

# NEWSCLIPPINGS

JULY TO DECEMBER 2021

## KMC LOCAL BODY



### Urban Resource Centre

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### LG restoration

THE Supreme Court judgement overturning the premature dissolution of local governments in Punjab more than two years ago is a landmark decision since it establishes LGs' fundamental right to complete their mandated term as provided by the law. The detailed judgement, released on Monday, on a petition challenging the dissolution of LG institutions, observes that "...[T]he local governments' offices in Punjab were political Governments and had fundamental rights as provided in the Constitution to run for their duration as provided by law". It points out that the LG system "established ... through Provincial Legislation when translate[d] into an elected local government for a specified period of time by law cannot be dissolved before the period of its expiry...." The court had already restored the LGs through a short order issued in March, declaring their dissolution unconstitutional. The order had ruled that by dissolving the LGs, the Punjab government had disenfranchised people who voted for their representatives. Such an action was "in conflict with Article 17 of the Constitution, read with Articles 140A, 7 and 32...."

The short court order had been expected to knock some sense into the ruling party and restore the dissolved LGs to let them complete their remaining tenure. Regrettably, that didn't happen, and the provincial government chose to wait for the detailed judgement rather than grab the opportunity to fix its errors and reinstate its democratic credentials. Although the decision leaves it with no option but to restore the dissolved LGs, it is unlikely to walk this path. Instead, the PTI government is more likely to go for a review of the decision, despite little or no chance of its reversal, in order to buy time until the five-year term of the current LG expires in January next year. That none of the four provinces have functional LGs at the moment (nor do they appear to be in a mood to organise elections anytime soon) speaks volumes for politicians' aversion to the third tier of government and their reluctance to share administrative and financial power with local public representatives, especially if they belong to the opposition parties. It is, therefore, not surprising to see frequent premature rollbacks of local democracy, invalidating public mandates every few years. Whether or not Punjab acts on the court's decision, the judgement is an important victory for the people and local democracy as it is expected to ensure that public mandate is not cut short in future.

(By Editorial, Dawn, 06, 07/07/2021)

### LGs: landmark verdict

The Supreme Court has struck down the Punjab government's decision to dissolve local governments in the province, and noted that the act of dissolution disenfranchises the people. In its detailed judgment, the court said the elected local governments could not be dissolved by Section 3 of the Punjab LG Act of 2019 because it conflicted with Article 17 read with Articles 140A, 7 and 32 of the Constitution, and declared Section 3 of the LG Act of 2019 in violation of the Constitution. The local governments should complete their term as prescribed in the law.

The court gave the verdict on multiple petitions for restoration of over 55,000 LG representatives in the province. The PT-led government dissolved local governments in Punjab prematurely in May 2019, as they were to complete their term on Dec 31, 2021. While admitting the provincial legislature's right to enact and amend laws, the court said the fact that the amendment to the legislation contravened the provisions of the Constitution, the LG representatives could not be removed from office without completing their full term. Elaborating on Article 17 which confers upon citizens the right to form associations and political parties and be a member of a political party, the court held that this was a fundamental right of the people granted by the Constitution.

Since, under Article 7 of the Constitution, local governments are empowered to impose taxes like the federal and provincial governments, they are part of the state, and are the third tier of the federation. And Article 32, though part of the Principles of Policy and not enforceable by courts, emphasises encouraging LG institutions with due representation of peasants, workers and women in these bodies to enable resolution of their issues at the local level. These Directives of Principles of Policy should be considered in making laws. In Sindh, the previous local governments completed their term on Aug 30, 2020, but new elections have not yet been held.

(By Editorial, The Express Tribune, 14, 07/07/2021)

### No local democracy

POLITICAL rhetoric notwithstanding, local governments have always been an aberration in Pakistan. Half-hearted attempts to decentralise governance through the transfer of financial, administrative and political authority to the LGs have been marred mostly by political parties' strong aversion to sharing power with local public representatives, and the bureaucracy's hunger to retain its unchallenged hold over decision-making and resources. This is all too evident in the chequered history of Pakistan's third tier of government. The tendency to unashamedly undermine local democracy, in favour of centralised governance at both the provincial and federal levels, has become an ubiquitous part of our political culture and exposes the ruling politicians' reluctance to organise local elections unless forced to do so by the courts. Even when they agree to the elections, they do not devolve powers to this tier.

Unfortunately, Prime Minister Imran Khan, who often spoke in support of decentralising powers while in opposition, has been unable to promote governance through local representatives. The unlawful dismissal two years ago of LGs in Punjab by the provincial government that has resorted to legal technicalities to avoid reinstating them — in defiance of a Supreme Court judgement — reveals the leadership's weak commitment to local democracy. Many believe that the present dispensation would rather wait out the term of the LGs controlled mostly by the PML-N, its arch-rival in Punjab, than revive them. The concern is understandable as the PML-N can generate enough noise against the PTI administration at the local level and hurt its chances in the next local elections, providing the LGs are reinstated. The situation in Sindh is not much different. The PPP doesn't seem to be in a mood to organise local polls in the province even after the expiry of the tenure of the previous LGs almost a year back. Instead, if media reports are to be believed, it is trying to manage a city like Karachi through PPP loyalist Murtaza Wahab Siddiqui, by vesting in the unelected provincial adviser powers on behalf of the Sindh government. This action ill behoves a party that had led the effort to amend the Constitution to make the provinces more autonomous politically, fiscally and administratively. The devolution project started with the 18th Amendment in 2010 will remain incomplete without strengthening local democracy and empowering LGs for effective and participatory governance. Sindh could set an example for the rest of the country by putting in place autonomous LGs and immediately holding local elections.

(By Editorial, Dawn, 06, 13/07/2021)

### Murtaza Wahab appointed Karachi administrator

The Sindh government on Thursday formally appointed Barrister Murtaza Wahab as Karachi administrator to look after the administrative and municipal affairs of the metropolis before the local bodies' elections. The decision triggered a strong reaction from the federal government and its allies, but a key federal minister, despite reservations on the appointment of the PPP man to the office, called it a legal right of the provincial authorities with Islamabad having no space under the law to challenge its move.

Moreover, the Sindh cabinet saw a major reshuffle of portfolios, as well as the induction of four new ministers.

Mr Wahab's appointment came with the notification issued by the Sindh local government department under Section 21(3) of the Sindh Local Government Act 2013 which mentioned relieving Laeeq Ahmed, a BPS-20 officer, from the position with immediate effect. The speculation about the appointment of Barrister Wahab as Karachi administrator had emerged a few weeks ago when the provincial cabinet discussed a few names for the position.

The rumours further strengthened when the Sindh government spokesman was seen active during the first spell of rain in the city, supervising a cleanliness drive and visiting various parts of the metropolis and inspecting municipal services during the downpour. While originally serving as adviser to the Sindh chief minister on law, environment, climate change and coastal development, he is also an official spokesman for the provincial government representing the Pakistan Peoples Party administration on the main broadcast, print and digital media.

#### **Career trajectory**

The journey of Mr Wahab in mainstream power politics took off in 2015, almost three years after the death of his mother and senior PPP leader Senator Fouzia Wahab when he was appointed an adviser to the chief minister. In November 2016, however, the Sindh High Court declared his appointment illegal as CM's law adviser while also nullifying his chairmanship of the board of governors of law colleges in Karachi.

#### *Sindh cabinet expanded, reshuffled*

Mr Wahab took another leap when he was elected senator unopposed in August 2017 and completed his tenure in March 2018. The seat had fallen vacant after the resignation of Saeed Ghani, up till Thursday the Sindh education minister.

His role became more active after the 2018 elections and in the new Sindh administration he was seen as more aggressive and involved in representing the PPP and its provincial government. His appointment became almost obvious a couple of weeks ago when in a one-on-one meeting with PPP chairman Bilawal Bhutto-Zardari he was appreciated for his "service" in Karachi and encouraged to keep it up.

The 37-year-old new Karachi administrator, however, found himself honoured to be entrusted by his party and its leadership but at the same time realised the tough job ahead.

"It's a gigantic task," he said. "The PPP has always served this city and it's an honour indeed that the party has trusted me this time for the job. I would do my best and give 100 per cent and with the support of the Karachiites. I am confident that every challenge, every difficulty and every problem has to come to an end with the rise of a new day. We would exploit every potential of this vibrant city to make it peaceful and prosperous."

#### **Criticism**

The appointment of Barrister Wahab was strongly criticised by the Pakistan Tehreek-i-Insaf government in the centre and its allies. A day after the proposal of his name as Karachi administrator hit the headlines, Sindh Governor Imran Ismail called it "not acceptable at any cost".

"[We] will not accept Murtaza Wahab as the Karachi administrator at any cost," said Mr Ismail, claiming that it had been decided that the administrator of the country's biggest city would be a non-political person. His party's ally in the centre, the Muttahida Qaumi Movement-Pakistan, had also raised the same reservations. However, the appointment of Barrister Wahab was unlikely to face any challenge on ground from his opponents.

"If you ask me on principles grounds, we have the right to oppose his [Barrister Wahab's appointment]," Federal Minister for Planning, Development and Special Initiatives Asad Umar told Dawn. Mr Umar is also looking after projects under the federal government-funded Karachi Transformation Plan.

"It was a decision in principle that the administrator would be a non-political person which was agreed to in meetings between the two [federal and provincial] sides. But if you want any document or signed paper, so no. There was not anything like that but definitely in principle a consensual decision. Legally speaking, it's a right of the Sindh government to appoint Karachi administrator."

#### **Cabinet expansion**

Sindh Chief Minister Syed Murad Ali Shah on Thursday further expanded his cabinet, inducting four more ministers, three advisers and 13 special assistants and reshuffled portfolios of several of his key cabinet members with major changes in the education and information ministries.

Sindh Governor Imran Ismail at a simple ceremony administered the oath to the four new ministers — Mohammad Sajid Jokhio, Gianchand Essrani, Syed Zia Abbas Shah and Jam Khan Shoro — at Governor's House. The ceremony was attended by the Sindh chief minister and provincial ministers. Zia Abbas, a member of the Sindh Assembly from Tando Allahyar, is a new face among the ministers, who won his constituency seat for two consecutive terms. He is a son of PPP stalwart Ali Nawaz Shah Rizvi, a former PPP MPA. Sajid Jokhio, Gianchand Essrani and Jam Khan Shoro have served as provincial ministers in the last PPP government also.

Gianchand has served as excise minister and is an MPA from Thano Bulla Khan, Jamshoro district. Sajid Jokhio has also served as minister for Zakat and Ushr during the last PPP tenure.

While reshuffling the cabinet, Ismail Rahu was allocated ministry of universities and boards, environment, climate change and coastal development, Makhdoom Mahboob named as revenue minister, Saeed Ghani was relieved of education ministry and assigned the information ministry with labour.

Syed Sardar Shah has been given education along with culture, tourism, antiquities and archives. Taimur Talpur was given forests, Syed Nasir Shah local government, housing and town planning and public health engineering; Jam Ikramullah Dharejo industries and cooperation; Sajid Jokhio, social welfare; Gianchand Essrani minorities affairs, Zia Abbas Shah works and services, and Jam Khan Shoro, the irrigation department.

The chief minister allocated/reallocated portfolios of law and spokesperson for government to Murtaza Wahab; prisons to Aijaz Jakhrani; agriculture to Manzoor Wassan, Zakat, Ushr and religious affairs to Fayaz Butt and rehabilitation and relief to Rasool Bux Chandio.

(By Imran Ayub Dawn, 13, 06/08/2021)

## Administrator Wahab vows to bring change in city's municipal affairs

Newly appointed Administrator Barrister Murtaza Wahab on Friday said that his main task was to end the politics of “segregation” in the municipal administration.



“I will bring change ... I will give the policy after preparing my action plan regarding city service. We will immediately give as much relief as we can to the citizens,” he said, adding that the city's municipal administration would also consult with the federation and discuss the issues of Karachi.

Administrator Wahab expressed these views while holding an introductory meeting with the officers of the Karachi Metropolitan Corporation (KMC) and later talking to the media after assuming his new responsibilities.

Upon arrival at the KMC Building, he was received by Municipal Commissioner Danish Saeed and other officers.

In the introductory meeting with the officers, the administrator gave instructions regarding basic issues and expressed his views.

*Says Karachi is facing water shortage but he doesn't have control over water board*

He said that when he visited the KMC for first time in 1994, he saw the rise and also witnessed fall of the institution.

“I don't want to blame anyone. We have to improve this city. Everything can be done if the intention is clear, I don't want to talk about problems, I believe in their solution. In these circumstances, whatever KMC can do, if they bring truthfulness, honesty and sincerity in their words, then it will serve the city,” he said.

### Asks for action plan

The administrator directed the departmental heads to formulate their own action plans, provide full details of what they would do to improve the city in the next 30 days and explain how the issues of parks could be fixed.

“It's the city of lights. I'll not sit in the office or at home, but will be working on the streets,” he said.

Talking to media persons, Barrister Wahab said he had directed the departmental heads to work with positive energy.

“We will definitely give relief to the citizens. No institution in the world can function without financial stability,” he said, adding that the KMC needed to achieve the target of tax and other collections.

The administrator vowed to work for the city without any discrimination. He said that there were many problems in Karachi but the cooperation of citizens was also needed to solve them.

He said that there was water shortage in the city and added that the issue could not be solved immediately.

“I do not have control of water board but it is a civic body of Karachi and we will talk to it to resolve the issue of water shortage,” he added.

In reply to a question, he said that if the Pakistan Peoples Party was “bigoted mind”, he would not be here.

“Any officer or other employee belonging to any party has to fulfil its responsibility and we need to work together,” he said.

(By Newspaper's Staff Reporter, Dawn, 13, 07/08/2021)

## Karachi's new administrator

MURTAZA Wahab's name had been doing the rounds for the past several weeks as the next administrator of Karachi and on Thursday, the PPP man was officially given the job by the Sindh government. Though Mr Wahab is one of the PPP's rising stars and one of the party's few recognisable faces from Karachi, critics are not entirely wrong when they say that Sindh's ruling party is playing politics by placing a loyalist in charge of Karachi, a city that is not a PPP stronghold. After all, the post of administrator is no replacement for an elected mayor answerable to the people. Ever since Waseem Akhtar's tenure as mayor ended last year, bureaucrats have been running the city. However, over the last few years, Karachi's condition has deteriorated considerably. Heaps of garbage, overflowing sewers, crumbling infrastructure and high crime are now what Pakistan's financial capital is known for. Suffice to say, Karachi has become a giant dump. Comparisons are made with the Musharraf-era local government system. Though that set-up was not perfect, it did deliver far better than the system the PPP introduced, which was widely seen as concentrating powers in the hands of the provincial government. The results of the PPP's LG system are depressing; not only Karachi but the whole of urban Sindh presents a picture of utter neglect.

