

Land, CBOs and the Karachi Circular Railway

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ABSTRACT The Karachi Circular Railway (KCR) was planned in 1962 as a goods service linking five important work areas of the city. Subsequently, it was upgraded for commuter use as well. Pakistan Railways now wish to upgrade and expand the circular railway and double-track those parts of it that are single track. However, for this to be done about 20,000 households living in informal settlements along the railway tracks will have to be evicted and relocated. The residents of the informal settlements have organized themselves as part of the All Pakistan Alliance for Katchi Abadis (APAKA), and their local chapter is known as the Network of Railway Colonies. Two Karachi NGOs, the Orangi Pilot Project–Research and Training Institute (OPP–RTI) and the Urban Resource Centre (URC), have been instrumental in supporting the Network of Railway Colonies and other community organizations in surveying the “encroachments” (both formal and informal) along the railway tracks and in documenting the histories of the different settlements. This documentation has strengthened the negotiating power of the railway land informal settlements, whose communities have also made a number of proposals for changes and alternatives to the government’s scheme.

KEYWORDS community / development / encroachment / eviction / land / law / railway / status quo

I. INTRODUCTION

As a result of “land settlement” carried out by the British after their conquest of Sindh in 1843, freehold and 99-year lease tenure systems were introduced in Karachi. Prior to this, all land belonged to the state. The British also introduced the Land Acquisition Act, whereby they could acquire private land for “public good” and, as a result of this Act, large tracts of land have been taken over by Pakistan Railways at various times since 1894.

The Karachi Circular Railway (KCR) became operative in 1964 and acted as a bypass for freight traffic from the main line. However, it was later converted for commuter use as well. It connects five important work areas of the city and passes through elite settlements where low-income families can work as domestics. As a result, railway land was “encroached” upon by low-income families with the connivance of lower and middle level railway staff.

In 2001, Pakistan Railways (which was running at a loss) initiated a programme to generate revenue and to upgrade the KCR. For this

purpose, it was decided that railway lands all over Pakistan would be sold for commercial development, and informal settlements along the tracks would be removed to allow this and to provide space for extra tracks. As a result, informal settlements all over Pakistan came together to form the All Pakistan Alliance for Katchi Abadis (APAKA); APAKA also has a Karachi chapter (the Network of Railway Colonies). These organizations have lobbied at national and city levels for the regularization of their settlements and have made proposals to minimize evictions. According to them, if government proposals are implemented, about 20,000 households in Karachi alone would be evicted.

The Orangi Pilot Project—Research and Training Institute (OPP-RTI) and the Urban Resource Centre (URC), two Karachi-based NGOs with whom the railway informal settlements have close contact, carried out a survey of the railway tracks in collaboration with the residents of the informal settlements along these tracks. The survey revealed that 72 per cent of the space required for expansion by Pakistan Railways was occupied by formal sector construction, including apartment complexes, factories, warehouses and commercial plazas. As a result of the findings (which have been published and circulated), the position taken by APAKA and the Network of Railway Colonies is that a decision concerning the demolition of formal sector “encroachments” should be taken before any demolitions of the informal settlements are carried out. This could be done under the provisions of the Land Acquisition Act 1894. In addition, a number of other issues have also been discussed. These include:

- the need for a cost benefit analysis for constructing an elevated track over the existing track in order to prevent evictions;
- shifting the railway station from the main line to the circular railway, thus negating the need for the construction of an additional track along the main line;
- reducing the space required for the track; and
- converting the circular railway into a bus route, which would reduce evictions considerably.

At present, the status quo is being maintained.

II. BACKGROUND

The British occupied Karachi in 1839 and annexed all of Sindh, the province in which Karachi is located, in 1843. Before the British conquest, all land in the province belonged to the state. Productive land was given as grants, called *jageers*, to influential families, to raise revenue from farming and other taxes. Those receiving *jageers* were known as a *jageerdars*, and were helped in their work of revenue collection and maintenance of law and order by the state bureaucracy. These grants were not hereditary and could be terminated at any time. Pasturelands, known as *gowcher* (meaning cow grazing) were also identified, and managed and taxed through the *jageerdar* who was also required to raise and maintain troops for the state. The British land settlement carried out between 1843 and 1852 changed all this. These changes are best described in an 1856 text, which states that Sir Charles Napier, the conqueror of Sindh, whose statue stands in Trafalgar Square in London, “...aimed to make the great men landlords, their retainers tenants and their serfs independent labourers, instead of remaining

received a number of awards for his work, which spans many countries.

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1. Napier, Sir William (1856), *History of Sir Charles Napier's Administration of Scinde*, John Murray, London, 132 pages.

2. Baillie, Alexander F (1890), *Kurrachee: Past, Present and Future*, Thacker, Spink and Co, Calcutta, 269 pages.

military barons, vassals and slaves."⁽¹⁾ To this end, influential families became owners of productive land. Pasturelands were given on a yearly renewable lease and wastelands became state property. In the case of Karachi, the government gave freehold rights to people living on various properties in the town (prior to this, they had a right to build and live but not to own and sell) and took control of large tracts of land around the town for future expansion. Subsequently, this land was allocated on 99-year leases to individuals, communities, trusts or businesses who wished to build on them. Thus, apart from the old town and any productive land, all land in Karachi belongs to the government and is leased out for different periods and for different uses, the most common of which is a 99-year lease for residential use.

