

THE HIGH COURT OF SINDH KARACHI

**JUDICIAL COMMISSION OF INQUIRY
REPORT**

In pursuance of order dated 16.03.2017 of Honourable Supreme Court of Pakistan passed in C.P.No.38/2016 (Shahab Usto Vs. Govt. of Sindh & others)

Dated. 14th July, 2017.

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1. This report is submitted in compliance of the order dated 16.03.2017 passed by the Honorable Supreme of Pakistan in C.P.No.D-38/2016. As per Para No.55 of the said order, the subject petition was adjourned to be fixed after four months, and the Commission was directed to submit the report. In the said order the Commission has been directed to continue to work with all such powers conferred vide order dated 27.12.2016 to ensure compliance of the directions contained in the said order i.e. dated 16.03.2017, and to take all steps to see the Task Force constituted by the Sindh Government pursuant to its order dated 14.03.2017 shall comply recommendations of the Commission. Vide said order the Commission has been put at liberty to pass orders as High Court Judge whenever it is necessary in the public interest for achieving the object of its formation. All Provincial, and Federal Government Departments, statutory bodies, agencies, and companies under their patronage were ordered to be bound by the directions and orders issued by the Commission. Besides, all concerned were directed to periodically report to the Commission to ensure that the matters highlighted in the report and noticed by the Honorable Supreme Court are redressed.

BRIEF ACCOUNT OF HEARINGS DATE-WISE

2. In all 13 sittings/ hearings have been held since passing of above order during which various reports by the officials concerned claiming to have made efforts in compliance of the above said directions were submitted. The Commission after perusing such reports kept on passing necessary orders on each such hearing. The first hearing was held in Annexe Building High Court Karachi on 01.04.2017 at 11.a.m. Dr. Saeed Ahmed Qureshi Focal Person to Chief Secretary appeared and produced a copy of notification dated 28th March, 2017 whereby he was nominated on behalf of Chief Secretary to work with the Commission. He sought one week's time to file compliance report in respect of directions of the Honourable Supreme Court regarding R.O. Plants, Solid Waste Management Board and NSUSC.

3. Learned AAG and Secretary Irrigation Department informed that after receiving order of the Honorable Supreme Court, a Task Force was formed which had held several meetings to chalk out a road-map for implementation of recommendations of the Commission as well as directions of the Honorable Supreme Court, and in this regard the process of collecting data was still going on. Mr. Hashim Zaidi, M.D. KW&SB appeared and submitted that he had already

started work in compliance of the recommendations and directions of the Honorable Supreme Court. He further disclosed that currently only 230 MGD was being chlorinated which was then mixed with the un-chlorinated water, therefore, the required results were not being achieved. Mr. Fazulullah Pechooho, Secretary Health Department, Govt. of Sindh appeared and stated that in compliance of the directions contained in the order of the Honorable Supreme Court, the Health Department had started work and was in the process of either purchasing new incinerators or rehabilitating the ones already installed in the Hospitals. He further informed that regarding the hospital waste, which is not infected, he had already passed orders to take immediate steps to dispose of it properly. Commissioner Hyderabad appeared and informed that dumping of the solid waste in irrigation channels had been stopped. Mr. Fayaz Rasool Manager, Marine Pollution Control Department K.P.T also appeared and informed about a meeting scheduled to be held on 5.04.2017 to implement the directions. Mr. Yahya, Additional D.G. SEPA also appeared. All the above officials however sought time of one week to submit further reports.

4. The second sitting was held in Annexe Building High Court Karachi on 08.04.2017 at 11.00 a.m. In compliance of the directions, M.D. KW&SB, Focal Person of Chief Secretary Sindh, M.D. WASA, submitted reports. And when the Commission pressed for compliance of order of Honorable Supreme Court regarding appointment of D.G SEPA, Dr. Saeed Qureshi, Focal Person of Chief Secretary after consulting the Chief Secretary Sindh submitted that within next three working days, D.G. SEPA would be appointed. Syed Mustafa Jamal, the Chairman Task Force submitted a report showing steps taken for compliance. In respect of lifting of sand from Malir River bed, which is damaging the conduits of water passing through/under the said river, he stated that proper monitoring would be made through the officers of Irrigation Department to ensure that no such activity took place. However, his reply was not found satisfactory; hence a report was ordered to be called from District Judge, Malir regarding any illegal activity of sand-lifting from Malir River. He was also directed to visit himself the site in the company of officials concerned.