Mr Wahab may be an active politician, but what Karachi and Sindh's other cities need is a system, not personalities. While the new administrator must concentrate on fixing the highly unsanitary conditions of the metropolis — experts have said the foul atmosphere in Karachi can aggravate the Covid crisis — in the long term the Sindh government needs to frame a new LG law which is democratic in nature and devolves power to the local bodies. Citizens must not be made to plead before ministers and bureaucrats to have their streets swept or gutters cleaned. This should be the job of elected civic bodies that are run through taxpayers' funds and are answerable to the people.

(By Editorial, Dawn, 06, 07/08/2021)

## New KMC administrator

The Sindh government has appointed Murtaza Wahab as the new administrator of the Karachi Metropolitan Corporation after the tenure of local governments in the province ended on August 31, 2020. The previous two unelected administrators failed to deliver. The change at the top in the KMC has received flak from the opposition in the provincial assembly as well as from other sections of the people. In democracy, it is the voting public that has the right, through their elected representatives, to see an elected person heading local bodies. Merely focusing on appointing administrator after

administrator of the KMC — which has the responsibility of running civic affairs of the city — while ignoring its crumbling infrastructure and the lack of civic facilities is undoubtedly not a sound policy.

Over the past several years, the Sindh capital has seen civic facilities gradually disappearing. The city presents a sorry picture of administrative mismanagement. Residents are deprived of potable water, the sewerage and drainage systems in nearly all parts of the city have collapsed, the proof of which was last year's devastating urban flooding. The city of 20 million does not have a public transport system worth the name. Many localities don't receive piped water though they regularly receive water bills. Plenty of water is available through tankers and cans. It raises serious questions about the performance of the KWSB. Roads in most of the city are broken. A large number of areas lack cleanliness.

Some segments of the populace blame past rulers for the prevailing state of affairs in the provincial capital. However, voters criticise the PPP for ignoring Karachi saying it is only the incumbent that is slammed for failing to deliver, not past dispensations. The PPP has been ordering, directing and arranging things in Sindh for nearly 13 years. The new KMC administrator has indirectly mentioned the reported curtailment of the KMC's taxation powers, stressing that no government institution can work without money. The government has changed the administrator thrice but twice did it fail to make the KMC functional. Mere change of face would prove only a cosmetic exercise.

(By Editorial, The Express Tribune, 14, 08/08/2021)

### **KMC had cancelled leases of land along 30 nullahs in 2015, court told**

The Sindh High Court was informed on Thursday that the Karachi Metropolitan Corporation (KMC) had in 2015 cancelled all the leases granted in respect of the land located on and along 30 big and small storm-water drains in the metropolis following a resolution of the City Council.

The deputy commissioner of Karachi's district Central stated this in his comments filed before a single-judge bench, headed by Justice Muhammad Ali Mazhar.

The bench was hearing a petition seeking payment of compensation to those citizens whose houses had been demolished along the Gujjar Nullah during the recent drive for the removal of encroachments.

The petitioner, Mohammad Salman, and others had submitted in their petition that they had built their houses on the plots duly leased to them by the KMC and other authorities concerned.

They had asked the court to restrain the Sindh government, the KMC and other relevant authorities from demolishing their houses without paying them compensation.

*Petitioners seek compensation before demolition of their houses*

In the comments, the deputy commissioner submitted that the encroachments on the storm-water drains crisscrossing the city were hindering the smooth flow of rainwater that resulted in inundation of the nearby low-lying areas during rains.

He said then administrator of the KMC Shoaib Siddiqui after approving a resolution passed by the City Council in 2015 had ordered then metropolitan commissioner Sami Siddiqui to cancel all the leases granted on and along the storm-water drains and take stern action against those officials under the relevant rules who had granted the leases.

He added that the then KMC administrator had also ordered removal of structures built on illegally leased land.

The deputy commissioner also mentioned that the drains whose land was illegally leased out included Gujjar Nullah, Orangi Nullah, Shershah Nullah and Hub River Road Nullah, Baldia Kalri Nullah, Pitcher Nullah, City Nullah, Soldier Bazaar Nullah, Frere Nullah, Nehr-i-Khayyam, Manzoor Colony Nullah, Mehmoodabad Nullah, Zahri House Nullah, Korangi Industrial Area Nullah, Road 10000 Nullah, Mehran Highway Nullah, Chakor Nullah, Azeempura Nullah, Pehlwan Goth Nullah, Sangol Nullah, Haroonabad Nullah, Lalaabad Nullah, Mochko Nullah, Road 12000 Nullah, Golden Town Nullah, Road 7000 Nullah, Road 5200 Nullah, Road 4200 Nullah, Road 9000 Nullah and Mehran Cut Nullah.

The deputy commissioner contended that the petitioners had encroached upon the land of the Gujjar Nullah and they were illegally granted lease by the Sindh Katchi Abadis Authority.

He maintained that since the leases in favour of the petitioners were illegal, they were not entitled to claiming any sort of compensation.

After taking the comments on record, the bench adjourned the hearing for a date to be later fixed by its office.

(By Naeem Sahoutara Dawn, 13, 13/08/2021)

### **Bilawal says devolution of powers is not Karachi's major problem**

Just a day after expressing inability to hold the local government elections in Sindh, the ruling Pakistan Peoples Party (PPP) on Tuesday believed that the devolution of powers in Karachi was not that serious an issue for the people as there were much bigger challenges that needed to be addressed first.

The thought was shared by PPP chairman Bilawal Bhutto-Zardari, who visited parts of the metropolis, got briefing from officials on different development projects and gave directions for early completion of the Sindh government-funded schemes.

"I believe that there are so many other problems for the people of Karachi and devolution of powers is not the number one priority for them," he told reporters at the last leg of his hour-long visit to the city.

He was asked about the fate of local governments, devolution of powers in Sindh and possible schedule of the LG elections.

*The PPP chief says LG elections will be held in Sindh after census issue is resolved*

**Links LG polls with census issue**

"They [people of Karachi] have many other issues and we want to bring solution to their every problem. We feel proud the local government system emerges as the best one in Pakistan. Let me tell you that once this census issue and legislation about the local government is done, we would be ready to go into the polls," said Mr Bhutto-Zardari.

Only on Monday, the Sindh government continued to drag its feet on the local government elections about a year after the expiry of the term of the elected local governments.

During a meeting of the Election Commission of Pakistan (ECP) chaired by Chief Election Commissioner Sikandar Sultan Raja, Sindh Chief Secretary Syed Mumtaz Ali Shah had informed the ECP that the provincial government could not hold the LG elections as it had reservations over the 2017 census results and it wanted to make changes in Sindh Local Government Act which could take around six months.

ECP secretary Umar Hameed Khan had said that the term of LGs in Sindh had expired on August 30, 2020 and as per the Constitution, the ECP must hold polls within 120 days after the expiry of the term.

The PPP chairman repeated almost the same reasons behind the delay. However, he kept his hopes high for winning the LG polls whenever they were held and ruled out any chances for the Pakistan Tehreek-i-Insaf and the Muttahida Qaumi Movement-Pakistan.

"The people of Karachi have tested the PTI and they also tested the MQM," said Mr Bhutto-Zardari. "They are poised to trust and give a chance to the PPP this time because they are seeing how our government is making efforts, putting hundred per cent and giving every possible assistance for the development of this city and its people."

**City visit**

Earlier, the PPP chairman along with Sindh Chief Minister Syed Murad Ali Shah and Karachi Administrator Barrister Murtaza Wahab visited different parts of the city including Hasan Square, Gharibabad, Liaquatabad, Choona Depot, Lasbela, Patel Para, Empress Market, PECHS, Kidney Hill Park, Urban Forest in Clifton, etc.

The PPP chairman also touched upon national issues and welcomed the revival of activities by the opposition alliance Pakistan Democratic Movement (PDM) from which his party parted ways after differences.

"It's a good thing that the PDM is planning a rally in Karachi," he said when asked to comment on the recent plans of the PDM. "We are also struggling against this undemocratic and selected government and we welcome the PDM's move."

(By Imran Ayub Dawn, Dawn, 13, 25/08/2021)

**Cantonment board elections**

The ruling PTI has emerged as the front-runner in the cantonment board elections winning 62 seats. The PML-N and Independent candidates returned with 52 and 49 seats, respectively. Polling for 206 general seats in 39 Cantonment Boards across the country was held on Sunday. The PPP trailed with 14 seats, followed by MQM with 11, Jamaat-e-Islami five and the Balochistan Awami Party two. The fact that polling closed peacefully, and no resentment was reported from political parties' agents is a good omen. Candidates from a few constituencies had returned unopposed, whereas voting was postponed in some for reasons of exigency.

The holding of local bodies' elections in the vicinity of the Cantonments is a welcome development. It serves the broader purpose of grass-root representation, as well as an uninterrupted process of collecting taxes, managing civic services, and laying out developmental works in the military-cum-civilian residential areas. The periodic holding of Cantonment polls underscores the importance that these garrison-based residential-cum-commercial units attach to the power of the ballot, and the voice of the electorate.

This third major electoral exercise since the 2018 general elections, at the same time, points out at a laxity on the part of state authorities. There are no local bodies functioning across the country. The only exception is Khyber-Pakhtunkhwa which took a leap forward to install vibrant LB units. Sindh, Punjab and Balochistan are wondering as to why the constitutionally mandated exercise is not conducted, per se; and what prevents the authorities from empowering grassroots representation. Karachi is a classic case of governance failure which has been longing for the local tier since 2013.

The fact that all political forces, including the banned TLP, took part in the Cantonment polls brings to fore their eagerness to be part of public dispensation. But the question is why these parties can't rally for local bodies elections in an attempt to empower the masses, and address their grievances, accordingly. It is ironic they are at the forefront for provincial and national legislatures, but bow down when it comes to LB structure. This dichotomy and unrealistic behaviour need close introspection. It's high time to hold LB polls countrywide.

(By Editorial, The Express Tribune, 14, 14/09/2021)

**Karachi needs strong local govt system, moot told**

Looking for a shared vision and roadmap for sustainability, members of the Youth Parliament along with relevant experts in public policy, political and social sciences engaged with government parliamentarians and lawmakers to learn about their vision, agendas and plans for promoting growth in the province during a workshop organised by Sheri-Citizens for a Better Environment (CBE) in collaboration with the Youth Parliament here on Saturday.

They discussed climate change, urban mobility, encroachments and the local government.

MPA Shahzad Qureshi of Pakistan Tehreek-i-Insaf (PTI) asked about climate change and what policies the government was looking to implement there. He said it was sad how people have been chopping down trees in Karachi for the last 25 to 30 years.

"They have been cutting trees to make way for buildings. They have also built buildings where there was space for only one home, there has been space created to put up huge hoardings, too. Basically, there was no planning as the city was being ruined," he pointed out.

**Cleaning gutter is not lawmakers' job**

"Then when PTI made government in Khyber Pakhtunkhwa, for the first time, we brought the policy of the billion tree tsunami. Then when we came into power and made the federal government, too, the one billion tree tsunami became the 10 billion tree tsunami. Now you see everyone planting trees on various occasions especially August 14. Schoolchildren are also planting trees and coming out for beach clean-ups," he said.

*A PTI MNA says 45pc of the city consists of katchi abadis*

To another question regarding local governments, he also said that Karachi needed a strong LG system. "It is not the work of MNAs and MPAs to clean gutters. You need a consolidated local government to do it."

To a question about development on Bundal and Buddoo islands here, MPA Saeed Ahmad Afridi of the PTI said that it was tried earlier also by some people from Dubai but had to be shelved due to intervention by locals. "But if developed, these islands will create jobs. The Sindh government, which is also opposing it now, should understand the benefits of developing the islands," he said.

When asked about the danger to the mangrove forests on the islands due to development, he said they were not going to harm the mangroves. To this, Engineer Pervez Saquib questioned if he had even been to the islands. "There is cutting of the mangroves happening there for the last 45 years. It's an ecological disaster," he informed him.

To another question about encroachments, PTI MNA from Defence Aftab Siddiqui said that there is plenty of horizontal construction happening in our metropolitan cities.

"In Karachi, there is a constant inflow of people, who are mostly labour class. So we see the development of makeshift housing or katchi abadi. As a result, 45 per cent of the city is katchi abadi," he said.

**Need for Centre-Sindh cooperation**

MPA Riaz Haider said that they could follow a model of Hong Kong where the government has vertical housing schemes on katchi abadi land to make flats with proper sanitation for the poor.

He also said that it was the need of the hour for the federal government and the Sindh government to join hands and work together for the betterment of the city.

To another question regarding women's compartments and measures for their safety in new public transport such as the Green Line, it was explained that not only will they have separate areas for women and special persons, they also have CCTV cameras installed. It was also said that the government was hoping to get the Rangers involved in the security of the Green Line Bus service.

To this MPA Mangla Sharma of the Muttahida Qaumi Movement-Pakistan pointed out that it was not the Rangers' job to do that kind of work.

Rehan Hashmi of the same party said that there was a need to strengthen institutions to prevent Karachi from becoming a complete concrete jungle. He also pointed towards the water problem and need for water conservation schemes.

Tanzeel Bin Abdul Rauf of the MQM-P also said that all authorities in Karachi had to come on one page. "There is the Defence Housing Authority, the Karachi Metropolitan Corporation, the cantonments, etc., which are all going in opposite directions of each other. We have been saying that the mayor needs powers. Without it the union councils are also useless. There is still no proper system of running things here," he said.

Amber Alibhai, Farhan Anwar and Hawwa Fazal of Shehri-CBE and Rizwan Jaffar, founder and chairman of Youth Parliament, also spoke. (By Shazia Hasan Dawn, 14, 10/10/2021)

**JI, civil society demand LG elections in Karachi**

Politicians, city intelligentsia, experts of urban planning and prominent members of the civil society have agreed that growing problems of Karachi, fast decaying infrastructure and the breakdown of law and order and civic bodies warrant a strong, powerful and dedicated local government system for the city.

In a conference titled 'Rebuild Karachi' organised by the Jamaat-i-Islami, there was a consensus that the business capital of the country was never ever owned by national leadership that left the city far behind in economic, social and cultural development which it truly deserved.

The experts from all walks of life had an agreement that an empowered LG government in the megalopolis was the need of the hour to reconstruct the city.

Speaking on the occasion, JI-Karachi chief Hafiz Naeem ur Rehman called for holding local government elections immediately.

