishments exemplified by the fort and the gardens, but the city administration chose to press ahead after offering sops to conservationists. At the World Heritage Committee's 40th and 41st sessions, the WHC and ICOMOS had already proposed that the two properties in question be placed on the list of endangered heritage.

The Orange Line project has invited a lot of censure on the grounds of conservation and heritage protection, and the administration's response has been a great deal less than exemplary. There have been prevarications and obfuscations, and assurances of care that have at times appeared merely cosmetic, resulting in the widespread belief that the city managers are, in their haste to produce works of 'development', prepared to pay any and every cost. This perception must be altered, and it can only be done by those pacing the corridors of power. Development is essential for the growth of Pakistan's towns and cities, in fact for the entire country; but if it is not underpinned by an affinity to past history and glory, it will prove to be a mere chimera.

(By Editorial Dawn, 08, 23/06/2018)

## SC can't allow land grab, CJP tells Bahria Town owner

Unimpressed by the welfare projects and religious services of Bahria Town, Chief Justice of Pakistan Mian Saqib Nisar on Tuesday observed that the Supreme Court could not allow land grab in the country.

Hearing a review petition against the May 4 judgement of the apex court in which it had banned Bahria Town from selling any plot or constructing apartments in its housing scheme in Karachi, a three-judge SC bench headed by the CJP ordered the owner of the real-estate development company, Malik Riaz, to furnish in two weeks Rs5 billion before the court to show his commitment to resolving the issues relating to the exchange of government lands for the development project.

The court also dropped hints to attach the property of Mr Riaz. But the Bahria Town owner, who himself appeared before the court, requested it not to do so, saying that it could be used against him. He explained that he owned no property except one in the name of his wife.

### *Malik Riaz ordered to furnish Rs5bn before court*

Earlier the court proposed to Mr Riaz to deposit Rs20 billion, but on his insistence, the amount was reduced first to Rs10 billion and then to Rs5 billion along with all the property documents and an undertaking that he would not sell any of his assets pending the current case. The property tycoon has also been barred from initiating any new Bahria Town project.

In its judgement, the apex court had declared the grant of land to the Malir Development Authority (MDA) by the Sindh government, its exchange with the land of the private land developers — Messers Bahria Town — and anything done under the provisions of the Colonisation of Government Land Act (COGLA), 1912 by the Sindh government as illegal, void ab-initio and as such of no legal existence.

Thus the government land would go back to the government and the land of Bahria Town exchanged for the government land would back to the real-estate development company, the judgement had said.

Subsequently, Bahria Town through its counsel Barrister Aitzaz Ahsan moved the review petition with a plea to suspend the judgement of the apex court. The company also sought a direction for the National Accountability Bureau (NAB) to not pursue corruption references against its owner.

In its judgement the SC had ordered NAB — which had earlier initiated an inquiry into the matter — to pick up the thread from where it had left and take its investigations to its logical end.

The bureau was also required to complete further probe in a period of three months from the date of the announcement of the judgement. Besides, NAB will have to move a reference before the accountability court concerned against all those found responsible for causing losses to the national exchequer.

While pointing towards Mr Riaz's counsel, the chief justice observed that though he was not referring to his client but the court could not appreciate welfare work, charity, religious services and development of the housing scheme by acting like Robin Hood who used to rob the rich only to help the poor.

Mr Riaz tried to explain his position by stating that he had always endeavoured to usher a third world country like Pakistan into the first world through development projects of world standards.

He offered to pay any amount the court suggested but also requested not to burden him beyond his capacity since Bahria Town had provided jobs to 22,000 employees, besides he was suffering with cancer.

He said he was confident that the court would not issue any order that might affect people who have plots in the development scheme and the employees working for the company.

He highlighted that though the country had been facing the worst-ever loadshedding for many years Bahria Town was providing uninterrupted power supply to its residents.

He said he was invited in Qatar to develop football stadiums for the 2022 world cup and in the United Arab Emirates to launch housing schemes, but preferred to work for Pakistan.

He enumerated a number of welfare works initiated at Bahria Town, like the development of world standard hospitals, zoos, entertainment arenas like cinema halls, swimming pools, green valleys, dancing floors and educational projects.

Mr Riaz said Bahria Town had developed a city at a place which had become centre point for the sale of illegal weapons and drugs.

Violation of order

The court was also not happy over violation of its order in the judgement by Bahria Town by opening up a separate bank account to collect outstanding payments.

In its judgement the SC had ordered the additional registrar of the Supreme Court at its Karachi registry to open a special account where the outstanding amount against the allotments be deposited. The entire outstanding amount against allotment of plots, apartments, commercial buildings etc would henceforth be deposited by the allottees with the additional registrar of the Karachi registry through pay orders, demand drafts or cross-cheques.