In the initial stages of British rule, the commissioner (a bureaucrat appointed by the East India Company) decided on matters related to land use and land transfers. However, with the replacement of the East India Company by the Crown after the suppression of the rebellion against the British in 1857, state land was vested with the revenue boards and has remained so ever since.

In March 1855, the Scinde Railway Company was incorporated by Act of Parliament. Its purpose was "*...acquiring and holding lands in the East Indies, and of making one or more railway, or railways, in India and in particular, and in the first instance, a railway to commence at or near the sea port of Kurrachee, and to proceed to a point at or near Hyderabad, both in the province of Sindh.*"⁽²⁾ This was the beginning of the railway system in Karachi. The Scinde Railway Company ultimately expanded into the Sindh, Punjab and Delhi Railway.

In 1885, the British India government purchased the Sindh, Punjab and Delhi Railway, and since then the railways, in what is today Pakistan, have been the property of the state. The taking over of the railways by the state necessitated the enactment of the Railways Act 1890, under which the government could grant land to the railways. However, the land could not be used for any other than railway-related purposes nor could it be leased to a third party, and the state could reclaim this land if

BOX 1
Abbreviations

APAKA	All Pakistan Alliance for Katchi Abadis
BRT	Bus Rapid Transit
CBO	Community-Based Organization
CDGK	City (District) Government Karachi
KAD	Katchi Abadi Directorate
KCR	Karachi Circular Railway
KMC	Karachi Municipal Corporation
KUTC	Karachi Urban Transport Corporation
KWSB	Karachi Water & Sewerage Board
NOC	No Objection Certificate
OPP	Orangi Pilot Project
RTI	Research & Training Institute
SKAA	Sindh Katchi Abadi Authority
SHI	Secure Housing Initiative
SWC	Social Welfare Council
URC	Urban Resource Centre

it was so required.⁽³⁾ With the expansion of urban and rural settlements, the acquisition of land (which was no longer in state possession) for “public good” became a necessity and, as a result, the Land Acquisition Act 1894 was enacted. Much of the railway land in Karachi has been acquired through the provisions of this Act, which lays down procedures for acquisition and compensation.

III. PRESSURE ON PUBLIC LAND

As a result of the partition of British India, more than 600,000 refugees came to Karachi between 1947 and 1951, increasing the population of the city by 145 per cent. Since then, most refugees have lived in informal settlements on state land. In the 1950s, Karachi’s population grew at a rate of 6 per cent annually, adding more than 800,000 persons to its population; and in the 1960s, the increase was more than 1.5 million. Since then, growth in percentage terms has declined but has increased significantly in number terms.⁽⁴⁾

Due to the problems created by the unmet demand for housing, railway land came under pressure, and its occupation by low-income groups started as early as 1956, mainly through the expansion of old villages near the railway line. The earliest settlements comprised refugees but subsequently, migrants from other parts of Pakistan also started to build their homes on railway land.

The KCR was planned in 1962 and started functioning in 1964. The main line within the circle is 18 kilometres long, consists of two tracks and connects Karachi to the rest of Pakistan. The rest of the circle is 30 kilometres long and is single track. Originally, the KCR was meant as a bypass for freight traffic from the main line; however, it connects the five important work areas of the city, where 45 per cent of the jobs in Karachi are located,⁽⁵⁾ and for this reason it was transformed for use by commuters. The KCR also passes through middle-class and elite residential areas that require domestic help. These realities made the informal settlements located on railway land extremely attractive to the working class.

The Karachi Master Plan 1975–85 proposed shifting the main Karachi railway station from the main line to a central location on the KCR section. This further increased pressure on the settlements along the track. Land for the KCR and the new railway station (which has never been built) was acquired through the Land Acquisition Act; pressure was also exerted by the Railway Employees Union and the Railway Workers Union to build homes for them on railway land. This was done, and a railway colony was established that encroaches on land that the planners say they require for the KCR rehabilitation.

By the late 1970s, the KCR was making 104 trips a day and had become an important means of transport for persons living and working in and around informal settlements. It is estimated that in its first 15 years of existence, 300,000 commuters travelled on the KCR every day.⁽⁶⁾ Also in 1978, the Sindh Katchi Abadi (informal settlement) Act was enacted, under which all settlements on government land could be regularized, and the Katchi Abadi Directorate (KAD) was created within the Karachi Municipal Corporation (KMC) for this purpose. Under the Act, government land on which there were *katchi abadis* was to be transferred to the KAD so that regularization could take place. Railway land was no exception. In

3. Chaudhary, Zafar Hussain (compiler) (1997), *Manual of Railway Laws*, National Law Times Publications, Lahore, 488 pages.

4. Government of Pakistan, *Census Reports*, 1951, 1972, 1981, 1998, Islamabad.

5. Bertrand, Marie-Agnes (1989), *The Use of Satellite Images for Urban Planning – A Case Study from Karachi, Pakistan*, The World Bank, May, 110 pages.