*'No political party is ready to own the city'*

Criticising the Sindh government for delaying the polls, he raised the point that the LG elections could be held in accordance with the 'flawed' census results as the national and provincial assemblies elections were held under the same census results.

He claimed that the Pakistan Tehreek-i-Insaf and the Pakistan Peoples Party had agreed against holding LG elections in Punjab and Sindh.

"Unfortunately the political arena of Karachi is taken as a contest to accumulate resources, power and conquer the city," he said, adding that no political party was ready to own the city.

He said that the federal government was trying to 'fool' the masses by inaugurating the Karachi Circular Railway once again. "The city of 30 million needs a proper mass transit system and not peanuts of only 100 busses," he said.

The JI leader said that the subsequent governments in the Centre and the province had failed to even provide potable water to citizens of Karachi. He said that the K-IV water supply project was still in pending.

Former federal minister Javed Jabbar praised the JI for its struggle and emphasised the need of an empowered local government system.

Renowned writer Anwar Maqsood stressed the need for a joint struggle for the metropolis.

Urban planner Arif Hassan said an empowered LG system was mandatory to resolve issues being faced by the city and that he supported the JI campaign for restoration of the city despite all political differences.

Bashir Jan said that good governance was the major issue of Karachi. He said he supported the JI in its efforts to bring back the past glory of the city.

Seasoned journalist and columnist Shahnawaz Farooqui shed light on various aspects of prevailing trends in journalism and their impact on city.

Health expert Dr Iqbal Afridi spoke about civic problems that were contributing to increasing death rate in the city.  
(By Imran Ayub Dawn, 13, 11/10/2021)

### **Govt given one month to amend LG law, SHC told**

The Election Commission of Pakistan (ECP) on Tuesday informed the Sindh High Court that it had directed the Sindh government to provide requisite data for delimitation and amend the local government law within a month.

The ECP said that it issued such directives through an order dated Oct 6 in a case filed before it regarding a delay in the LG elections in Sindh.

Advocate Abdullah Hanjrah appeared on behalf of the ECP and placed the order before the SHC bench headed by Chief Justice Ahmed Ali M. Shaikh.

He submitted that in case of non-compliance on the part of the provincial government, the ECP would re-fix the matter for hearing after one month and the chief secretary would appear in person for clarification and justification.

Earlier, the ECP submitted that it had notified delimitation committees for holding LG polls in Sindh, but the provincial government had yet to provide requisite data on the pretext that it had reservations on the official result of the 2017 census.

Initially, the Muttahida Qaumi Movement-Pakistan had approached the SHC and challenged the constitution of committees for delimitation of local government jurisdiction in the province stating that according to the Elections Act, 2017, the exercise of delimitation could not be carried out unless the final results of the population census were officially published.

Later, some other petitions were also filed and petitioners contended that LG government tenure ended on Aug 30, 2020, but the ECP failed to fulfil its obligation to conduct fresh elections within 120 days.

### **Petroleum products' prices**

The SHC on Tuesday directed the federal authorities to inform it of relevant law and mechanism being used to increase the prices of petroleum products.

A two-judge bench headed by Justice Mohammad Iqbal Kalhoro also asked the Oil and Gas Regulatory Authority (Ogra) and respondents as well as an assistant attorney general to ensure that they must file comments till Oct 25 on a set of petitions challenging the hike in petroleum products made in 2019.

It directed the official respondents and the law officer to submit specific comments detailing the formula and the relevant law applied for making increase in the price of petroleum products.

The bench also asked them to file the procedure, if any, adopted for such a purpose and whether there was a committee that made such decision, and if so what basis and structure being followed for such decision and how much levy was imposed or could be imposed per litre as per law.

The petitioners submitted that the government was competent to impose taxes on the public but subject to approval of the parliament by way of an act/law, but it in violation of the constitutional scheme imposed a "mini-budget" in March 2019 and imposed taxes.

They further submitted that the official respondents increased the rates of petroleum products, which was unjust, arbitrary and in violation of many provision of the Constitution.

The petitioners sought directives for the respondents to place the formula for increase in prices of petroleum products before the parliament for approval as they argued that such an increase on the sole discretion of the government had no legal sanctity.  
(By Ishaq Tanoli Dawn, 13, 13/10/2021)

### **Local governance**

THE Punjab administration has finally restored local governments in the province, even if reluctantly, to comply with a Supreme Court order. The latter had declared parts of the new provincial LG law under which local democracy was rolled back in May 2019 as ultra vires the Constitution.

Still the future tenure of existing local institutions hinges on the outcome of the petitions filed by the provincial government and the affected elected local representatives. While the government is seeking a review of the apex court's judgement, the local representatives are looking for an extension in their terms beyond Dec 31 — when their original tenure is supposed to end — as compensation for the period they were forced to stay out of office because of the rollback of local institutions.

Meanwhile, KP has agreed to hold local polls in phases, with the first part to be completed in December. In spite of the challenges and looming uncertainty, these developments have given the people of the two provinces hope that local governments will now be allowed to function without



interruption. These developments must also compel both Balochistan and Sindh to consider local elections soon in order to validate their democratic credentials.

Point-scoring aside, politicians consider local governments' anathema to their hold over political power at the provincial and central levels. Previous half-hearted attempts to devolve governance to the grassroots are reflective of their aversion to sharing power with local public representatives. Bureaucracy helps them avoid transferring financial and administrative authority to the local level to protect its own vested interest regarding decision-making and resources.

This is despite the fact that the experience in many parts of the world shows that robust local democracy is crucial to efficient utilisation of state resources and effective public service delivery. Although Article 140-A of the Constitution demands that the provinces create local governments in their jurisdictions, this has not been implemented because of the controversy over the allocation of power and responsibilities among the federal, provincial and local tiers. Fears of the opposition taking over local institutions also keep ruling parties in the provinces from holding local polls.

Little wonder then that our political parties wind up existing local governments on coming to power, interrupting their perpetuity, and introducing one system after the other to suit their interests. Hence, the court ruling restoring local institutions in Punjab should go a long way in ensuring the uninterrupted continuation of grassroots democracy.

(By Editorial, Dawn, 06, 21/10/2021)

### **Administration to invite bids**

The district administration has decided to invite bids from the demolition companies to demolish the 11-storey Nasla Tower in a week as per the Supreme Court orders.

Karachi Commissioner Muhammad Iqbal Memon chaired a meeting to discuss the implementation of the orders of the Supreme Court regarding the demolition of Nasla Tower.

The meeting decided that an advertisement to invite bids for the demolition of Nasla Tower would be issued in the newspapers on the next day. The meeting was attended by representatives of the Frontier Works Organisation (FWO), Sindh Buildings Control Pakistan Rangers, Authority (SBCA), KMC Encroachment Department, senior officers of Karachi Metropolitan Municipality, experts from the Mines and Minerals Department, NED Engineering University Prof Abdul Jabbar Sang, East District Deputy Commissioner Asif Jan Siddiqui, East SSP Qamar Raza Jaskani, and Ferozabad Assistant Commissioner Asma Batool, Shehri Secretary General Amber Ali Bhai and others participated.

Utilities directed to disconnect services to Nasla Tower residents

Sealing the doom of the condemned Nasla Tower, the district administration has issued letters to the water, gas, and power utilities to the residents of the building.

The Supreme Court has ordered the demolition of the tower declared illegal construction.

Ferozabad Sub-Division Assistant Commissioner Asma Batool in an official communication to the officers concerned of the of Sui Southern Gas Company Limited, K-Electric, and Karachi Water and Sewerage Board directed them to sever the gas, electricity, and water connections of the residents of Nasla Tower before October 27.

The SSGC has already disconnected gas supply to the condemned building constructed on a service lane.

#### **'We go down together'**

Meanwhile, the residents of the 11-storey building say they will go down with it unless they are compensated.

Where was the government when the structure was being erected, it did not pop up overnight, they said talking to Daily Express.

The builder got all the papers approved from the KDA and KMC and then constructed it, if their actions were illegal, why should the people suffer, the exasperated residents said.

Following the Supreme Court's order to demolish the 11-storey residential building in a week, the victims demanded the Chief Justice of Pakistan and Karachi commissioner to refund them the amount of the flats from the builders, saying that until they are paid the full amount of the apartments they will not vacate their place.

They said that they have no other place to live, if the money is not returned they will go down in the demolition along with the building.

#### **MQM-P demands Nasla Tower affectees relocation**

The Muttahida Qaumi Movement-Pakistan (MQM-P) Senior Deputy Convener Aamir Khan while addressing a press conference with the victims at Nasla Tower said, "we are here to express solidarity with the victims of Nasla Tower."

He said that water, electricity, gas connections of the building have been cut. Sewerage line is being cut, the people are living in a state of fear waiting for their home to be torn down.

"Honourable chief justice, It is believed that you have also said in this order that alternative place should be provided to the victims. Your order is not being fully implemented but there is a race to demolish the tower," Aamir said.

The officer of the subsidiaries of the Sindh government who passed the maps and allowed the construction of the building should be held accountable, Aamir asserted.

#### **Jl expresses solidarity**

Ameer of Jamaat-e-Islami Karachi Hafiz Naeem-ur-Rehman has said that the victims of Nasla Tower should be guaranteed an alternative place and compensation in any case.

Speaking at a press conference he said thousands of cases were pending in the courts for over 20 years, which have not been decided till date, but the Nasla Tower demolition was decided in weeks.

He said it is the responsibility of the government to compensate the victims. The government should collect the money from the builder mafia .  
(By Newspaper's Staff Reporter, The Express Tribune, 04, 27/10/2021)

### **Administrator ordered to restore Gutter Baghicha to original shape**

The Supreme Court has directed the Karachi administrator to remove encroachments on the premises of the Gutter Baghicha park and restore it to its original shape and to properly maintain it for public.

A three-judge bench headed by Chief Justice of Pakistan Gulzar Ahmed said they had been informed that Gutter Baghicha, being one of the parks required to be maintained by the Karachi Metropolitan Corporation (KMC), was a picture of neglect and had been taken over by encroachers.

The hearing in this regard was held on Monday and the written order was released on Wednesday.

According to the order, the bench directed Administrator Murtaza Wahab that original nature of the park be restored and the same was maintained property for the people.

It further said that the report filed by Mr Wahab regarding parks and amenity plots had been found unsatisfactory and the bench directed him to submit a complete list of amenity plots within the jurisdiction of the KMC and the present status of each plot together with its dimensions and a note to the effect whether these were being used for the purpose spelt out in the master plan.

*SC says provincial govt functionaries are not interested in getting encroachments removed*

The apex court further ordered him to ensure that all playgrounds for children must be restored after immediate removal of encroachments and steps be taken to ensure that such areas were not encroached upon again.

The administrator submitted that around 9,500 shops and a number of huts located on Hawkesbay beach were owned by the KMC and in the past such properties had been rented out on very low rates and added that steps were being taken to enhance the rent to bring it up to the level of current market rates.

The bench also directed him to submit a complete list of all such properties identifying each of its number and location so that the court could pass an appropriate order if necessary.

"We also notice that despite formation of anti-encroachments tribunals, most of such tribunals without any work in view of the fact that different functionaries of the government of Sindh are not interested in getting encroachments removed. This amounts to institutionalized corruption which must be dealt with at all costs through all legal instruments available under the law," it added.

The bench further asked the administrator to file a report explaining that why his office had kept quiet on the issue and desisted so far from approaching the tribunal for orders regarding removal of encroachments through legal process.

It asked him to place all such reports on record within two weeks and thereafter the matter would be listed for hearing in the next sessions.

The bench further said that a report filed by provincial law officer on the behalf of the Sindh chief minister regarding rehabilitation of people displaced after a demolition drive on the directive of the apex court around Gujjar, Orangi Town and Mehmoodabad nullahs was found to be unsatisfactory and not in line with the spirit of the court.

While appearing before it, CM Murad Ali Shah also made an effort to justify the contents of the report, which explanation had been found to be equally unsatisfactory, it added.

The bench had drawn the attention to some paragraphs of the report, which said that the Sindh government would provide land free of cost to the affectees and in order to develop infrastructure as well as construction of housing units, an application would be filed before the apex court for disbursing Rs10 billion deposited by Bahria Town Karachi in the light of the earlier order of the court.

The bench said that it had repeatedly pointed out in the past that the said matter was sub judice before an implementation bench of the SC and even on the last hearing the court had categorically made it clear to the advocate general that the provincial government needed to generate its own funds to rehabilitate the affectees.

"Eventually, the CM undertook that the required amount will be arranged by the provincial government from its own sources and the project to rehabilitate the affectees will be completed in all respects within a maximum period of two years," it added.

The bench directed the Sindh government to file monthly reports regarding the progress made in this matter supported by necessary documentation and photographs of the work being undertaken on the land already allocated by the government for this purpose.

(By Ishaq Tanoli Dawn, 13, 28/10/2021)

### **Collection of municipal services tax from Karachi stopped**

While Administrator Murtaza Wahab says to make the city stand on its feet financially, the Karachi Metropolitan Corporation has not issued bills of the municipal utility charges tax (MUCT), commonly known as municipal services tax, to the citizens for the past four months, it emerged on Sunday.

Confiding this to *Dawn*, informed sources said that the MUCT bills were issued to consumers quarterly, but no bill were issued during the current financial year that began from July 1, 2021 as the contract of printing and distribution of bills was not so far finalised.

They said that the printing and distribution of MUCT bills were outsourced by the KMC and the printing and distribution contract had expired in May.

However, they said that the KMC's municipal services department had managed to collect around Rs50million from different banks in the head of MUCT during the past four months.

#### **Rs220m collected in FY21**

The sources said that the recovery of MUCT was constantly showing a declining trend as Rs220m was collected during the last financial year ending June 30, 2021, while Rs280m was collected in 2019.

They said that the KMC conducted a survey of over 25 different banks and found that many of them were not in the official data.

*At present, KMC uses KWSB data to send quarterly bills to 1.4m consumers*

The sources said that the KMC at present relied on the data of 1.45m consumers of the Karachi Water and Sewerage Board, which was not accurate as the number of consumers could be over three million.

Recently, Barrister Murtaza Wahab, who is also the spokesperson of the provincial government as well as CM's law adviser, had floated the idea of collecting KMC taxes through monthly K-Electric bills.

He had said that barely Rs151.6m was collected in the head of municipal utility tax and claimed that the KMC would get Rs600m per month and Rs7.20 billion per annum from the collection of Rs200 per user through KE bills.

However, Federal Minister for Planning, Development and Special Initiatives Asad Umar had opposed the proposal to collect KMC taxes through electricity bills, saying the federal government would not allow it.

