



## Short Report on Gujjar Nala Demolitions

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### Introduction:

The Karachi Bachao Tehreek conducted 80 surveys within three settlements located along the Gujjar Nullah to assess the potential impact on the people most vulnerable by the anti-encroachment drive. Along with the quantitative survey, our team made multiple observations during short interviews with residents. Some of the observations in this report were garnered during KBT's grass-roots organising activities. Our survey team consisted of approximately 12 people, who were divided into teams of two and three. The settlements we were able to cover were Kausar Niazi Colony, Sadiq Nagar and Qayyumabad.

### Initial survey conducted by NED University:

The demolition campaign currently underway along the Gujjar Nullah is based on a survey compiled by the NED university's urban development department. This survey assigned unique identification numbers to each house, along with a percentage indicating the area of the house required for demolition (for reference, view image 1).

According to news [sources](#), the plan for the demolitions campaign includes widening the Nullah along with the construction of a [30-feet](#) wide road along both of its banks. It is unclear as to what technical grounds this plan is based on - especially the construction of a 30-ft road on both sides of the Nullah. It is also unclear as to what methodology was used to allot unique percentages to each household.

The report also consists of aerial images obtained through a [Global Navigation Satellite System Survey](#) that identified structures required for demolition along with their unique ID numbers. It

seems that I.D numbers and percentages have been assigned based on aerial images, rather than a door-to-door survey. However, we cannot say this conclusively because the full report including the survey methodology has not been made public.

## Findings and observations of KBT's survey:

Based on NED University's survey report, The Karachi Metropolitan Corporation (KMC) claims that all households under threat of demolitions have been accounted for and will be duly and adequately compensated. Karachi Bachao Tehreek's door-to-door survey activity revealed multiple gaps in the way NED's survey was conducted. The following observations were made based on our surveys.

1. Public discourse and narrativization in the media refer to all properties marked for demolition as encroachments. According to [The Sindh Public Property \(Removal of Encroachment\) Act, 2010](#), an "encroachment" is defined as an *unauthorized occupation of or undue interference with public property* and "public property" is defined as a *building, land, place or premises vesting, in or under the management or control of Government, local council, autonomous body or registered cooperative society or such other authority*.
2. The Sindh government's demolition campaign along the Gujjar and Orangi Nullah is backed by a [Supreme Court order](#) passed on 12 August, 2020. This order directed the NDMA and the Sindh Government to remove "encroachments."
3. Our surveys found 36 out of 80 households to be leased properties. This means 45% of the total households surveyed were leased and/or regularized. Of these, 58% (21 of 36) were leased by KMC. The three main authorities lease granting institutions were found to be, the Karachi Metropolitan Corporation (KMC), Karachi Development Authority (KDA), and Sindh Katchi Abadi Authority (SKAA).
4. Based on NED's survey, the Karachi Metropolitan Corporation (KMC) has announced that residents whose homes have been allotted a percentage higher than 30% will be entitled to compensation: Rs 90,000 per household dispersed every six months for a period of two years. According to the KMC, this money - amounting to Rs. 360,000 - is to be used towards paying rent for two years until affectees are able to relocate themselves. There are no municipal plans for resettlement and rehabilitation. The government has not designated any sites for affectees to relocate. In paying residents a fixed amount for rent

for two years, the government assumes that residents will be able to arrange alternative housing for themselves. The cost of acquiring land and constructing a house has not been accounted for within the compensation package. In a city where a majority of the population does not have access to affordable housing, rendering people homeless without adequate compensation will marginalize them further. Moreover, the amount fixed as compensation is based on the assumption that affectees have the financial means to relocate themselves. A uniform compensation amount also does not take into account the varying needs of multiple members of the households based on age, gender, dis/ability, health conditions, etc. Based on our survey, an estimated 12,789 women and 20,980 children will be affected, along with 2058 elderly people above the age of 65.