6. Sohail, M (2000), *Urban Poverty Transport and Sustainable Livelihoods for the Poor*, Water, Engineering and Development Centre (WEDC), Loughborough University, 224 pages.

1985, the cut-off date was changed from 1 January 1979 to 23 March 1985 and the Sindh Katchi Abadi Authority (SKAA) was created for granting leases to those settlements that were notified for regularization. Because of these developments, local organizations became very active in lobbying government agencies to get their settlements notified for regularization and to carry out joint surveys with KAD and SKAA, so that a correct and mutually agreed picture of ownership could be established and minimum dislocation would take place in the upgrading process.

The KCR's effectiveness slowly declined and by the mid-1980s it was running at a loss. Various reasons have been given for this. The number of trips declined sharply and it has been said that by the late-1980s prostitution and drug trafficking were rampant along its route. There were also frequent attacks on the railway by "criminals", and there is evidence to suggest that the transport "mafia", consisting of private owners of minibuses, was also responsible for the problems faced by the KCR.⁽⁷⁾ Finally, in December 1999, KCR services were discontinued, as its revival did not figure in the 1994 Karachi Mass Transit Project proposal of the Karachi Development Authority, which was supported by the World Bank. However, as a result of research and advocacy (initiated by the URC) by Karachi NGOs, community-based organizations (CBOs), professional and academic organizations, and trade unions, the government had decided to revive and upgrade the KCR in 1998. Since then, many proposals for its revival have been put forward but nothing has been finalized yet.

In 2001, Pakistan Railways (which was then running at a loss) initiated a programme to generate revenue from railway land and also to finally upgrade the circular and main line services in Karachi. In order to generate revenue, it was decided that railway lands all over Pakistan would be sold off for commercial purposes and that shops and businesses along the railway tracks would be regularized. The plan proposed a doubling of the main line tracks for cargo traffic and the provision of an additional track for the KCR. To make this possible, it was decided to remove all settlements up to 150 feet (later reduced to 100 feet) on either side of the existing main line and 50 feet on either side of the KCR track. In addition, it was proposed that a wall or barrier should be constructed along the railway tracks to prevent further "encroachments". It was also proposed that railway police should be introduced along the tracks for the same purpose,⁽⁸⁾ and it has been argued that the barrier and the police are necessary to prevent people from being hit and killed by the trains.⁽⁹⁾ Pakistan Railways strongly supports its proposals, and says that the cost of transporting cargo by road is 15 times higher than by rail. So, it is argued, given its energy crisis, Pakistan needs the double tracking of the main line; also, the KCR is cheaper than any other mass transit alternative and to function efficiently it requires a second track.

As a result of these decisions (including the ones related to the barrier and the police presence along the tracks), there was panic in settlements located on railway land all over Pakistan. The panic increased when, in 2001, houses in a settlement along the tracks were bulldozed in Karachi as part of the plan. Political and social activists in Islamabad, who were working on rights issues through the People's Rights Movement, got together and contacted the activists of CBOs in *katchi abadis* located on railway land all over Pakistan. This led to the formation of the APAKA. A Karachi division (at the time, a division was an administrative unit) chapter was also established. Through advocacy and pressure from the

7. See reference 6.

8. www.pakrail.gov.

9. According to Pakistan Railways police statistics, at least 113 persons were killed in Karachi during 2005 and 2006 while crossing railway tracks. See www.pakistan.gov.pk/ministries/contextinfo.jsp?min.

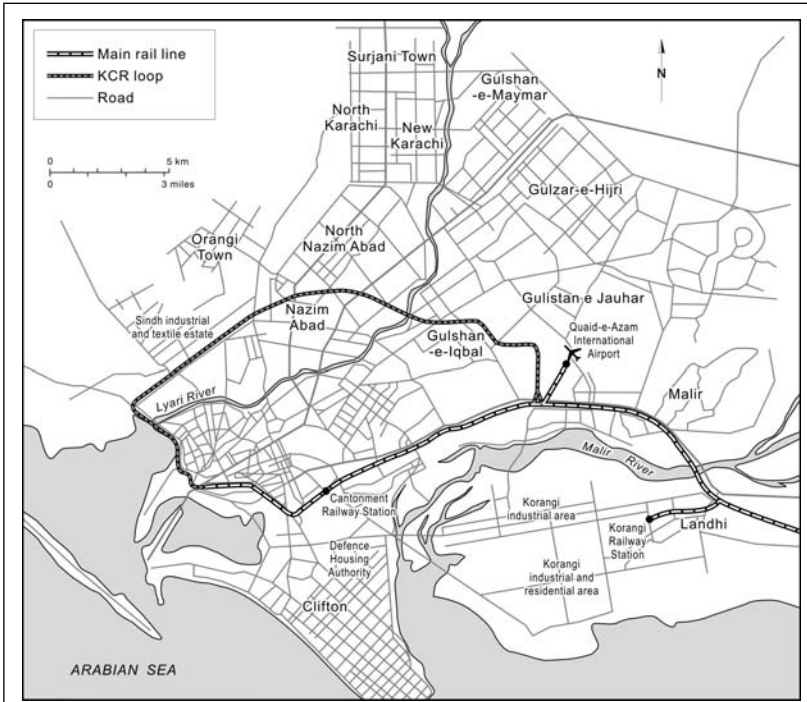


FIGURE 1
Karachi Circular Railway

NOTE: The map does not show all the railway stations along the rail network.