City's major opposition parties including the Muttahida Qaumi Movement-Pakistan (MQM-P), Pakistan Tehreek-i-Insaf, Jamaat-i-Islami also opposed the plan to collect KMC taxes through electricity bills.

#### **No headway on collection via KE bills**

Those opposing the proposal apprehended that the KE would be able to cut the electricity of consumers if they fail to pay KMC taxes imposed by the Sindh government.

The National Electric Power Regulatory Authority has also indicated that it would not allow KE to collect KMC taxes from citizens as it does not fall within the purview of the executive.

The KMC municipal service department had approached Nepra on Sept 16 seeking permission for KE to collect municipal utility bill charges and tax on behalf of the KMC through its monthly electricity bill from Karachi division and to sign a formal memorandum of understanding between KMC and KE.

Chief Minister Syed Murad Ali Shah had also called a meeting on Sept 8 in which the KE chief showed his conditional consent for inclusion of taxes/charges in the electricity bills of KE subject to approval from the ministry of energy and Nepra.

However, sources in the city's municipal administration said that there was no headway in this regard as no official response was so far received from Nepra on the KMC's request.

(By Tahir Siddiqui Dawn, 13, 01/11/2021)

### **MQM-P challenges appointment of political administrators**

The Muttahida Qaumi Movement-Pakistan on Tuesday filed a petition in the Sindh High Courts against the appointment of politician and "handpicked bureaucrats" as administrators of **Karachi, Hyderabad and Sukkur**.

The petition was filed through MQM-P leader Senator Faisal Subzwari stating that the role of political and handpicked bureaucrats as administrators be restricted for exercising the chief executive's powers of elected council in the light of Section 230 of the Election Act 2017.

Besides the local government minister, administrators, Sindh Public Service Commission and other provincial authorities, the party also cited the Election Commission of Pakistan as respondents.

The petitioner also asked the SHC to undo all the actions and steps taken by such administrators and also declare such appointments as illegal, unconstitutional and without jurisdiction.

He stated that the respondents were required to determine the role and functions of administrators in the absence of elected local governments since as per the Election Act there was a provision of caretaker till the establishment of a new elected council.

The provincial authorities concerned have limited powers as caretaker government and could not be allowed to take major financial and administrative decisions including transferring control of hospitals, schools and dispensaries working under the LG administration, the petition said.

He submitted that the authorities concerned be directed to hold LG election in the province immediately after necessary amendments in the Sindh Local Government Act 2013.

The petitioner also challenged a notification to induct Sindh Councils Unified Grade Service (SCUG) employees in the council of urban Sindh including Karachi, Hyderabad and Sukkur and sought a directive for respondents to fulfil recruitment policy according to the Sindh Civil Servant Act, 1973 and maintain urban, rural and regional quotas, which was protected in the Constitution under the 18th Amendment.

He further maintained that all the SCUG employees were required to be reverted and repatriated to the status on the basis of their initial appointments in their regions, districts or parent departments particularly from urban districts.

The petitioner also sought a restraining order for the respondents not to revert or demote the existing employees and officers of the council until the new elected LG takes charge.

Later, talking to the media after filing the petition, Senator Subzwari and Khawaja Izharul Hassan said that free and fair LG elections were not possible under a political administrator.

Earlier, the Pakistan Tehreek-i-Insaf had also filed a petition in the SHC seeking LG elections in Sindh. The PTI, through its leader Khurram Sher Zaman and some other MPAs, moved the SHC seeking directives for provincial authorities and the ECP to hold LG elections in the province and appoint neutral administration/administrators for the interim period.

The petitioners submitted that the tenure of the elected LG representatives in the province had ended in August 2020 and the respondents had failed to hold the LG election after 120 days as provided under the law.

(By Ishaq Tanoli Dawn, 13, 03/11/2021)

### **300 urban forests to be set up in Karachi, says Wahab**

City Administrator Barrister Murtaza Wahab on Saturday said that 300 Miyawaki forests would be made in Karachi with the technical support of the NED University.

"It (Miyawaki) is a Japanese technology that involves planting more trees in less space," he said after inaugurating the second Miyawaki Forest at Boat Basin.

NED University Vice Chancellor Dr Sarosh Hashmat Lodhi, Metropolitan Commissioner Afzal Zaidi, Director General of Parks Junaidullah Khan and other officials were also present.

Barrister Wahab, who is also the provincial government's spokesperson and chief minister's law adviser, said that the first Miyawaki forest was made at Metropole Hotel, while the second was at the Boat Basin.

He said that planting trees was essential to avoid the effects of global warming and climate change, especially to protect Karachi from climate change.

"We are trying to plant sustainable forests to correct the degraded environment of Karachi, which is why the Miyawaki forest will help reduce the rising temperatures," he added.

He said that all the institutions were requested to join in this campaign and give a green Karachi to their children by planting trees.

### **17 roads to be constructed**

He said that the provincial government would complete 17 roads this year.

"Roads are being constructed on a priority basis to save the people from suffering," he said while visiting various development works in West and Keamari districts.

Metropolitan Commissioner Zaidi, Chief Engineer Khalid Masroor and other officers also accompanied him.

The administrator said that the road work of State Avenue and Valika Road would be completed soon. "Valika Road is being constructed at a cost of Rs720 million," he added.

Barrister Wahab said that in the past this road was not motorable but now the provincial government was constructing this road, adding that the construction would increase business activity in the area.

"The industrialists and residents had complained about the dilapidated condition of the roads, so the construction of this road has met their long-standing demand," he added.

The administrator said that the provincial government had come up with a plan which includes construction of 15 different roads Site area.

(By Newspaper's Staff Reporter, Dawn, 13, 07/11/2021)

### **Murtaza Wahab irked by blame game among multiple civic agencies in Karachi**

"With seven district municipal corporations (DMC) and 17 agencies working in Karachi, citizens are confused regarding domains of different corporations and agencies. And at these corporations and agencies, rather than focusing on solutions, there is a blame game going between them," said Karachi Administrator Barrister Murtaza Wahab.

Barrister Wahab, who is also chief minister's law adviser and provincial government's spokesperson, said this during a conversation with Dr S. Akbar Zaidi, executive director of the Institute of Business Administration (IBA), on the topic of 'Karachi: the way forward' here on Friday.

"Take the example of one road, Sharea Faisal. Do you know that the road from Hotel Metropole to FTC is not the area of the Karachi Metropolitan Corporation [KMC]...it's the area of Karachi Cantonment Board. From the FTC to Karsaz Road is the area of KMC. From Karsaz Road to Drigh Road is the area of Cantonment Board Faisal. From Star Gate to Airport is Malir. So this 12- to 13-kilometres road comes under four to five different organisations," he said.

"Now when people don't see the streetlights switched on anywhere on this road or if you see garbage accumulating somewhere, you will blame the KMC or the Sindh government," he added. "People focus on negativity because it sells."

*'Aga Khan, Liaquat National Hospitals and National Stadium pay no rent to KMC for land'*

"But if they look at the positives of the last 20 months, they will see how the Sindh government has been making roads, creating urban spaces such as the People's Square that has a basement parking to take the car parking load off the Sindh Secretariat, S.M. Law College, the Arts Council, etc, and the beachfront development projects."

To this, Dr Zaidi said that before recreational projects came the basic necessities such as piped water supply to homes in Karachi. "I need water, I need electricity," he reminded.

To this Barrister Wahab pointed out that the city did not even know its correct population count.

#### **Desalination plant at Ibrahim Hyderi soon**

"There is a need for 1,200 MGD [million gallons per day] of water for Karachi, but we are getting around 550 MGD. Then, if the government starts to realign its distribution in a rational way then politics come in the way. One party or the other will say the PPP government is deliberately stopping the supply of water to its constituency," he said while speaking of certain options such as laying a new Hub canal to stop water leakages there or using seawater to take care of the shortage.

"But desalination is expensive. The water board currently charges 32 paise per gallon from consumers but desalination will increase this to 90 paise. So the water board is afraid of being questioned by courts and NAB. Still we are planning to have a desalination plant at Ibrahim Hyderi soon," he said.

The next question put to Barrister Wahab by Dr Zaidi was about the PPP government not getting many votes or seats from Karachi so its government was based on the support it got from the rest of Sindh. Therefore, was it not true that the PPP government was imposing itself on Karachi? He asked.

Responding to this, Barrister Wahab claimed that the people of Karachi were so fed up that they would opt for anyone would work for them. "The projects we are working on for Karachi will make you rethink about the Sindh government," he said.

#### **'City cannot be run on Rs160m KMC revenue'**

Coming to the KMC, he said that when he took over as its administrator, he started looking at its assets.

"The total municipal tax collected in one year is Rs210 million. But its target is a billion rupees with 21 per cent collection. Out of that Rs210m, they give Rs45m to their collection agent, making the leftover tax to be Rs160m. Now can you run a city on that for a year? No, you cannot," he said.

"The KMC has 62 commercial markets with 9,100 shops. The total rent in one year coming from there is less than Rs100m. The KMC has 245 huts at the beach, which could be a goldmine for any city. The amount of rent being collected from each hut was Rs16,000 per year. The KMC has 11 functional petrol pumps in different parts of Karachi, which it has outsourced to others. KMC gets Rs70,000 to Rs80,000 at month from each petrol pump. There are acres of land that belong to KMC. The Aga Khan Hospital is built on KMC land, the Liaquat National Hospital is on KMC land. The National Stadium is built on KMC land but there is no collection of rent from there. So this institution was deliberately stifled. And people are made to think that the KMC has no authority," he said.

"Then what did I do? I said the rate of petrol pumps will increase. They went to court for a stay order. I said the rent for the huts will increase, they also went to court for a stay order. You tie my hands and feet and push me into the ocean, How do I float?" He questioned.

(By Shazia Hasan Dawn, 13, 13/11/2021)

### **LG democracy**

THE Punjab administration is in a pretty pickle for delaying the implementation of the Supreme Court's orders of restoring the local governments in the province for more than seven months. And when last month it did restore the local government institutions it had sacked more than two and a half years back, it did so half-heartedly after the apex court took up contempt petitions filed by affected elected representatives against it. The recent proceedings of the contempt case clearly demonstrate that the provincial political leadership and bureaucracy will now be striving to pass the buck to each other in order to save themselves. The judges, however, don't appear to be in a mood to spare anyone who disobeys them where local democracy is concerned. The March judgement of the apex court was a landmark decision for democracy on many counts. The court had not only ordered the immediate reinstatement of the sacked local government institutions but also closed the door on the rollback of local democracy through administrative putsch, even if provided for in the law, as unconstitutional. The order noted in unambiguous terms that the dissolution of LGs, the third tier of government, disenfranchises people who elect local representatives. The court order was as clear as day, and should have been executed without 'ifs' and 'buts'. Yet the Buzdar government kept dragging its feet and now it must face the music.

When the landmark 18th Amendment to the Constitution was passed in 2010, devolving substantial administrative and fiscal powers from the centre to the provinces, it had spawned widespread expectations that politicians would take the process of devolution further down to the grassroots level for better governance and service delivery. It did not happen. Instead, the provincial governments have been slow to establish local governments, dragging their feet on holding local elections let alone transferring powers and funds for them to function effectively. The court has done what its mandate allows. Now is the time for the politicians to walk the talk. The political parties need to come together to amend the Constitution to define a uniform tenure of local governments in all provinces, as well as ensure regular elections after the expiry of their term — as in the case of the national and provincial assemblies — for strengthening local democracy in the country. Moreover, the Constitution must provide for devolution of the minimum level of administrative and fiscal powers from the provinces to the local governments.

(By Editorial, Dawn, 06, 13/11/2021)

### **KMC launches Rs1.1b development works**

The *Karachi* Metropolitan Corporation (KMC) started development works in Karachi at a cost of Rs1.1 billion, said Karachi Administrator Murtaza Wahab on Saturday.

"Roads and street lights in different parts of the city will be improved at a cost of Rs1.5 billion in the same financial year. At least 240 new buses for Karachi and 10 new buses for Larkana will reach Karachi between January 31 and February 7," the administrator expressed these views while addressing a press conference at Burns Garden.

Metropolitan Commissioner Syed Afzal Zaidi, Director General Parks Junaidullah Khan and other officials were also present on the occasion.

Barrister Wahab said that Solid Waste Management Board will take over the garbage collection and cleaning work in Korangi District this month and in Central District from next month. He said that PTI government cannot solve basic problems, adding that inflation rises to 1.9% in one week

The administrator said that he was present at the historic Burns Garden which was located at a very important place, adding that the doors of this park were closed for the citizens. "But now its doors are being opened to the public. After that the renovation of Frere Hall started with the help of US Consul General and now Burns Garden is being renovated," he added.

He said that in addition to planting trees in public places, planting of urban forest has also started. He said that there were thousands of tons of debris in Burns Garden which had been removed. The Administrator said that trees and grass are being planted so that thousands of citizens who come to People's Square for recreation can have access to this green space.

He said that Aziz Bhatti Park in East District would also be renovated. "All major arteries will also be beautified to improve the environment of Karachi," he said.

Wahab said that a tender had been issued for construction of road from Machli Chowk to Canopy at a cost of Rs800 million. A tender has been issued for the accuracy of street lights on Mai Kolachi Road at a cost of Rs200 million.

"Work is underway to repair the fish aquarium and fix the expansion joints of Karachi's bridges and restore Sir Aga Khan Park. All these works will start in a few days after fulfilling the legal requirements," he added.

The administrator said that Rs260 million had been allocated for improvement of Zulfiqarabad Oil Tankers Parking Terminal.

He said that a technical study will be completed for the renovation of the supermarket located in Central District and the supermarket Liaquatabad which was inaugurated by Zulfiqar Ali Bhutto will be improved again.

Wahab said that a project has been prepared for the construction of roads and patchwork in the city with the cooperation of the Sindh government and for this Karachi has been divided into three zones.

(By Newspaper's Staff Reporter, The Express Tribune, 05, 14/11/2021)

### **Deadline set for Sindh to pave way for LG polls**

Continuing with a rare exercise of its authority to meet constitutional obligations, the Election Commission of Pakistan (ECP) has issued a final deadline of two weeks to the Sindh government to provide prerequisites for holding local government elections in the province.

"Alternatively, the Commission shall initiate the delimitation process in the province with effect from December 1, 2021 under the applicable local government law i.e. the Sindh Local Government Act, 2013 and Rules framed there under," an order passed by the ECP reads.

In the meantime, the commission has directed to chalk out the delimitation plan/schedule for constituencies for the polls and approval of the ECP.