The court also expressed its dismay over the construction of a multi-storey building by Bahria Town in Clifton, Karachi, despite a ban on the construction of high-rise building in Karachi by the apex court earlier.

However, Mr Riaz's counsel argued that the ban on high-rise buildings was imposed after the construction of the company's building was completed.

(By Nasir Iqbal Dawn, 01, 27/06/2018)

## **Bahria's appeal**

CHIEF Justice Saqib Nisar on Tuesday rightly alluded to a basic principle of integrity: no amount of apparent 'charity' that is the fruit of ill-gotten gains can negate the dishonesty from which it springs. The chief justice said as much while hearing a review petition by Bahria Town against the verdict pronounced on May 4 by the Supreme Court, which held the real estate developer guilty of illegally acquiring thousands of acres of land to establish a mammoth housing scheme in Karachi's Malir district. The judgement struck down the transfer as null and void and banned Bahria from selling any plot, built-up unit, apartment, etc in the project. According to a conservative estimate spelled out in the verdict itself, the value of the land alone is such that Bahria's net earnings from a mere 4,241 acres in the project add up to an eye-watering Rs225bn. NAB has since also weighed in, saying it has "irrefutable evidence" of the massive land grab. During Tuesday's hearing, Chief Justice Nisar took issue with the fact that Bahria had opened a separate bank account to collect outstanding dues for the project; the verdict had directed the court's additional registrar to open a special account where such payments could be deposited. Yesterday, he sent the review to a five-member Supreme Court bench.

The real estate developer's violation of the apex court's orders is a measure of the impunity with which it believes it can operate. To justify fraud and deceit on the grounds of bringing 'development' to the country is a perverse argument. Pakistan cannot be transformed into a "first world country" if there is no rule of law, no accountability for the privileged, and no protection for the marginalised. Among the latter in the Bahria Town Karachi case are indigenous communities who have resided for generations in Malir, earning their living from rain-fed agriculture and livestock farming. Many of them have been pressured and intimidated into surrendering their land. Certainly, those who invest in such projects have legitimate aspirations. But this is where the role of the media as a watchdog for the public interest comes in, a role that it has, with a few exceptions, woefully relinquished where Bahria is concerned. The Supreme Court on May 4 handed down two other separate and equally searing judgements pertaining to Bahria's projects in Murree and Rawalpindi. One hopes the apex court ensures that those verdicts too are respected.

(By Editorial Dawn, 08, 28/06/2018)

## **SC seeks report on protection of heritage sites in city**

The Supreme Court on Wednesday directed the Sindh authorities to file a report about the steps taken to maintain and preserve the buildings declared heritage in the provincial metropolis.

A two-judge bench of the SC headed by Justice Gulzar Ahmed also asked the officials concerned to submit a list of buildings protected under the Sindh Cultural Heritage (Preservation) Act 1994.

While hearing a case regarding heritage buildings of the city at the Supreme Court's Karachi registry, the bench expressed resentment over the authorities concerned for not maintaining and preserving the heritage sites and said that the Metropole Hotel building had been in a dilapidated condition for the last many years.

### ***Bench expresses resentment over the authorities for not maintaining and preserving heritage sites***

The apex court directed the officials concerned to file a detailed report about what measures they had taken to preserve such buildings as well as a list of heritage sites in the city after a law officer sought time.

### **Plea against Imran Khan dismissed**

An election tribunal on Wednesday dismissed another application challenging the candidature of Pakistan Tehreek-i-Insaf (PTI) chairman Imran Khan contesting the upcoming elections from NA-243.

A citizen, Mohammad Khalid Jawaid, had filed an election appeal before the tribunal against the order of the returning officer for accepting the nomination papers of the PIT chief and contended that there were many concealments and misdeclarations in the nomination papers of the PTI chairman.

After hearing the appellant, the tribunal headed by Justice Yousuf Ali Sayeed dismissed the appeal. The tribunal had also turned down an identical appeal of Abdul Wahab Baloch, a candidate of the Justice and Democratic Party headed by former chief justice Iftikhar Mohammad Chaudhry, against the PTI chief a few days ago.

#### Water commission

The Supreme Court-mandated commission on water and sanitation on Wednesday directed the commissioner of Karachi to ensure that human resources and equipment were handed over to the Sindh Solid Waste Management Board within two days.

The directive was issued after the commission was informed that the District Municipal Corporation West had not handed over the equipment and list of the SSWMB employees.

After hearing the SSWMB managing director and representatives of the contractors, head of the commission retired apex court judge Justice Amir Hani Muslim granted two weeks to the MD to hold a meeting with the contractors and also start the tendering process for the remaining two districts — Central and Korangi — as per rules.

(By The Newspaper's Staff Reporter Dawn, 17, 28/06/2018)