SOURCE: Adapted from a map obtained from www.kutckcr.com.

Alliance, and support from civil society organizations (aided by political uncertainty in Pakistan), demolitions along the railway tracks and the enforcement of the other proposals have so far been stalled. Details of how this has been done and why are given later in the text. Another interesting issue that has emerged is that it has been pointed out to the Sindh government that, originally, all the railway land belonged to them and that it had been given to Pakistan Railways for public purpose, i.e. a railway service. Such land is amenity land and, under law, cannot be used or leased for non-conforming purposes.⁽¹⁰⁾ The Sindh government, using this argument, has decided in principle to protect KCR land at all costs and prevent Pakistan Railways from leasing out shops and markets along the KCR.⁽¹¹⁾

IV. THE PRESENT SITUATION

The stakeholders in the railway land dispute include the Sindh government, the City (District) Government Karachi (CDGK), Pakistan Railways, the Railway Employees Union (who want accommodation on railway land), commercial formal sector ventures (who want long-term leases on railway land) and the low-income settlements, or *katchi abadis* (who

10. Cowasjee, Ardeshir (2007), "Shoot the messenger", *Daily Dawn*, Karachi, July 22.

11. Sabir, Arman (2002), "Pakistan Railways, Sindh fight at the expense of the KCR", *Daily Dawn*, Karachi, March 22.

want regularization). However, they have never sat down together to try and reach a consensus, and this is one of the reasons why decisions have yet to be finalized. The devolution plan of 2001 has also given the CDGK considerable powers, with the result that an understanding with the Sindh government is not as easy to achieve as it had been before devolution. In addition, Karachi has been divided into 18 towns and the railway passes through eight of them. The *nazims* (mayors) of each town are also stakeholders who speak on behalf of their constituencies. Hence, devolution has increased the number of actors in the KCR land issue, and new rules and procedures defining how they relate to each other have yet to be clearly defined.

Pakistan Railways owns 3,119 acres or 0.7 per cent of the land in Karachi.⁽¹²⁾ At present, there are 25 settlements on 291 acres of railway land along the main line and KCR tracks, which amounts to 9.33 per cent of railway land. Railway authorities claim that 12 of the 25 settlements were created before 1985 and hence, under the current cut-off date, they can be regularized. The 13 that were created after 1985 can only be considered for regularization if there is a revision of the cut-off date. In a 1996 survey, the authorities claimed that there were 13,280 houses in these settlements.⁽¹³⁾ However, APAKA claims that today, there are more than 30,000 houses in these settlements and a population of about 450,000. Furthermore, APAKA claims that 18,000–20,000 of these households will be affected if an area of 100 feet on either side of the main line and 50 feet on either side of the KCR is cleared.⁽¹⁴⁾ SKAA has already earmarked for regularization 11 settlements that existed before 23 March 1985 – however, houses in the 50 feet and 100 feet area on either side of the KCR and main line track respectively are not to be regularized. Meanwhile, four settlements have been identified as being unable to be regularized as it is claimed that their land is required for railway-related utilities and the building of additional tracks.⁽¹⁵⁾ The picture is not really clear as there are no agreed statistics between the government agencies themselves or between any of them and the settlement CBOs. The process for a joint survey has been initiated many times but has never really materialized.

Earlier in 2008, the Karachi Urban Transport Corporation (KUTC) was created. It is seeking approval with the Planning Commission for the revival of the KCR project. It has already received bids from six companies to carry out the mandatory environmental impact assessment for the entire project. The proposal submitted to the Planning Commission consists of constructing two dedicated tracks for the KCR along the main line and an additional track along the KCR. The total cost of the project is US\$ 872 million, for which the Japan Bank of International Cooperation has already agreed to provide the loan equivalent to the project cost at 0.2 per cent interest payable over 40 years.⁽¹⁶⁾ The KUTC considers this project as essential for Karachi, since 24.2 million trips per day are made in the city⁽¹⁷⁾ and the KCR and its extensions could take care of about 6 per cent of these.

The KUTC proposal will mean the removal of informal settlements for the laying of extra tracks. But it will also mean the removal of formal sector businesses and housing schemes that occupy 72 per cent of the length of the track.⁽¹⁸⁾ How this will be done is unclear and this uncertainty is something that the CBOs of the settlements along the track are counting on for the project not going ahead. Another interesting point here is that the civil society organizations that have promoted the revival of the KCR

12. Tabulation prepared for the Karachi Development Plan 2000 by the Master Plan and Environment Control Unit of the Karachi Development Authority (1988).

13. Information contained in copies of official documents and letters provided by SKAA and the Social Welfare Council, Umar Colony No 2 (a CBO in one of the settlements along the tracks).

14. Claims made by the All Pakistan Alliance for Katchi Abadis (APAKA) (Karachi division) in its statements to the media and letters to politicians and government departments.