The order noted with concern that the term of the local governments in Sindh had expired on Aug 30, 2020 and that the commission was under constitutional and legal obligation to hold the local bodies polls within 120 days of the expiry of the tenure.

"This Commission prior to and after the expiry of the term of the local governments, has been insisting the provincial government to provide maps and requisite data for delimitation," the order points out. Various letters had also been written and meetings held with provincial government representatives in this regard.

"Despite all best efforts of the Commission, the required assistance of the provincial government still lacks and its varying stances for gaining more and more time prima facie show that the said government apparently is not serious in holding the local government elections," the order reads.

The ECP observed that any further delay would be a violation of articles 140A and 219(d) of the Constitution, the Elections Act 2017, as well as a Supreme Court verdict.

It said that under articles 7, 32 and 140A(1) of the Constitution, every province is bound to establish a local government system in the province and to devolve political, administrative and financial authority to the elected representatives. In terms of Article 220, the federal and provincial governments are duty bound to assist the chief election commissioner and the ECP in conducting the elections, including LG, and the commission cannot be dictated by any executive authority of the federation or province.

The commission said there were a number of judgements of the Supreme Court that elaborated the constitutional duty of the ECP in holding local government elections.

In the 'Balochistan High Court Bar vs FOP etc' and Raja Rab Nawaz cases the apex court had held that "the provinces may have power to legislate in respect of conduct of local government elections but if there is no legislation or if there is defective legislation, the Election Commission is not absolved from performing its duties under the Constitution and further that Constitutional provisions cannot be allowed not to be adhered to for want of sub-constitutional legislation".

(By Iftikhar A. Khan Dawn, 01, 16/11/2021)

### **KMC to generate electricity from garbage: Wahab**

The Karachi Metropolitan Corporation (KMC) is close to materializing its plan to generate electricity from garbage resolving the issue of garbage disposal and power shortage, said Karachi Administrator Murtaza Wahab on Monday.

"Union councils of the Central district will get door-to-door garbage collection facility," he said at the launch of 250 garbage collecting trikes.

Biggest problem of the city for many years was garbage collection, however, ever since the Sindh government took control of the local bodies, the garbage situation has improved in a few months, Wahab claimed.

"We will soon generate electricity from garbage and give gifts to the people of Karachi. Sindh is the only province of Pakistan whose waste management policy is being appreciated," the administrator said addressing a function held at China Ground, Kashmir Road, East district.

Sindh Solid Waste Management Board MD Zubair Channa and other officers were also present on the occasion.

Wahab said 250 vehicles will collect garbage from house to house in all Union Councils of East district. The administrator said that sanitation situation in the city will improve with, addition of 200 garbage trucks being provided to East district.

He said that more machinery and labour will also be provided. He said that Solid Waste Management Board was functioning in five districts of Karachi while work will also start soon in Districts Central and Korangi.

He asked the citizens to cooperate with the staff of Solid Waste Management Board so that the city could be cleaned up as soon as possible.

Barrister Murtaza Wahab said that now local bodies in Karachi seemed to be working in full swing. He said that they are moving towards improvement under the same powers and resources which have not been utilised in the past Sindh Solid Waste Management Board (SSWMB) MD Zubair Channa said that house-to-house collection of garbage is being started in District East.

He said that more than two dozen small vehicles will be used for house-to-house collection of garbage. He said that they need the help of law enforcement agencies to get rid of garbage mafia.

All permits of these contractors have been canceled by the Sindh government, however, they continue to handle garbage. Channa said more than 300 housing societies in East district were asked to cooperate with SSWMB staff for the cleanliness of the respective areas.

Liyari Expressway opened for heavy traffic The Karachi Administrator, Sindh government spokesman and Advisor to CM on law, Barrister Murtaza Wahab said on Monday that the flow of heavy traffic on Lyari Expressway is being monitored.

"Trucks and container trailers will pass through the Lyari Expressway on trial basis. It is expected that plying of heavy traffic on Lyari Expressway will reduce traffic congestion in the city," the administrator said during his visit to the Lyari Expressway. Metropolitan Commissioner, Afzal Zaidi, DIG motorways, officials of National Highway Authority and others were also present on the occasion.

The administrator reviewed the arrangements made to divert the heavy traffic to Lyari Expressway and gave instructions to the officers in this regard. He said that traffic jam is a major problem of the city which wastes time and fuel of citizens. Efforts are being made to find permanent solution to all such issues.

(By Newspaper's Staff Reporter, The Express Tribune, 05, 16/11/2021)

### **Grassroots power**

POLITICAL conversation in Pakistan excludes the third tier of government. That is worrisome since local governments are the main building blocks of strong democracies and good governance. Strip away the rhetoric and one finds Pakistani politicians least interested in grassroots democracy because of their strong aversion to sharing power and resources with local public representatives. Unless compelled to establish local governments, politicians would do anything to undermine the lower levels of democracy. Even when they agree to hold elections, they are reluctant to devolve administrative and financial authority. Now the ECP has put the Sindh government on notice. It has given the PPP two weeks to share with the ECP maps and other relevant data for carrying out delimitations in order to hold long overdue local polls in the province. Failure to comply with these directions would automatically trigger the process at the ECP from December under the Sindh Local Government Act, 2013, and the rules framed under it.

The ECP is under constitutional and legal obligation to hold polls within 120 days of the expiry of the tenure of local governments. In Sindh's case, new elections should have been held by the end of November 2020. But the Sindh government has been dragging its feet, just like its provincial counterparts, and flouting repeated directions from the ECP for commencing the process. According to the ECP, despite its "best efforts", the provincial government "is not serious in holding the local government elections". It also notes that further delay would be a violation of Articles 140A and 219(d) of the Constitution, the Election Act 2017, as well as a Supreme Court judgement. In terms of Article 220, it says, the federal and provincial governments are duty-bound to assist the ECP in conducting polls, including for local governments, and the commission cannot be dictated to by any executive authority of the federation or province. The absence of administratively independent local governments with powers to raise adequate funds for their functions represents the unfinished agenda of the devolution project that started more than a decade ago with the 18th Amendment in 2010. Without local democracy, the dream of effective and participatory governance cannot be realised. The PPP, which led the effort for the fiscal and administrative autonomy of the provinces, should set an example for the rest of the country by holding local polls and empowering local governments. It's time for its leadership to walk the talk.

(By Editorial, Dawn, 06, 17/11/2021)

### **Sindh Assembly passes new LG bill as opposition boycotts proceedings**

Amid opposition's absence and based on its numeric majority in the Sindh Assembly, the ruling Pakistan Peoples Party on Friday get passed an amended local government bill that takes away functions of education and health care from municipal bodies and replaces open ballot for the election of mayors, deputy mayors, etc.

The Sindh Local Government (Amendment) Bill 2021 also abolishes District Municipal Corporations (DMCs) in urban parts of the province, replacing them with Town Municipal Corporations.

The opposition parties — Pakistan Tehreek-i-Insaf, Grand Democratic Alliance, Muttahida Qaumi Movement-Pakistan and Muttahida Majlis Amal — rejected the new law and boycotted the proceedings after lodging strong protest by chanting anti-government slogans and carrying placards.

#### **Secret ballot introduced**

According to the amended bill, any person could be elected by the council as mayor, deputy mayor, chairman or vice chairman but according to the Sindh Local Government Act, 2013, only elected members had been eligible to be crowned as mayor, deputy mayor, chairman or vice chairman.

However, the indirect election would be held through secret ballot instead of open voting in the house to elect mayor, etc.

As per the amended bill, a metropolitan corporation would consist of over 5million people; municipal corporation between 300,000 to 5m; town in metropolitan corporation 500,000 to 750,000, town in municipal corporation 125,000 to 350,000; municipal committee 50,000 to 300,000; union committee in municipal corporation 45,000 to 75,000; union council 10,000 to 25,000 people.

The new bill has deprived the local government institutions of functions like education and health as they would deal only with municipal functions such as water, sanitation and garbage disposal.

#### **'Govt empowering LGs as per Bilawal's vision'**

Speaking on the bill, Local Government Minister Syed Nasir Hussain Shah said that the government was empowering the LG institutions through this bill as per the vision of Pakistan Peoples Party's chairman Bilawal Bhutto-Zardari.

Justifying the urgency of tabling the amendment bill, he said that the Election Commission of Pakistan had given the provincial government a time frame for holding the LG election in Sindh.

Mr Shah said that the government consulted all major parties including PTI, MQM-P and Jamaat-i-Islami before tabling the amended bill and their proposals were also available on record. "We have incorporated their (opposition parties) recommendations in the bill," he added.

As for the opposition protest over the bill, the LG Minister said: "It is not a final verdict and can be amended anytime."

He also criticised the opposition members for boycotting the bill's passage and said that they were assured of discussion on the bill. "They just want to oppose the bill without going through it," he said.

The house passed the bill with a majority vote, without having a proper debate, in the presence of a lawmaker of the Tehreek Labbaik Pakistan.

#### **Chaos in PA**

Earlier, the house witnessed ruckus when Deputy Speaker Rehana Leghari allowed the LG minister to present the bill with opposition members protesting.

They gathered in front of the speaker's rostrum, chanting Kala Qanoon Na Manzoor (Black Law is unacceptable) slogans.

The chair tried to calm them down assuring them that they would be allowed to speak on the bill. "Let the bill be introduced, I will give you the floor," she told the opposition members who opted to boycott the proceedings later.

Meanwhile, the house also passed the Sindh Telemedicine and Telehealth Bill, 2021.  
(By Tahir Siddiqui Dawn, 13, 27/11/2021)

### **Opposition rejects LG bill, says it opens door to 'horse-trading'**

Calling the Sindh Local Government (Amendment) Bill 2021 against the spirit of devolution of power to grassroots level, the opposition parties in Sindh Assembly on Friday unanimously rejected the provincial government's bill and vowed to challenge the move of the Pakistan Peoples Party-led government in the apex court.

The opposition leaders said the legislation, which they termed a black law, would "deprive local governments of their core functions and authorities" and warned that it could also take to the streets against the proposed law.

The announcement from the opposition parties came at their joint press conference led by Opposition Leader in Sindh Assembly Haleem Adil Sheikh, which was held minutes after the bill had been tabled in the Sindh Assembly.

The opposition leaders gathered at the media corner of the Sindh Assembly building and shared sketchy details about their future protest plan.

#### *Vows to challenge 'black law' in court*

"This bill negates the Article 140-A of the Constitution," said Mr Sheikh flanked by leaders of other opposition parties including of Kanwar Naveed Jameel of the Muttahida Qaumi Movement-Pakistan, Hasnain Mirza of Grand Democratic Alliance, Abdul Rasheed and dozens of opposition members of the assembly.

"Now everyone has come to know that why the PPP wanted to keep its draft secret. They were guilty conscious because they knew that they had violated the Constitution, defied the democratic norms and crushed the every tradition of values. Till the last moment and even secretary of the assembly was not provided with copies of the bill. From assembly to court, we would raise this issue everywhere."

He referred to the rules of the house according to which, the draft of the bill was supposed to be presented to legislators two days before tabling it in the house so that they could provide their inputs.

He accused the PPP government of using the 'backdoor' to present the bill in the house while bulldozing rules and regulations.

"There's a dictatorship in the Sindh Assembly. The opposition has been silenced forcibly and after removing the opposition from the crucial Public Accounts Committee and the standing committees, the members of the opposition have practically been deprived of the status of legislators," he added.

#### **'Robbery to snatch local bodies' powers'**

Kunwar Naveed Jamil of the MQM-P called the bill presented by the treasury benches a 'robbery' and an attempt to snatch powers from the local bodies' representatives only to give monopoly to the PPP's provincial government even in municipal affairs.



He warned that his party would call meeting of its leaders and it could take to the street for protest if the PPP government insisted to stick with the same bill.

“That’s tantamount to injustice to the people of Sindh,” he said. “The bill was laid in the house without taking opposition in confidence and not allowing open discussion on the bill. The amendment to LG Act will pave the way for secret balloting for election of Mayor or chairmen of LG bodies. This would lead to horse-trading and in fact this particular amendment was made to open new opportunity for the PPP members. We have kept our options open and if things are not changed, you may see us on roads in protest against this bill.”

Parliamentary leader of GDA Hasnain Mirza blamed the PPP of imposing “civil dictatorship” in Sindh thwarting democratic process in the assembly.

He said that the rules of the assembly required prior notice for moving a bill so that members of assembly could be given time to present their suggestions.

“We are elected representatives of people of Sindh and it is our responsibility to protect rights and interests of masses,” he said appealing to the Supreme Court to take notice of the “PPP’s way of governance where all the rule and norms of democracy are being violated”.

He said that the bill was aimed at promoting horse trading and corrupt practices in local government elections.

The JI MPA Abdur Rasheed said the PPP had started rigging elections even before announcing the local bodies’ elections and called the fresh bill in the Sindh Assembly ‘beginning of horse trading.

The process of devolution of power to grassroots level, he said, must culminate in the upcoming LG elections.

“We have always demanded and again make it clear that Karachi Development Authority, Sindh Building Control Authority, Karachi Water and Sewerage Board, Solid Waste Management and other civic services should be transferred to local government institutions,” he said.

The PPP government, he said, was in deep fear of losing the local bodies’ elections in all major urban centres of Sindh that it had started using its provincial assembly to legalise all “illegal moves” which included control of municipal agencies and institutions.

(By Imran Ayub Dawn, 14, 27/11/2021)

### **Imran Ismail dubs Sindh local govt amendment bill irresponsible**

Sindh Governor Imran Ismail has termed the Sindh Local Government (Amendment) Bill, 2021 approved by the Sindh assembly an act carried out irresponsibly and out of haste.

Some Muttahida Qaumi Movement - Pakistan (MQM-P) and other lawmakers called on me to mull over the outcome of such a bill, said Imran Ismail while talking to media today.

It was binding on the Pakistan Peoples Party (PPP) to present the bill in the assembly and to get it approved diligently, he said.

Earlier, the governor also tweeted on the matter saying the bill contradicts article A-140 of the Constitution for it neither include the debate nor did it begin to address the objections raised on it.

The governor had taken to Twitter and in a series of tweets said that he reassured the opposition members of doing everything he could do within the authority bestowed upon him.

Earlier today, the Pakistan Tehreek-e-Insaf (PTI) Karachi chapter president, Khurram Sher Zaman, termed Sindh’s new local government bill ‘black law’. Khurram Sher Zaman has strongly criticised the Sindh government for approving the new local government law in a hurried manner.

He said that the local government amendment bill was presented by the provincial government without implementing the democratic norms.

The PTI leader alleged that the provincial government had prioritized its interests in the new LG law.