5. According to NED's survey, every household is allotted a single identification number (I.D) against which affectees can claim compensation from the Karachi Metropolitan Corporation. Our findings show an uneven allotment of these house I.Ds. In some cases a single I.D has been allotted to two, three and even four distinct households with different titleholders, utility bills, and families. This means that only one of these households will be entitled to the meagre compensation offered by KMC, while the rest will be denied their right based on faulty surveying. Based on our surveys, out of all affected households, 15% of the total households surveyed will not be entitled to compensation due to uneven allotment of house I.Ds. This translates to approximately 687 such households.
6. In some cases, multiple housing I.Ds have been allotted to a single house, along with distinct percentages indicating the area under threat of demolition. Multiple distinct percentages for demolishing a single housing unit becomes a cause for confusion and anxiety among those who are affected, as it is unclear exactly how much of the house will get demolished and whether or not residents are entitled to compensation.
7. NED's survey calculates the percentage of a household required for demolition by dividing the affected area in square-feet by the total area of a given household (see image 1). This means that the same percentage can translate into different surface areas for different households.

For example in image 2: House I.D 4386 and 4412 both have 26 percent of their area under threat, but it translates into distinct surface areas i.e 49.33 and 238.62 square feet respectively. In some cases the gap in the affected surface area where the affected percentage is the same is larger (See image 1 household ID 223 and 224). Residents whose homes are bigger will suffer higher losses economically and socially, however, the compensation amount remains the same for everyone, regardless of the area affected.

8. The aerial imagery (see image 3) in NED's technical survey delineates a bank wall (orange dotted line) and a 30ft offset wall (yellow dotted line) along the Gujar Nullah. The bank wall indicates the original/proposed width that the Gujar Nullah needs to be restored to, this can also be understood as the right-of-way (ROW) needed for passage of water. It should be noted that the majority of households marked for demolitions do not come in the way of the Nullah's right-of-way. On the other hand, the 30ft offset wall, delineated for the construction of a 30-ft wide road on both sides of the Nullah, requires the demolition of these households. This means that the anti-encroachment drive currently underway is not taking place for the purpose of widening/restoring the width of the Nullah, but rather the construction of the 30 ft wide road. Going back to the legal definition of "encroachments" in point (1), these houses do not obstruct the ROW of the Nullah and it can therefore be argued that they are actually not constructed on government land. Moreover, the motive behind the construction of the 30-ft wide road is unclear, and the government has publicized any of the documents pertaining to the plan (PC1 and PC2)<sup>1</sup>.
9. In an interview with the media, renowned Urban Planner Arif Hasan recently speculated that the construction of this road is linked to transforming the use of land along the Gujar Nullah. The construction of a road will make the area around the Nullah easily accessible to vehicles, thereby increasing its value. This land can then become ripe for gentrification, speculation and real-estate development.
10. It is also important to note that the Karachi Metropolitan Corporation issued a [letter](#) to all relevant authorities to cancel the leases of residents living along the Gujar and Orangi Nullah for a "National Cause" project. This means that the construction of the 30ft wide roads on both sides of the Nullahs is being done in the interest of the "nation." This can also be interpreted as a project being implemented to serve the public. Legally, for an infrastructural development project of this sort, the government first has to acquire land through the Land Acquisition Act (LAA). The LAA outlines the process of acquiring land to pursue "public purposes". This process entitles affectees to adequate resettlement. Furthermore, according to the Sindh Environmental Protection Act 2014, no proponent of a development project shall commence work before filing an environmental impact assessment report that the public has had a chance to review and give their opinion and consent on. This process is required before the Government of Sindh can move on their plan to build a 30-feet wide road. However, in the case of the Gujar and Orangi Nullah, a

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<sup>1</sup> PC stands for Planning Commission. The PC-1 is a proforma for development projects that is issued by the Ministry of Planning of the Federal Government. This proforma has to be filled and submitted by the body undertaking a project. Based on the information provided, the ministry approves PC-I, proceeding to PC-II. Within PC-II, the survey and feasibility of the project is studied. After that, matters are proceeded to PC-III, IV and V. More information can be found on the Planning Ministry's official website, found here: <https://www.pc.gov.pk/web/downloads/pc>

**Supreme Court order** has been used to undertake an infrastructural development project.<sup>2</sup>

House I.D	Full Area (SQFT)	Affected Area (SQFT)	Affected %
224	221.52	221.51	100
223	1228.28	1165.07	95
75	665.54	487.17	73
220	706.55	512.89	73
242	601.92	422.92	70
74	409.46	283.86	69