15. Information supplied to the author by SKAA, 9 July 2008.

16. Asadullah (2008), "Circular railway – a distant dream for Karachiites", *Daily News*, Karachi, 10 July.

17. Exponent Engineers (2005), "Persons trip study of Karachi city", Japan International Cooperation Agency, Islamabad, December.

18. URC survey carried out for the citizens' forum on the KCR, July 2005.

are the ones that have been most vocal in protesting against evictions in Karachi. Maybe, when they initiated their struggle for the revival of the KCR, they did not take into account the evictions that would take place as a result. Meanwhile, the CBOs in the settlements along the tracks have made their own proposals, which are discussed in the sections below.

V. PROCESS OF SETTLEMENT

Over the years, people in the settlements along the tracks have organized and struggled to improve their neighbourhoods and protect their homes. Meanwhile, their population has kept on increasing. Initially, in the mid- and late 1950s, people came in small groups and started living on the tracks; they belonged to extended families and clans. Many of them were groups of neighbours living in informal settlements who collectively decided to shift onto railway land for increased security and better environmental conditions. These early settlers were invariably refugees from India, and the earlier settlements were either near a water line, from where a connection could be made, or close to middle-income or elite residential areas where employment opportunities as domestic servants existed and from which water could be acquired.

The railway staff, mostly consisting of lower level employees and members of the railway police, negotiated a price from the settlers and looked the other way. Whenever a family began permanent construction, they came back and collected. Permanent construction meant concrete block walls and a tin roof. However, by the early 1970s things changed. It became obvious that settling people along the tracks was big business. As a result, middle level railway employees became part of the process and the lower level employees and railway police acted as middlemen. Meanwhile, local leaders also emerged in these settlements and residents say that many of them developed relations with the railway staff and became shareholders in the settlement process.⁽¹⁹⁾ In the 1950s and early 1960s, people could settle on railway land by paying an average of Rs 200 (US\$ 3) to the railway staff. This was equivalent to 10 times the daily wage for unskilled labour at that time. By 2000, the cost of acquiring a space had increased to Rs 30,000 (US\$ 440), or 150 times the daily wage for unskilled labour at the time.⁽²⁰⁾ However, despite the eviction threat posed by the railway plan, the settlement process continues because of an absence of more viable options for living near places of work.

In earlier times, a 40–50 foot strip back from the tracks was kept clear along the KCR and about an 80 foot strip along the main line. This was because railway staff were “conscientious”, and also, people preferred to be as far away from the tracks as possible because of the fear of being evicted if they were too near and because of the danger to children of being run over by the trains.⁽²¹⁾ However, as pressure on land increased and settling people became big business, these considerations were set aside. In the case of the KCR, settlements expanded right up to the edge of the track after the service was discontinued in 1999.⁽²²⁾

Older residents objected to people settling in front of their homes. The local leadership and the railway staff negotiated with them and, according to some residents, payments were made to the older residents so that homes could be constructed in front of their houses. In the 1980s,

19. Conversations between the author and residents of Sherin Jinnah Colony, 7 July 2008.

20. Conversations with Rana Muhammad Sadiq at the URC office, 4 July 2008.

21. Conversations between the author and residents of Moosa Colony, 14 June 2008.

22. Author's observations.

23. See reference 21.

24. These are "guesstimates" by the APAKA leadership.

25. Conversations between the author and residents of Chanesar Goth village, 15 June 2008.

26. Author's observations and conversations between the author and residents of Moosa Colony, 15 June 2008.

27. Registering an organization under the Societies Act was a fairly simple thing to do. However, following 9/11, an investigation is now carried out into any member making an application for registration, although there is no legal provision for this. Without the Societies Act, it is doubtful whether Pakistan's weaker interest groups could have had even the limited voice that they have today.

these payments varied between Rs 500 (US\$ 7.30) to Rs 1,000 (US\$ 14.30) along the KCR.⁽²³⁾

The vast majority of settlers post the early 1960s were migrants from the Punjab and the Northwest Frontier Province, and about 80 per cent of the current population of the railway settlements originates from these provinces.⁽²⁴⁾ The old original villages along the tracks have also expanded and taken over chunks of railway land. In one case, there is evidence to suggest that the leaders of the village were involved in financial deals to allow the occupation of land between the village and the railway tracks.⁽²⁵⁾ There is a major difference between the new homes nearer the tracks and the older ones that are further away. The former are not "permanent" constructions and, in many cases, people are just living near the tracks without any shelter. The older areas have service connections and paved streets and residents resent the newcomers.⁽²⁶⁾

The initial settlements along the tracks were very insecure and, in the early 1960s, there was some bulldozing of settlements along the railway line. All over Pakistan there is a realization among vulnerable groups that at an individual level they cannot protect themselves. As a result, they form organizations in order to present their claims and guard their gains. These organizations are registered under the Societies Act and, once they are registered, they acquire legal status and the right to negotiate with government agencies on behalf of their members.⁽²⁷⁾ These organizations are invariably formed by activists from within the community. Many of these activists have a political background and have been or are members of political parties. Even if they are not, political parties constantly woo them, to mobilize votes during elections.