He censured that the Sindh government had earlier split Karachi by forming districts and now new towns are being formed to further divide the metropolis. Pakistan Tehreek-e-Insaf (PTI) Karachi President Khurram Sher Zaman has termed Sindh’s new local government bill ‘black law’.

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He censured that the Sindh government had earlier split Karachi by forming districts and now new towns are being formed to further divide the metropolis. (By The Express Tribune, 04, 29/11/2021)

### **Sindh LG law**

THE Sindh Local Government Act, 2013, introduced by the PPP to roll back the Musharraf-era local bodies system in the province, has long been derided by opposition parties for disenfranchising the urban areas, particularly Karachi. Now, it appears that the legislation designed to amend the provincial LG law, the Local Government (Amendment) Bill, 2021, which was passed by the Sindh Assembly last week, has failed to address the criticism in a satisfactory way. In fact, opposition parties have unanimously condemned it. While addressing a workers’ convention in Karachi on Sunday, federal minister and PTI leader Asad Umar said the new legislation has introduced a “fake local government system” that will not empower the local bodies in the metropolis, while the MQM, JI and PSP have also poured scorn on the new law. From the information available, it seems that the new law will not completely empower the Karachi mayor, leaving him or her at the mercy of the provincial government, while key municipal functions such as water, solid waste management, building control, etc will not completely be under the elected mayor’s control. However, the new law intends to replace the district municipal corporations with the town system that was first introduced during the Musharraf era. The ugly confrontation between the centre and

Sindh government threatens to affect governance, as the Sindh chief minister has stopped transferred officials from leaving the province, reflecting the cold relations between the provincial and federal administrations.

There can be little argument with the fact that the LG system the PPP introduced after doing away with the Musharraf model has failed to respond to the needs of Karachi and the rest of urban Sindh. Even Hyderabad, Larkana and Sukkur are in a shambolic state. The major reason for this is that the provincial government has taken over key municipal functions — water, waste management, etc — that should be the domain of elected city officials. The Musharraf-era LG system was far from perfect, but at least people could approach their local councillors with relative ease to get civic issues resolved. Now citizens must run after bureaucrats and administrators to beg for the streets to be swept, or garbage to be lifted. Instead of bulldozing any new LG legislation, the PPP must listen to the opposition and devise a new local bodies law that truly devolves power to the third tier, with the provincial government playing a supervisory role.

(By Editorial, Dawn, 06, 01/12/2021)

### **Bilawal admits LG bill passed in 'haste', says PPP ready for talks**

Conceding that the Sindh Local Government (Amendment) Bill 2021 was passed in 'haste' by his government, the Pakistan Peoples Party chairman Bilawal Bhutto-Zardari on Wednesday blamed the Election Commission of Pakistan (ECP) for this hurry, as it had set a deadline for the legislation.

However, he invited all parties of the province for talks, saying that the Sindh government was still open to incorporate justified contributions of all political stakeholders before the bill becomes a law.

However, he warned that any move under the 'false pretext' of complaints and reservations against the LG bill to delay the local government elections would not be tolerated.

Speaking at a press conference at Bilawal House, he added that the PPP government was determined to hold polls for municipal administrations in every district of Sindh that would further strengthen the democratic roots and devolve powers to the grassroots level.

"Because of the restrictions of the ECP, we needed to pass it [Sindh Local Government (Amendment) Bill 2021] in haste," he said.

*Says Sindh has no space for politics of hatred*

"That has created a space for misunderstanding. Otherwise, we would have definitely held conversation and arrange debate with civil society, political stakeholders and the opposition. The deadline of Nov 30 [by ECP] in fact created the confusion and constrained several things," he said.

Accompanied by Sindh Chief Minister Murad Ali Shah, Administrator Murtaza Wahab, LG Minister Syed Nasir Hussain Shah, Information Minister Saeed Ghani and party's information secretary Shazia Mari, Mr Bhutto-Zardari said that the Sindh government was still ready to accept any suggestion from the opposition if found justified and in line with democratic norms.

#### **Politics of 'ethnic divide'**

When he was referred to serious allegations from his opponents that the new bill was creating urban-rural and ethnic divide, the PPP chairman called it "politics of Altaf Hussain [founder of Muttahida Qaumi Movement]" and warned there was no space left for such 'hatred'.

"As far as dialogue is concerned, we are in contact with all political parties for their suggestions and proposals on the bill and still we would like them to come up with the same and their justified contributions would be accepted," said Mr Bhutto-Zardari.

"But no one should reject or criticise this bill saying that it carries ethnic colour. There's nothing like that. This is a typical Altaf Hussain mindset. This is his politics. But this should be clear to everyone that this city and this province have no more space for this politics of hatred. It no more allows anyone to sell such idea among the peace-loving people of this province."

The offer to opposition parties from the PPP chairman came only a day after Sindh Governor Imran Ismail refused to give his assent to the LG bill and returned it to the Sindh Assembly for reconsideration raising several objections.

The effectiveness of the flexibility showed by the ruling party chief, however, remains under question as the joint opposition in the Sindh Assembly has already ruled out any possibility of talks with the provincial government before the withdrawal of the controversial bill, warning the PPP would face a strong reaction from all political stakeholders who are planning a protest movement against the 'dictatorial law'.

#### **Shrugs off PTI's criticism**

At the press conference when asked about the fast declining culture of tolerance and dialogue among political rivals and recent episodes in the Sindh Assembly, he said that the PPP had always welcomed criticism, but criticised the role of the Pakistan Tehreek-i-Insaf as the opposition party saying that it had always played a 'dual game' which could not be justified.

"Frankly speaking, I see the criticism of other political parties [against the recently passed bill] justified to some extent," he said. "But the PTI criticism on the process cannot be justified by any means. I told you that it is due to time constraints which led to passing of this bill in haste but how can the PTI protest over this? Draft of every single law passed by the PTI government in the centre is never shared with the National Assembly. They bulldoze every rule in the parliament and here they present themselves as true democrats," he said.

(By Imran Ayub Dawn, 13, 09/12/2021)

### **Sindh reverses decision on LG bill**

Sindh government while taking a U-turn on the recently passed local government law, has withdrawn the controversial amendments and accepted Sindh governor's observations on the election of mayors, deputy mayors and show of hands in local bodies elections.

The cabinet meeting chaired by Chief Minister Murad Ali Shah also reversed the Sindh Assembly decision to transfer property tax from local bodies to excise and taxation and decided that district municipal corporation would retain its power to collect the tax.

The cabinet meeting also discussed the functions of schools, hospitals, medical colleges and milk supply and decided that provincial government will look after the educational institutions and healthcare facilities, however, the function of milk supply will be restored to local bodies. "We have made

historic decisions today giving representations to transgenders and differently-abled people in local councils. They will have representation in each council.

Besides, the union councils are being empowered, the police, schools and health facilities will now be monitored by union councils where quarterly report about their progress will be submitted," the CM told a press conference.

The CM who was flanked by his cabinet members, referred to Sindh governor's observations on amendments to local government law passed by the assembly a few days ago and accepted that the legislation was made in a haste because of election commission's pressure to make the law.

"We have accepted a few observations of the governor and revising the legislation draft. The revised bill will be presented in Sindh Assembly on Saturday.

CM said the governor has given observation on Section 18 of the law under which any unelected person shall be appointed mayor and deputy mayor of any municipal council.

"Governor sahib has proposed that mayor, deputy mayor, chairman or vice chairman of the council must be elected members of any council. I want to draw his attention towards the previous local bodies system under which the then city Karachi Nazim Naimatullah Khan, Nasir Shah of Sukkur, Kanwar Naveed Jameel of Hyderabad and all others were not councilors but they were elected as nazims," he said, adding that the beneficiaries of that system including MQM-P, Jamaat-e-Islami and other parties are now opposing it.

"After long deliberations on it, the cabinet has accepted the observation of the governor and decided that the mayors and chairmen would be councilors," he announced. The chief minister pointed out another observation of the governor about secret balloting in LG elections.

"The governor has observed that the secret balloting would create problems of horse trading," he said adding that as per Article 226 of the Constitution of Pakistan all elections under the Constitution, other than those of the Prime Minister and the Chief Minister, shall be by secret ballot.

Shah also briefed the media about Sindh governor's observation saying the removal of functions of local bodies in affairs of medical colleges and teaching/specialised hospitals, milk supply schemes, births, deaths and marriages registration, control of infectious diseases, adult education, primary education, optional functions would weaken the local government institutions which is against the spirit of constitutional provisions.

CM clarifying said the Town Municipal Committees (TMC) or towns were created on the recommendation of the opposition members, including MQM and Jamaat-e-Islami and others. "When towns have been created they are opposing them which is quite surprising for me," he said.

Through the proposed amendment Town Municipal Corporations were being introduced in only those cities where metropolitan corporation and municipal corporations work.

"It was a long-standing demand of all major political parties," he said Regarding District Councils comprising rural areas in divisional headquarters, which have been abolished from the LG System, Shah said the decision was taken keeping in view rapid urbanisation in Karachi and Hyderabad.

To a question if the federal government has sent him an invitation card through courier service for the launching ceremony of Green Line BRT that is being inaugurated by Prime Minister Imran Khan today (Friday), The chief minister said, "Now, I'll decide whether I should attend it or not." (By Hafeez Tunio The Express Tribune, 04, 10/12/2021)

### **APC rejects local government law amendments**

An all-parties conference, organised by the Muttahida Qaumi Movement-Pakistan, completely rejected the revised amendments to the Sindh local government Act by the provincial government. This was declared in a joint statement issued after the conference. MQM Pakistan Senior Deputy Convener Amir Khan presented the joint declaration in the form of a resolution which was unanimously approved by participants.

"The style of governance in Sindh is causing a great deal of unrest among the people and has turned into feelings of alienation," the statement read. "The Local Government Amendment Bill 2021 is the reason for this increasing sense of insecurity. Therefore, in the light of the present circumstances, this esteemed gathering of today's APC has come to the conclusion the conference totally rejects the unilateral amendments in the local government act by the Sindh Government." It added that the APC agreed that the "current Sindh Local Government Act 2013, and the current amendments made to it, are in direct conflict with the Constitution of Pakistan and in flagrant violation of Article 140-A of the Constitution.

The statement continued that legislation was contempt of democracy as well as an enemy of the people and of Sindh. "Therefore, it should be immediately withdrawn." The parties believed that the local government system of 2013, due to its alleged manifestation of political malice and concentration of power, became the catalyst for the worst political, economic and administrative situation in all of Sindh district. "This APC demands a system of local government which is politically, financially and administratively completely independent, as per Article 140-A of the Constitution."

In their fifth point, the parties agreed to form an empowered committee of representatives, from all political parties, to formulate recommendations for a new local government act and send the same to the assembly. They said that it would be a system based on the spirit of the Constitution and in accordance with the democratic traditions of Pakistan, "It will protect the fundamental rights of the people - one that reflects their hopes and aspirations."

The participants of the APC agreed that local bodies and governments should be fully empowered politically, financially and administratively. "Just as the federal government distributes resources to the provinces through the National Finance Commission, the provinces, through the Provincial Finance Commission, should use the same formula for the distribution and provision of resources to the divisions, districts, tehsils and union councils." The parties assured they would not rest until a complete and empowered local government is formed in accordance with the spirit of the Constitution of Pakistan.

#### **More opposition**

Sindh Opposition parties on Saturday slammed the PPP provincial government for allegedly going beyond the rules to approve the revised Local Government Amendment Bill 2021 and vowed to protest against such "unconstitutional" moves. This was announced by Sindh Assembly Opposition Leader Haleem Adil Sheikh, MQM-P Parliamentary Leader Muhammad Hussain, GDA MPA Arif Mustafa Jatoti and other opposition legislators.

The opposition MPAs were speaking to media persons at the Sindh Assembly Building after approval of the LG Bill which was tabled in the house following the Sindh Governor's objections. They also strongly censured the "undemocratic attitude" of the provincial government and Speaker Sindh Assembly Agha Siraj Durrani. The political leaders claimed that rules of the legislature and democratic norms were blatantly violated. Haleem Adil Sheikh, speaking on the occasion, said PPP, once again, proved that it wanted to impose an authoritarian 'Zardarana and Sardarana' system in Sindh by denying rights and authority to elected representatives at the grassroots level.

He said that Sindh Local Government Act 2013 was already in contravention to the Constitution of Pakistan. "The PPP Sindh government has further usurped limited powers and functions of the third tier of government through controversial amendments." Haleem observed that PPP placed and approved unconstitutional amendments which were, according to him, in violation of the rules and procedures of the assembly and repeated the same when the SLG Bill 2021 was presented in the assembly for reconsideration after objections by the governor.

"Rule 99 required that a draft bill had to be sent to the standing committee before tabling it in the house. However, rules were put aside. PPP wants a centralised mechanism for the local government system to ensure a one-window operation of corruption." Haleem said Sindh CM Murad Ali Shah was spreading hatred and ethnic differences to prolong the PPP government. "People are fed up of their self-centred policies and will throw Zardari and company out of power in the upcoming elections."

Muttahida Qoumi Movement Pakistan leader Muhammad Hussain contradicted statements of CM Murad Ali Shah and provincial ministers Nasir Shah and Saeed Ghani regarding consultation with opposition parties. He said that if they intended consultations, the two would have formed a parliamentary committee with representation of all parties sitting in the house. He claimed the Sindh assembly was not impartial and all opposition parties vowed to resist the "dictatorial approach in the Sindh assembly where opposition benches are denied their rights". He continued that the opposition would not let the government ransack the LG system.

(By Newspaper's Staff Reporter, The Express Tribune, 04, 12/12/2021)

### Sindh LG bill

THE controversy over Sindh's local government law refuses to die down, as the PPP-led administration bulldozed amendments to the bill on Saturday in a stormy session of the provincial assembly. The Sindh Local Government (Amendment) Bill, 2021, which had been first passed by the House late last month, had earlier been sent back by the governor without assent as it ignited a storm of criticism from the opposition for apparently disempowering Sindh's urban areas. Saturday's session was anything but smooth sailing, as the opposition launched a fresh protest after the speaker did not let them speak on the bill. A walkout by opposition lawmakers allowed the treasury to pass the amended bill. However, unless there is consensus on such an important law, governance in Sindh will be affected and the continued poor civic state of its cities and towns is likely to get worse. While the PPP claims the opposition's suggestions have been incorporated in the bill, parties on the other side of the aisle obviously feel the changes have not gone far enough. A number of parties gathered at a multiparty conference organised by the MQM-P on Saturday expressed their reservations over the bill, calling for more administrative and financial powers for the LGs.