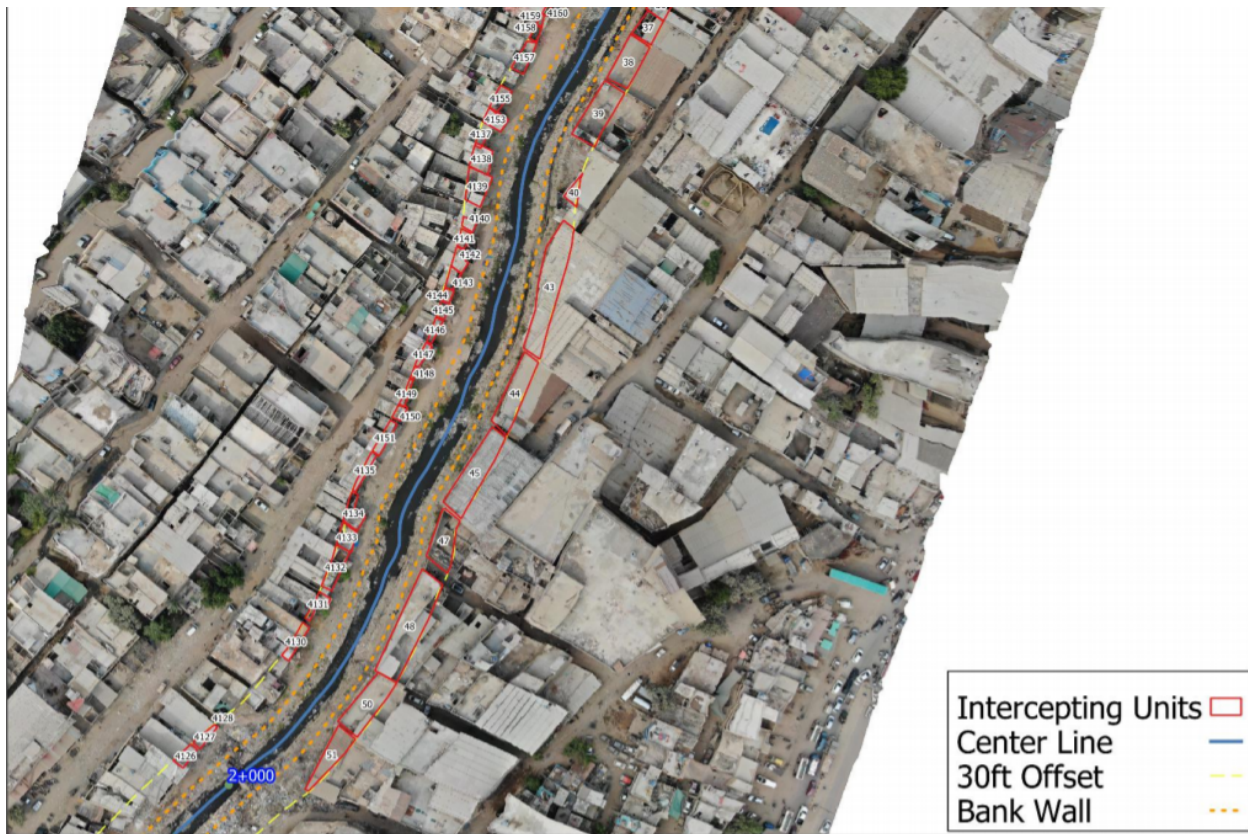
Image 1

4428	408.71	113.19	28
4434	245.20	68.20	28
4386	191.28	49.33	26
4412	914.40	238.62	26

Image 2

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<sup>2</sup> We use the term “infrastructural development project” because the Planning Ministry’s guide on consolidating the PC-I document categorizes road construction within “infrastructure.” To access this document, click [here](#).



## Recommendations:

- 1) The NED survey should no longer be used as an unbiased, factual basis for any sort of compensation or relocation plan. The findings in the report are full of dangerous loopholes that would lead to homelessness and further marginalization of vulnerable Gujjar Nullah residents. The technical survey should be re-conducted holistically, incorporating both qualitative and quantitative factors so that residents can be compensated and rehabilitated according to the number of persons affected, rather than the amount of surface area impacted.
- 2) Plan to construct 30ft wide roads should be revisited and affectees should be consulted in consolidating a new plan pertaining to Nullah cleaning. The government should provide clear answers as to why the construction of the roads was proposed in the first place and how it is related to restoring the Nullahs.
- 3) The Planning Ministry should make project documents pertaining to the road co, especially PC-I and PC-II, publicly available.