Formal organizations exist in most of the settlements along the railway line and, over the years, activists have struggled to secure water, electricity, gas and telephone connections. In addition, they have struggled to acquire individual ownership rights to the land on which they are living. They have followed various procedures in order to do this, the most common of which is to invite politicians to their settlements, especially before elections, and get them to provide utility connections or street paving and promise to regularize their settlements when they come to power. The leadership is also constantly in touch with the media and has developed very good relations with a number of newspapers, which often publish stories of the "terrible" conditions in the railway settlements and about corruption in Pakistan Railways. Letters are also written to the president and prime minister and often cuttings from the press stories are attached. Invariably, the letters are answered and instructions to look into these matters are sent to the provincial and local governments. As a result, the local and provincial governments carry out "joint surveys" and hold negotiations with the CBOs and report back to their superiors. Although this process has achieved very little in concrete terms, the favourable comments recorded in minutes and letters are safely filed by the leadership for use in future negotiations, and also to show that the settlement has a history.

The leadership carefully follows all policy-related developments and responds accordingly, by approaching local government representatives and fulfilling requirements such as upgrading voter lists, making applications for utility connections, filing claims for regularization whenever the opportunity arises and offering alternatives to government plans that would otherwise result in dislocating the settlement or part of it.

To obtain connections from the utility agencies, a “no objection certificate” (NOC) is required from the landowner, which in the case of the railway settlements is the Railways Department. The Railways Department was not willing to provide such an NOC prior to the 1978 Katchi Abadi Act and is still not willing to provide one for settlements, or parts of settlements, that cannot be regularized under the law, or are on land that the railways needs for its plans. To overcome this problem, the leadership has, in many cases, been able to negotiate with local government staff to obtain an NOC from the now-defunct KMC officials, stipulating that the land on which the settlement is located is owned by the KMC. On the basis of such NOCs, water, electricity, gas and telephone connections have been acquired; politicians have helped in this “illegal” process.⁽²⁸⁾ A considerable amount of work, especially related to water and sanitation, has also been managed and financed by communities in these settlements, especially the older ones. A profile of one of the settlements is given in Box 2. The leadership and individual households carefully guard all documents related to utility connections and payments made for them. They see these as security and use them in regularization negotiations.

28. See reference 20.

BOX 2 Profile of Umar Colony No 2

Umar Colony No 2 covers five acres and comprises 350 houses; 80 per cent are constructed of concrete block walls with tin roofs. The rest are of in-situ reinforced concrete and pre-cast roofs. On the other side of the railway line is Umar Colony No 1; however, as the two colonies come under different union councils (the lowest rung of local government), they have separate community organizations.

In 1970, the cost of a 60-square yard plot in Umar Colony No 2 was Rs 3,000 (US\$ 44). Today, the cost is about Rs 450,000 (US\$ 6,618), comparable to a plot of land in the neighbouring middle-income formal sector housing scheme. Seventy per cent of the residents are migrants from the Northwest Frontier province and the Punjab, 20 per cent are from Sindh or are refugees from India, and about 10 per cent are from other ethnic groups. The settlement has two mosques, two primary schools, one secondary school and six clinics. The schools and clinics are all privately owned. The majority of men work as drivers, cooks and security guards, and the women and girls as domestic help in the neighbouring middle-class and elite settlements. The younger generation is educated and works in offices and businesses in the neighbouring business district, while some work as apprentices to tailors and mechanics who operate near the settlement.

The settlement was established in 1956 when a number of middle-income and elite housing colonies developed in the neighbourhood of what is today Umar Colony No 2. People moved in because of jobs and water availability, and the leadership has proof of continued habitation since 1956. This consists of identity cards, copies of letters between different government agencies regarding the affairs of the colony, ration cards, permission for formal electricity connections, and voters' lists since 1956.

Initially, the elders of the community and social activists represented Umar Colony No 2 in its dealings with officialdom. However, in 1985, they formed an organization called the Social Welfare Council (SWC) Umar Colony No 2 and got it registered under the Societies Act. One of the reasons for forming the council was that the date for regularization of the settlements had been extended to 23 March 1985, which opened new opportunities for regularization of the settlement. The leadership of the SWC has played an important role in the activities of AKA and the Network of Railway Colonies.

The community has lobbied for and obtained mains water connections to the settlement by paying water connection charges and making formal payments to the Karachi Water & Sewerage Board (KWSB). Similarly, payments for off-site sewerage development have been made to the KWSB, and the community has financed and managed on-site sewerage development, much of it with help from the

Continued

OPP-RTI. Regarding electricity, each house has paid Rs 4,500 (US\$ 66) for a connection and Rs 1,500 (US\$ 22) for internal wiring. Similarly, each house has paid Rs 2,180 (US\$ 32) for a gas connection and Rs 3,000 (US\$ 44) for an internal gas line. In 1990, the union council paved all the lanes in the colony using its own funds. These developments began in the early 1980s and continued until the mid-1990s, and are closely related to the politics of the city and its attitude towards *katchi abadis* at particular times during this period. Telephone lines, however, came in 2002.