Much has been written about the horrible state of civic affairs in Sindh. The PPP has concentrated nearly all municipal powers with the provincial government, leaving the elected local bodies largely toothless. The positive aspects of the Musharraf-era LG system had been done away with, leaving the province's cities and towns in an utter mess, particularly Karachi. Therefore, amendments to the LG law are essential. However, bulldozing these without the input of all of Sindh's political stakeholders is unlikely to improve matters. Even PPP chief Bilawal Bhutto-Zardari had admitted earlier that the LG amendments had been passed in "haste", while the Sindh chief minister told the House that further amendments could be made during the PA session, though his choice of words on the ethnic situation in Sindh were inappropriate. Considering the sustained criticism of the bill from across the political divide, the PPP needs to further fine-tune the amendments and incorporate legitimate concerns, specifically concerning financially and legally empowered local bodies. Concentration of power either by the centre or the provinces defies the spirit of the 18th Amendment and flies in the face of democratic norms, which is why all of Sindh's stakeholders need to be on board.

(By Editorial, Dawn, 06, 14/12/2021)

### Torpedoed local bodies

Scuffles and pandemonium was the order of the day on Saturday in the Sindh Assembly. The amended version of the Sindh Local Government Bill 2021 stands legislated. It has further clipped the powers of the elected local tiers, as a parallel mechanism continues to be at work under the supervision of the Sindh Cabinet. This dichotomy has undermined the very essence of local bodies, and what remains is a pitched and perpetual standoff between the bureaucracy, provincial nominees and the so-called elected representatives.

The push and pull was warranted as the Election Commission of Pakistan had pressed upon the provinces to legislate in due time. Thus, ensued a whirlwind of activity in both Punjab and Sindh. The local bodies' elections are scheduled in the first quarter of 2022. An earlier bill in this regard that was passed by the Sindh Assembly was shot down by Governor Imran Ismail, as he sent it back with a number of recommendations.

The ruling PPP says it has conceded to most of the issues pointed out, but the opposition still cries foul. A more diluted version of the bill now takes away functions of education and health from the municipal bodies; abolishes district municipal corporations (DMCs) in urban areas and replaces them with town municipal corporations. As a carrot, the mayor has been bestowed with the co-chairpersonship of the Sindh Solid Waste Management Board along with the Local Government minister. But as far as revenue and discretionary powers are concerned, they remain mostly with the LG ministry, rendering the lower tiers as redundant as possible.

Karachiites' dream to see an empowered local government at work is in shambles. Sindh is perhaps the only province which is so allergic to this concept and believes in an urban-rural paradox. Apparently, it is an extension of the quota system discrimination that is still in vogue. For many it is a déjà vu of the contentious language bill in 1972 by the first government of PPP, which carries the harshness of otherness to this day.

This pro-Sindh politics has bred ethnicity and the traumatised rejoinder of MQM is a backlash. The adamancy of provincial authorities to run the local government led to the treacherous Act in 2013, wherein manning Karachi went to the bureaucrats. The MQM too cannot be absolved as it gave in to the then PPP government's demands in all humility.

The Saturday amended bill leaves little in the hands of locally elected people as the powers to regulate civic utilities including water, sewage, garbage, electricity, transport, development, taxation (inclusive toll and octroi) and police fall under parallel paradigms.

Whereas, a comparative study of Punjab Local Government Act 2021 reveals that local bodies have been empowered to collect the toll tax, establishment and management of vegetable and fruit markets, property leasing, and manning of parks and monuments. Likewise, powers to regulate flyovers, expressways, bridges, underpasses and signboards also rest with the local bodies.

In retrospection, the passion for popular participation at the local government level has always been a muted affair. Political parties, somehow, are reluctant to share the booty of power, at least with the local tiers. This is an enigma of sorts, and undermines the basic credentials of a democratic process. But Pakistanis have lived with it.

The maximum number of experiments have been carried out in the local powers module right from Field Marshal Ayub Khan's Basic Democracies to General Zia, and then fast forward to 2021. Ironically, the dictators were more generous in devolution, rather than the cherished democrats. The psyche behind is half-heartedness to devolve powers in a sordid attempt to retain authoritarianism in politics.

(By Editorial, The Express Tribune, 14, 14/12/2021)

### **KMC workers, pensioners stage sit-in for dues**

Many employees and retired workers of the Karachi Metropolitan Corporation (KMC) on Tuesday staged a protest sit-in seeking their arrears and salaries.

The protesters gathered at Light House in front of the KMC head office and blocked the main M.A. Jinnah Road for traffic. The part of the busy M.A. Jinnah Road was closed from the Light House to Tower. The protesters also locked down the main gate of the KMC head office building.

The protest resulted in a traffic mess on M. A. Jinnah Road and adjoining arteries for hours.

The municipal worker's trade unions alliance comprising 14 member unions had organised the protest to press for the worker's demands.

Metropolitan Commissioner Afzal Zaidi talked with the leaders of municipal workers during the sit-in and assured them that their issue would be resolved within 90 days. The workers refused the offer and decided to continue their protest till the approval of their demands.

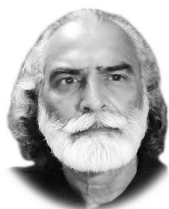
Karachi Administrator Murtaza Wahab had held a meeting on Monday with the municipal worker's leaders to resolve the issue. They agreed on the point that the Sindh cabinet would provide a bailout package for payment of pensions and arrears to KMC employees.

"The issues raised by the retired employees are all legitimate and very important, and I have been working very hard to resolve them," he had said.

(By PPI Dawn, 13, 22/12/2021)

### **Barriers to filling reserved seats in local councils**

In the recently held local elections in Khyber Pakhtunkhwa, the rate of contestation on all the reserved seats for marginalised sections of the population, including of women, appeared to be extremely low. Moreover, a substantial percentage of seats remained vacant. This is alarming because the elections were held on a party basis and the total reserved seats had been reduced since 2005. On the other hand, interest in the more powerful elected offices seems to have jumped.



The electoral statistics show that on average there were 10.6 candidates per seat for the offices of mayors and chairpersons, and three for the general councillor category. But the seat-to-candidate ratio declined radically for all reserved seats. For instance, it was 1.6 for women, 2.5 for the youth and 3 for workers/peasants. The data also shows a significant number of seats vacant. It is also worth mentioning that nearly 38% of all female candidates got elected unopposed. Despite the youth bulge, pro-youth rhetoric and youth programmes, as many as 21% of the total candidates returned victorious without any contest. For workers and peasants this is 12%.

Considering the above, the Election Commission will have to hold bye-elections on all the vacant seats — an avoidable exercise. But this is not a new phenomenon as it happened in all previous local elections as well.

However, the rate of contestation has declined as the percentages of unopposed and vacant seats have gone up since 2001-05. For instance, in the 2001 and the 2005 local elections, there were six and four reserved seats for women respectively in each union council. Isn't this worrisome? Now, almost 20 years later, instead of seeing an improvement, a kind of regression is taking place in K-P. In 2005, only 22% of women seats were filled without a contest, which is almost half of the current percentage. For other categories of reserved seats, the contestation rate was better in 2005 than in the recently held local elections.

To prevent repetition of this risk in the future, factors responsible for this must be identified. Unlike the previous local elections, the current election was held on a party basis. As many as nine major political parties contested the local elections. The PTI claims to be the party of the youth while the ANP and the PPP think of themselves as the champions of the progressive agenda. Yet, all of them failed to mobilise enough youngsters, women and workers to fill a few hundred seats across the 17 districts.

There is no doubt that all nine major parties with some variation have a vote bank almost in every electoral area and census block. However, it seems the parties have never seriously tried to carve out party chapters out of their vote bank at the grassroots level. What stops the political parties from doing this seems to be a fear of organisation.

From my own experience of working with hundreds of communities, I could generalise with confidence that almost everywhere local elites, though often unsuccessful, tried their best to sabotage the formation of community-based village organisations. Democratically elected village organisations would often demand debate on issues and participatory decision-making, which is not acceptable to the feudal system as it undermines their authority and power. The feudal lords are also the custodians of all decadent traditions including patriarchy and misogyny. But they appear to be the most frightened and insecure lot. No wonder most elites hate defiance and oppose reforms. Why do you think they carry guns and keep armed guards? On the one hand, they frighten ordinary citizens by displaying their wealth, guns and power while on the other hand they negotiate with the upper elites by showing control over their people for more powers. In my view, it is an unholy alliance between the locals and the super elites that is mainly responsible for the lack of organisation at the grassroots level. This has, in turn, resulted in a low rate of participation and contestation in local elections, especially on reserved seats. The more participation, the more headache.

The role of civil society organisations and trade unions also needs some discussion. Although 285 (approximately 12%) of the 2,383 seats reserved for workers/peasants were filled unopposed, most of the returned candidates seemingly don't qualify the legal definition of workers or peasants. According to the K-P Local Government Act, "Peasant means a person who is a landless farm worker or one who has been the owner of not more than five acres of land and dependents directly on it for subsistence living." The Act defines a worker as, "a person who is directly engaged in work or is dependent on personal labour for subsistence living." Very few contesting candidates could fulfil these definitions.

In the local elections held in the past, we found similar trends. For instance, our organisation had investigated the professions of LG councilors of ICT who had contested elections against the peasants/workers quota in the 2015 local elections. We conducted face-to-face interviews with the councilors. With their permission our surveyors also took photos of their houses and business premises. We did not rely solely on our surveys. Like the general elections, contesting candidates for local council elections too need to fill the nomination and assets declaration forms. We requested the Election Commission for the copies of those forms. Except one, all the returning officers willingly provided signed copies of the forms to our teams.

To our amazement, only 11% of the councilors were likely to fulfil the legal definition of a peasant or a worker, while 53% admitted that they were property dealers and businessmen. Interestingly, all of them had declared themselves as businessmen on their nomination forms too. Yet, the returning officers let them contest the elections. Why weren't they disqualified? Wasn't this a case of serious negligence on the part of the officers? The most interesting revelation was that one of the three Deputy Mayors of ICT had also gotten himself elected on the peasant quota. The same pattern was found in the 2015 local elections held in Punjab.

It seems reasonable to argue that political parties, civil society organisations, women groups and trade unions have miserably failed to mobilise enough numbers of women, youth and workers in the local elections and there has been no sign of any improvement since 2001-05. The Election Commission is urged to make sure that every candidate who is contesting as a worker or a peasant must fulfil the legal definition. Moreover, it is also likely to be true that political elites are least interested in organising and democratising party chapters at the grassroots level. However, a ray of hope seems to have emerged to set up local chapters due to party-based local elections.  
(By Sarwar Bari The Express Tribune, 15, 25/12/2021)

### Electoral reforms

SECOND only to the constitution, the election law of a democracy is of the utmost importance. Like the constitution, the election law must rest on a national consensus. The election law of India is embodied in Article 324 to 329 of the constitution and in two statutes namely, the Representation of the People Act, 1950, and the Representation of the People Act, 1951.



The act of 1950 deals with the allocation of seats and delimitation of constituencies, the appointment of election officers and the preparation and maintenance of electoral rolls. The act of 1951 deals with the qualifications and disqualifications for membership of the legislatures — central and state, the definition of corrupt practices and, indeed, with the entire machinery and procedure for the conduct of elections. The important sets of rules are the Registration of Electors Rules, 1960, and the Conduct of Elections Rules, 1961.

There has yet been no comprehensive reform of the election law. The latest attempt represents the authoritarian style of the Narendra Modi government. A day after it was pushed through Lok Sabha, the Election Laws (Amendment) Bill, 2021, which enables the linking of electoral roll data with the Aadhaar ecosystem, it was cleared by Rajya Sabha on Dec 21, 2021, amid acrimonious scenes.

*Election law is not something to play with.*

As in Lok Sabha, the opposition raised strong objections to a bill in Rajya Sabha as well. Yet in March 2020, when the parliamentary standing committee asked the government to undertake "appropriate actions" for "linking unique Aadhaar card number with Voter ID card", opposition members in the panel did not raise any red flag then. Thus the opposition is not blameless either.

Election law is not something to play with. If the opposition had changed its mind it should have admitted as much. The Aadhaar card was introduced recently as a national identity card. It has its flaws. The country is yet to cope with it. To expect illiterate villagers to use it to draw their rations and the like is too much. There are also issues of privacy.

Much of the law on election is based on the dicta of the Supreme Court without the support of any legislation. This is a classic case of the court intervening when the legislators fail to act. But this holds dangers for the democratic process. Unelected judges cannot and should not usurp a task that belongs truly to the elected representatives of the people.

The legislature did not enact any effective law to bar criminals. Criminalisation of politics is a disease which reared its head decades ago. The law now rests on the directions issued by India's supreme court.

Yet this very court has failed to prevent those who spew religious hate from entering the legislatures. In December 1995, a bench headed by a pro-Hindutva judge J.S. Verma held that the cry for Hindutva did not amount to a plea for a Hindu state. It was simply a synonym for Hinduism.

The publisher of Savarkar's essay *Hindutva: Who is a Hindu?* wrote: "Apart from the religious aspect involved in the conception of the words 'Hindu' and 'Hinduism', Veer Savarkar had to coin some new words such as 'Hindutva', 'Hinduness', 'Hindudom' in order to express totality of the cultural, historical, and above all the national aspects along with the religious one, which mark out the Hindu people as a whole. The definition is not consequently meant to be a definition of Hindu dharma, or Hindu religion. It is a definition of 'Hindutva' 'Hinduness'. It is essentially national in its outlook and comprehends the Hindu people as a Hindu rashtra" — a Hindu state.

The newfangled pernicious doctrine, was taken over by the RSS, the Jan Sangh, and the BJP. Hinduism is ancient. Hindutva is modern. The former is a matter of faith. Hindutva belongs to sordid expediency.

Later, two benches asked the chief justice to set up a larger bench to review that defective judgement. As an authority on Hindutva, justice Verma did not quote its author V.D. Savarkar's essay but, hold your breath, one Maulana Wahiduddin Khan's *Indian Muslims: The Need for a Positive Outlook* (1994). It simply said: 'The strategy worked out to solve the minorities problem was, although differently worded, that of Hindutva or Indianisation. This

strategy, briefly stated, aims at developing a uniform culture by obliterating the differences between all of the cultures coexisting in the country. This was felt to be the way to communal harmony and national unity. It was thought that this would put an end once and for all to the minorities problem.”

The maulana in fact disapproved of Hindutva while justice Verma lauded it. No larger bench to reconsider this pathetic ruling was set up. Since December 1995 umpteen general elections to the Lok Sabha and many state assemblies were held under a defective law as declared by the supreme court. The RSS and the BJP profited by the ruling erroneously.