Since there are no government schools in the colony, the majority of children study in government schools in the neighbouring colonies. There are clinics but the doctors are unqualified. The nearest government health facility is eight kilometres away.

The struggle to obtain a lease has been intense since 1978. Letters have been written to the president, the prime minister, local government officials and elected representatives, and Pakistan Railways and utility agencies. These have been followed up and joint surveys have been carried out by government departments and the SWC, but no consensus has been reached. As a result of these activities, Umar Colony No 2 was registered as a *katchi abadi* (a great victory for the council) and in 1991, leases were granted to all homes in Umar Colony No 2 that were located more than 150 feet back from the track. In 2004, again due to pressure from the council, Pakistan Railways wrote to SKAA to say that the 150-foot limit was being reduced to 100 feet.

According to estimates, residents of Umar Colony No 2 have spent Rs 5,718,000 (US\$ 84,088) on water, sewerage, electricity, gas and telephone connections, and the government has invested Rs 5,705,000 (US\$ 83,897) (including the paving of lanes). However, residents have also invested in building their homes and in funding the construction of two mosques, and private entrepreneurs from within the community have invested Rs 7,500,000 (US\$ 110,294) in the construction of two schools, six clinics and 30 shops.

SOURCE: Social Welfare Council (Umar Colony), URC and OPP-RTI (2008), "Umar Colony No 2 case study", Urdu publication, Karachi.

Residents of the railway settlements were fairly comfortable between 1973 (when the process of regularization of *katchi abadis* was initiated) and 2001, when plans for the commercialization of railway land and the expansion of the railway network were proposed. As a result of the 2001 proposals, the leadership of the different settlements came together for the first time, and this was helped by the formation of APAKA. A Karachi chapter of the Alliance was formed, the Network of Railway Colonies. APAKA did not provide them with any direct help; however, they were able to use its platform for meetings and presentations to the media and its letterhead for writing to politicians and bureaucrats in government departments. Since APAKA was a nationwide organization, its opinion carried weight and the residents of the railway settlements felt that they were being represented not only at the local and provincial level but also at the federal level.

VI. CBOS, APAKA AND THE URBAN RESOURCE CENTRE

As a result of a collaboration between the OPP institutions and the URC there are a number of activities and programmes in which the residents of the railway land settlements and seaview and APAKA leadership participate. These activities and their programmes consist of URC forums, the CBO/NGO Contact Programme, the Human Rights and Eviction Rights Programme and the recently initiated Secure Housing Initiative (SHI). The URC is also home to the Water and Sewage Network, which monitors water and sewage projects and has successfully promoted the OPP-RTI's low-cost alternative funded by local resources rather than through IFI loans.

Participants and the URC have both benefited from the participation of the residents and activists of the railway land settlements.

URC forums consist of lectures delivered by academics, professionals, activists, technocrats and bureaucrats from government organizations. Subjects vary; in the past year, lectures have been delivered on topics that included: the Karachi Strategic Development Plan 2020; environmental impacts of development projects along the coastal belt of Karachi; global capital and mega-projects; road accidents in Karachi; and water supply in Karachi – issues and solutions. In addition, heads of government utilities and planning departments have presented their plans at URC forums. Through these, participants develop an understanding of larger city issues and the interaction between different actors in the urban drama that is taking place. The forums promote collective thinking and decision-making and have an impact on the policies and plans of the government, NGOs and academia.

The CBO–NGO Contact Programme is operated in collaboration with OPP institutions. OPP/URC representatives visit CBOs/NGOs and, with their participation, prepare profiles for them detailing their history, the work that they are doing and the process that is involved. At especially arranged forums, these CBOs/NGOs present their work before members of other CBOs/NGOs and in the process learn from each other, especially through a question–answer–discussion process; they also develop their presentation skills, which are so essential for their work. So far, 23 forums have been held at which 44 CBOs have presented their work. Presentations of the work of 32 CBOs have been published in Urdu.⁽²⁹⁾

Through the Human Rights and Eviction Watch Programme, the URC has been monitoring evictions in the city since 1992. These evictions have increased over time as demand for land for commercial purposes and for middle-income and elite housing has increased. Information regarding settlements under threat is shared with all the stakeholders and is taken up by the media (print and electronic), who are increasingly in support of settlements under threat. As a result, a number of these have been saved from being bulldozed and the attitude of politicians and civil society regarding evictions has undergone a major change. Faulty government plans justifying evictions have also been questioned and alternatives have been prepared.⁽³⁰⁾

On the basis of these considerations the SHI was initiated. It was observed that communities that possess documentation for their settlements and have an understanding of laws and procedures are better placed to enter into dialogue and negotiate with government agencies. Documentation that makes a difference includes that concerning water supply and sanitation systems, schools, clinics and businesses. Furthermore, people's investments in all these areas also matter when negotiations take place. It was an assessment of people's investment in sanitation that resulted in the OPP–RTI's alternative proposals for sewerage being accepted by the Karachi Water & Sewerage Board and the CDGK; and these assessments played an important role in the formulation of the federal government's sanitation policy, which was endorsed by the Cabinet in 2006. Housing rights-related national laws and international covenants have been translated into Urdu by the URC and have been published. They have been used by community leaders and their lawyers to argue their cases, and during negotiations.