(By A.G Noorani Dawn, 07, 25/12/2021)

### **Army told to hand over Askari Park to KMC**

The Supreme Court on Monday directed military authorities to hand over the possession of Askari Park to the Karachi Metropolitan Corporation (KMC).

A two-judge bench headed by Chief Justice of Pakistan Gulzar Ahmed directed the KMC to remove all commercial activities and structures on the premises of the park and ensure that it would be fully kept for public.

The KMC in its report stated that the total area of the park was 38 acres.

A Corps V representative submitted that the park was given to the military authorities on a 99-year lease.

The chief justice remarked that it was handed over to the military authorities to develop the land as a park, but it was being used for commercial purposes.

The court also asked the civic agency to shut all commercial activities, remove structures and open them to public.

The bench also comprising Justice Qazi Muhammad Amin Ahmed was informed that wedding halls and 88 shops had been built on the land of the park.

Justice Ahmed asked the representative of Corps V not to involve the army in such a controversy when he attempted to argue that there was one wedding hall and that too had been closed.

The chief justice noted that the agreement of the lease had no date and even the measurement of the land was also not mentioned in it.

Earlier, an applicant had submitted that the land of the park belonged to the KMC and an agreement for adoption of such land was made between the then city district government Karachi and the military authorities in 2005 for development and maintenance of the park.

However, the applicant said wedding halls and other commercial activities were being carried out on the premises of the park.

(By Newspaper's Staff Reporter, Dawn, 14, 28/12/2021)

### **SC recalls Wahab's removal orders after apology**

The Supreme Court on Monday lashed out at Karachi Municipal Corporation (KMC) Administrator Murtaza Wahab for making a political statement before it and ordered his removal from the post, but recalled the order after the administrator tendered an apology.

A two-judge bench comprising Chief Justice of Pakistan (CJP) Gulzar Ahmed and Justice Qazi Muhammad Amin Ahmed, however, directed Mr Wahab to perform his duties as the city administrator without being influenced by his political association and without any political interference.

The apex court was hearing a case about the Gutter Baghicha Park wherein the administrator contended that the total land of the park spanned 1,016 acres out of which 200 acres had been allotted to the KMC Officers Housing Society in 1993 by the then mayor Dr Farooq Sattar.

He submitted that 162 acres were available for the park and the KMC will start plantation on it in March. However, he also conceded that there were many portions of the park land encroached upon by industries, katchi abadis and around five graveyards. There is also a treatment plant on the premises, he added.

Justice Amin snubbed the administrator and asked him not to go out of context when Mr Wahab, while referring to Dr Sattar, said it was a political matter.

Amber Alibahi of Shehri-Citizens for a Better Environment, pleading the case against encroachments on Gutter Baghicha land, pointed out that there were some political factors also in the instant case.

At this point, Mr Wahab in an emotional outburst attempted to address the court to defend his party, the Pakistan Peoples Party. However, a visibly annoyed CJP directed him to leave the courtroom immediately for trying to deliver a political speech, and ordered his removal from the post of the administrator.

While dictating Wahab's removal order, the CJP said instead of assisting the court, the administrator tried to make a political statement against which he was warned time and again, but he continued to argue the case of his political party. An administrator must be someone who conducts himself in a neutral way above political affiliation, he added.

“We find that the administrator cannot disconnect himself from a political party he belongs to and apparently this is not allowing him to function in a neutral manner, as he has deviated from his task of doing work of the administrator and is making statement before the court and representing the case of his political party,” the CJP observed.

He further said Mr Wahab expressed anger in the court and was not fit to hold the position of the administrator. He directed the Sindh chief minister to immediately remove Wahab from the post and appoint an appropriate person as the administrator.

However, when the bench reassembled after a break, it recalled the order about Mr Wahab's removal after he tendered an apology, while Sindh Advocate General Salman Talibuddin and Ms Alibahi also requested the bench to consider the administrator's apology and withdraw its order.

Ms Alibahi argued that as per the maps, the entire land of Gutter Baghicha was meant for amenity purposes, but also conceded that there was no notification available in this regard.

The CJP remarked that they needed legal documents about the status of the entire land and the maps were not sufficient. The hearing was adjourned till Tuesday (today), as the chairman for KMC Officers Housing Society sought time to engage a counsel.  
(By Ishaq Tanoli Dawn, 01, 28/12/2021)

### **Traders at MQM moot reject LG law, treatment meted out to Karachi**

Just two weeks after holding a multiparty conference that rejected amendments brought about by the ruling Pakistan Peoples Party to the local government bill, the Muttahida Qaumi Movement-Pakistan organised a Karachi traders' conference at its temporary headquarters in Bahadurabad to go over the PPP's new LG law here on Tuesday.

MQM deputy convener Kanwar Naveed Jameel read out a resolution that said that the PPP-led Sindh government was hurting business, education and had taken away basic facilities and rights of the people of Karachi.

"Therefore, the people here, specifically the business community of Karachi have come to this conclusion that they reject the new local government act. The system is stopping the city's economic growth. And the amendment to the 2013 LG law is taking control of all local government powers. It is paralysing them.

*'Our courts are more interested in demolishing towers but they don't see the demolition of our Constitution'*

"We want the local government to be self-sufficient. We want the cities to receive funds from the province like the province receives from the federal government. So stop going against this city. Give it its basic rights. Or we will keep fighting for our rights until we are given back our rights," the resolution read.

Earlier, welcoming the guests, MQM-P leader Khawaja Izhar ul Hasan shed light on the issue. He said 70 per cent of Pakistan's economy stood on Karachi's contribution and 75pc of that contribution came from the trade and business community of the city. Therefore, they called them here.

"The decisions we make today will therefore be noteworthy for the betterment of Karachi," he said, adding that the MQM had always moved forward while taking the business community on board.

"Now we pay taxes for everything, save air. And despite so many taxes we don't have transport, we don't have garbage disposal system, we don't have clean water. There is nothing happening for anyone's good in union councils," he fumed.

Chairman of Aram Bagh Alliance Asif Gulzar said that if the Sindh government was unable to take care of Karachi, then it should think about making it a separate province.

Chairman of All Karachi Sarafa Tajir Ittehad Shakir Fancy said that Karachi could only be saved through jihad. "Every resident of Karachi should think about Karachi and stand up against those using Karachi for their ulterior motives," he said.

Abdullah Bantwa of West Orangi Town Traders said that he was aware of the 'cat and mouse game' being played here.

Ilyas Memon of Tariq Road Tajir Alliance said that Karachi looked abandoned and disowned.

Shah Zaman of All Karachi Shadi Hall Association said that Karachi's situation was before all and they needed to do something soon in order to save the city.

Javed Siddiqui of Karachi Electronics Alliance said that it was so sad that the city which generated 70 per cent revenue for Pakistan and 92 per cent for Sindh was treated as an 'afterthought'.

Sheikh Irshad of Jama Cloth Association said that the time for talks had passed. "Now is the time to get up and do something."

Alam Sheikh of Old City Tajir Ittehad said that MQM should take the lead in rejecting the act and the entire trader community was with them.

Saleem Memon of Karachi Electronic Market Association said that the laws kept on changing here and now they had that dark law. "The MQM is trying to stop it from being passed but now it is required that all the traders reject it now," he said.

Aslam Bhatti, another trader, suggested holding protests before Chief Minister House. "Otherwise it will be like allowing the government to suck blood from our veins," he said.

Businessman Arif Jeeva said that the business community was non-political but it was being forced to raise its voice against the injustices it faced. "Do not corner us. Do not make us leave this place. We only want our city to prosper," he said.

Mohammed Raees of Shadi Hall Association said that to him it felt that Karachi was an orphan while its people were disowned even though Karachi holds Pakistan so dear.

"This city is not getting the resources it produces. Gas is one example of this. There is no gas in Sindh which produces gas but you go out of Sindh and there you find gas connections everywhere," he said.

Deputy convener of Karachi Tajir Action Committee Sharjeel Goplani said that Karachi was a landmark city. "We are paying multiple taxes here and on top of that we are also asked for bribes. There are no new trade or industrial zones coming up here. The ones that were here have been encroached upon. We are made to come out on roads to get our issues resolved. The government does nothing for us. So we need to protest about this act also," he said.



Mohammed Arshad of All Pakistan Jewellery Manufacturers said that he wanted to see the mayor of Karachi having hospitals, schools, police, sewerage system, etc, all under him. "We are all taxpayers. We deserve these facilities," he said.

Rafiq Jadoon of Bolton Market said that they were prepared for all kind of sacrifices to make things better for the business community and for it they were with the MQM.

Sheikh Habib of All Karachi Tajirs also threatened to come out on streets to protest.

Javed Memon of Landhi Market, Hakim Shah of All Karachi Tajir Association, Rizwan Irfan of Karachi Electronic Association, Atiq Mir of Karachi Tajir Ittehad and Jamil Paracha of Karachi Tajir Alliance also spoke.

#### **'Liaquatabad pays more tax than Lahore'**

Finally, MQM-P convener Dr Khalid Maqbool Siddiqui concluded the meeting. He said it was a great moment for him to be sitting amid proud and hardworking people who paid their taxes.

"This city is responsibly running the country thanks to all of you. Your views will help us move forward. We can see that tax generated from Liaquatabad alone is more than taxes from entire Lahore. And these are not our figures. These are government figures. But sadly, here justice is not just blind, it is deaf and mute, too. Our courts are more interested in demolishing 'towers' but they don't see the demolition of our Constitution," he said.

"For the last 10 years, we are saying that if votes can't help us, the roads will. We are together on one platform in MQM with our traders' community. It is good to know that we all share the same viewpoint. We are with you at every step of the way. Even if you stop paying taxes as you don't get services, we will stand with you. There is a common point in your misery. No one in the government cares. We will protest for you. We will protest with you. We will take your grievances to courts. And we reject this act by the PPP with you. MQM's door is open for you. MQM's heart is open," he said, adding that after hearing out the traders they would next hold similar meetings with industrialists and the chambers of commerce.

(By Shazia Hasan Dawn, 13, 29/12/2021)

### **Delimitation of local govt constituencies in Sindh to begin tomorrow**

While the main opposition parties in Sindh are teaming up with each other against amendments made by the Pakistan Peoples Party government to the local government law, the Election Commission of Pakistan (ECP) is set to start the delimitation process from Friday (tomorrow) for LG elections in Sindh.

The process is likely to complete in March next year as the ECP said that the final list of union councils and union committees/wards would be published by delimitation committees on March 24.

According to the schedule issued by the ECP to carry out delimitation, the completion of all administrative arrangements including procurement of maps and relevant data would be made within 15 days (from Dec 31 to Jan 14, 2022), the preliminary list of union council and union committees/ward would be prepared by delimitation committees from Jan 17 to Feb 15 and the same would be published on Feb 16 inviting representations and objections.

*ECP likely to complete task in three months*

The objections and representations could be filed by voters concerned between Feb 17 and March 4 before such committees and the same would be disposed of till March 21.

March 22 would be the last date to communicate the decisions of delimitation authorities to delimitation committees while the final list would be published on March 24, it added.

The tenure of the last local governments in Sindh had ended in Aug 30, 2020 and the ECP was under constitutional and legal obligation to hold the LG polls within 120 days of the expiry of the tenure.

However, it could not be complied with as initially letters issued by the provincial election commission in April last year to district election commissioners of Sindh for delimitation of UCs/ wards were challenged in court on the grounds that under the Elections Act, 2017, the exercise of delimitation could not be carried out unless the final results of the population census were officially published.

After several directives of the court, the Council of Common Interests had approved Census-2017 in April and the official result of census was published in May.

Thereafter, the Sindh government has been continuing to drag its feet on the issue as the ECP had notified delimitation committees for LG polls in Sindh, but the provincial government did not provide requisite data nor made amendment to the Sindh LG Act 2013 on the pretext that it had reservations on the official result of the 2017 census.

In November, the ECP had issued a final deadline to the Sindh government to provide data for holding elections in the province.

The ECP had directed the chief secretary to give necessary legislation and the requisite data, maps and notifications within two weeks and warned that alternatively, the commission would initiate the delimitation process in the province with effect from Dec 1 under the applicable LG law (LG Act 2013) in Sindh and would frame rules thereunder.

Thus, the Sindh Local Government (Amendment) Bill, 2021, was first passed in November in the provincial assembly and again this month after the same was sent back by the governor after raising several objections.

However, all the major opposition parties of Sindh have been protesting against the amendments and some of them have also petitioned the Sindh High Court. According to them, the bill has usurped the authority of local governments.

They have strongly opposed the amendment made to Section 140-A (Power of government to amend schedules) which says, "Notwithstanding anything contained in this act, the government shall have power to amend, alter, add or remove any entries from the schedules, by notification and the official gazette".

(By Ishaq Tanoli Dawn, 13, 30/12/2021)

### **KMC ready to take control of Askari Park, says Murtaza Wahab**

City Administrator Barrister Murtaza Wahab on Wednesday said that the decision of the Supreme Court regarding Askari Park would be implemented.

The apex court had given Corps V two weeks to hand over Askari Park in Gulshan-i-Iqbal to the Karachi Metropolitan Corporation.

A two-judge bench headed by Chief Justice of Pakistan Gulzar Ahmed had directed the KMC to remove all commercial activities and structures on the premises of the park and ensure that it would be fully kept for public.

Speaking at the inauguration ceremony of a model park in Shah Faisal Colony, the administrator said that KMC was ready to take administrative control of the park for its renovation and beautification as directed by the Supreme Court.

He said that he had inaugurated a park in Model Colony the other day and now another park was opened here.

"We do not have an elected representative in Korangi, yet we are serving indiscriminately because we believe in service, and will continue to serve the people," he said.

He announced that the Second Marigold Festival would be held at Frere Hall from Jan 7 to 9.

### **Sindh govt buying 240 buses**

He said that the provincial government would buy 240 buses shortly to resolve public transport issue of the metropolis. He said that 50 buses would arrive by Jan 31.

He added that a special waterline was being laid from Hub to facilitate the residents of district West.

He said that Sindh produced the most gas, yet its people were deprived of the basic necessity. "It is their [federal government] incompetence that they say there will be a gas shortage in winter," he said.

He said that due to shortage of gas, a delegation of industrialists called on the chief minister in which they said that they could not fulfil their export orders.

"Today not only Karachi, but also Lahore, Islamabad, Peshawar, Quetta, Gilgit-Baltistan and Azad Kashmir are caught in the whirlpool of inflation," he said, adding that the inflation had risen to 12.5 per cent within a year.

(By Tahir Siddiqui Dawn, 13, 30/12/2021)