29. OPP (2008), *113th Quarterly Report*, OPP, Karachi, March, 129 pages.

30. The city government had planned to widen 11 kilometres of the Gujjar *nala* (natural drain), which acts as a sewage and storm drain, on the pretext of preventing flooding during the monsoons, and thousands of houses were to be affected. An OPP–RTI review of the plan showed that six times more land was being acquired than was necessary as a result of false design assumptions. Details have been provided to the communities, government agencies and the media. The plan has now been stalled.

On the basis of these considerations, the URC and OPP institutions initiated the SHI. Case studies of the settlements are being prepared by OPP–RTI and URC representatives in collaboration with community activists. These case studies document the history, demography, utility connections, housing conditions and social sector facilities, and also give details of the status of the land and the investments made by people over time. They are being published and used as evidence to strengthen people’s efforts towards secure housing; also for informing the media, professionals, government agencies, NGOs and CBOs as to the reality of informal settlements in Karachi. The process also enables community members to come together and to influence government policy. Currently, efforts are being made to change the cut-off date for the regularization of *katchi abadis* from 23 March 1985 to 30 June 2007. As one community member put it: “*We are preparing the identity card of the settlement.*” Work on documentation of the railway land settlements has begun and one study has been completed.

VII. THE OPP–URC’S KARACHI CIRCULAR RAILWAY SURVEY

In December 2004, the OPP–RTI, with URC involvement, initiated a survey along the main line and KCR tracks to determine the extent of formal and informal encroachment. The survey took four months to complete and was conducted by OPP–RTI and URC staff with support from four members of the railway settlements. The team walked the length of the railway line and measured the distances between the tracks and the various settlements. A video of what was found along the line and the distance from the tracks was also prepared. When the results were compiled, these showed that only 28 per cent of the land along the length of the tracks comprised *katchi abadis*. The remaining 72 per cent was taken up by formal sector buildings such as banks, middle-income housing projects, shopping malls, factories (including the Coca Cola and Toyota factories) and an army arms supply depot. A poster has been published by the URC showing photographs and giving map locations for these formal sector encroachments.

The poster and video of the survey have been sent to all government departments, the media, NGOs/CBOs, the governor of Sindh and to the *nazim* of Karachi. No response has been received from either the governor or the *nazim*, but the media has made use of this information and the myth that the KCR project was being held up by *katchi abadi* encroachments has been shattered. This has given hope to the residents of the railway land settlements and has made government planners realize that they have to look for alternatives, or bulldoze properties belonging to very powerful interests.

VIII. THE CONCERNS AND PROPOSALS OF THE NETWORK OF RAILWAY COLONIES ⁽³¹⁾

The major concern of residents relates to relocation. They are afraid that, as in other cases, the process will be riddled with corruption. Even if they get a good deal, there is no guarantee that if a new government is elected, it will honour the deal. The other concern is that the relocation will be

31. Discussions with Network of Railway Colonies representatives at the URC office, 4 July 2008.

far away from their places of work. This is especially true for women who work as domestics in the neighbouring elite and middle-class settlements. They are convinced that women will not be able to work anymore and that transport costs will add to their expenditure. They also point out that the time taken to travel to and from work will adversely affect their family lives. As a result, they will become far poorer than they are today. URC surveys of communities relocated as a result of the building of the Lyari Expressway support this contention.⁽³²⁾

The Network of Railway Colonies has proposed a number of alternatives to the government plan. One is that the main railway station should be shifted to the main line, beyond the KCR. This would mean that the existing tracks on the main line within the circle would not be required for trains coming from the rest of Pakistan to Karachi. People coming from other parts of Pakistan could get off at the new railway station and use the KCR to get to their different destinations. This alternative is interesting because it opens up a whole new approach to looking at the transport issue in Karachi. They also feel that with a good signalling system, an additional track along the entire KCR would not be required.

They also argue, with considerable logic, that a new track with a 10-foot space on either side requires only 38 feet – so why the demand for 50 feet and 100 feet on either side of the existing tracks? But then they say that all this is not relevant. What matters is what the government is going to do regarding the formal sector encroachments.

IX. SOME CONCLUSIONS

There is no doubt that Karachi needs an upgraded KCR. However, there are possibilities for using parts of the existing corridor and linking these up to other available corridors. To do this, a whole new approach needs to be adopted, which will take time and which the government is unlikely to even consider. The other option is to build elevated tracks above the existing ones. This will be expensive but will save on relocation costs for the existing settlements. A cost-benefit analysis along these lines has not yet been prepared but it would be interesting to see the result. A CDGK study on Bus Rapid Transit (BRT) for Karachi⁽³³⁾ has suggested converting the KCR and the main line within the circle into a BRT, in which case it is estimated that evictions will be reduced by about 40 per cent.⁽³⁴⁾

Given Pakistan's role in the war on terror and the Afghan conflict, and the resulting political uncertainty, it is doubtful that a consensus leading to the implementation of the KCR project will take place in the near future. Meanwhile, the communities can keep strengthening themselves.

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