5. Dr. Fazulullah Pechooho, Secretary Health, Government of Sindh submitted a report highlighting the short-term plans to implement Sindh Hospital Waste Management Rules, 2014. In respect of waste of private hospitals and Laboratories, he stated that he would direct the Director General Health to ensure implementation of the above rules by private hospitals and Labs, and would apprise the Commission of the steps taken in this regard in the coming hearing. He was

directed to ensure that not only the public sector hospitals and laboratories, but the private sector hospitals and laboratories should also follow the Hospital Waste Management Rules. Mr. Asim Mansoor Khan, DAG, who was present, was also directed to submit a report about disposal of waste of the hospitals being run by the Federal Government.

6. In the said hearing, Deputy Secretary PHED submitted a list of water supply schemes lying nonfunctional due to failure of K. Electric, HESCO and SEPCO to provide power connections, despite deposit depositing required fee. Therefore, notice to Chief Executive Officer, K. Electric, HESCO, and SEPCO was ordered to be issued for 22.04.2017.

7. In order to comply with the directions of Honorable Supreme Court regarding shifting of management of R.O. Plants from Special Initiative Department and Sindh Coal Authority to Public Health Engineering Department, the Focal Person to Chief Secretary sought 15 days' time.

8. In the said hearing, M.D. KW&SB, Board of Revenue Sindh and Municipal Commissioner KMC were directed to submit a report regarding TP-II that whether the area of TP-II, which has been illegally encroached upon and leased by KMC, was determined or not; whether or not alternate land and/or compensation to be paid to the affected households was determined and whether or not minimum area of land to make TP-II functional and a mechanism to re-possess it was determined.

9. Thereafter, on 15.04.2017 the Commission visited Hyderabad and held sitting in High Court of Sindh Circuit Court Hyderabad at 11.00 a.m. Commissioner Hyderabad and other relevant officers were enquired about the compliance of the directions of the Honorable Supreme Court and recommendations of the Commission. They claimed that it would require some time to improve the whole system relating to water quality and sanitation and in this regard necessary paper work had already been completed and relevant documents for approval and sanction were submitted to the quarters concerned. District Health Officer, Hyderabad informed that implementation of Hospital Waste Management Rules, 2014 on the private Hospitals and laboratories was being pressed.

10. After holding proceedings of the Commission in the court room, the undersigned visited some of the places of the city to physically see the actual ground work being carried out by the administration in compliance of the orders of the Honorable Supreme Court and Commission's recommendations. Except some activity at the location called "Seri" to remove encroachments from the banks of

Irrigation Canals, nothing tangible was observed. M.D WASA during the visit of Filter Plant Jamshoro Road Hyderabad disclosed that sometime the people of nearby areas of the Filter Plant were intruding and trespassing into the Filer Plant and causing damage to the parts of said installation. In view of which, S.S.P Hyderabad was directed to establish a police picket at the facility to protect it from damage and trespass. In the same context, Commissioner Hyderabad and M.D. WASA were directed to construct boundary wall around all the Filter Plants and such like installations like lagoons etc. concerning water work in Hyderabad with barbed wires on top thereof to protect them from any damage by such trespassers etc. It was observed during the visit that the above officials were putting much emphasis on the chlorination as the complete remedy for filtration of water, which merely is a one part of the whole filtration process of the water. They were claiming that after full chlorination is acquired the potable water would be supplied to the people. However, they were reminded that unless the entire procedure of filtration was not adopted at the Filter Plants, the quality of water could not be improved. It was, however, conspicuous that no strategy to address the issue in its entire context was in place. The officials concerned were trying to tell the undersigned that they were in the process of causing repair of the chlorinators to provide potable water to the people. But the ground reality was that no substantial progress was achieved since the order of the Honorable Supreme Court. To every question of the Commission, the reply was that scheme was being planned or estimation of the work was going on or the PC-I was being sent to the quarters concerned for approval. It was palpable that the approach of the authorities was not dynamic and they did not show the volume of concern which was expected of them in the face of such drastic situation whereby criminally the municipal waste and industrial waste were being thrown into irrigation canals in Hyderabad. While visiting Darya Khan Pumping station and seeing the toxic effluent being allowed in the Phuleli canal, the undersigned constituted a committee comprising Aijaz A. Qureshi Executive Engineer Kalri Baghar Circle, Waqar A Qadri S.E. Baghar Circle and Dr. Murtaza of PCRWR, who were present there, with the task to immediately devise a short term plan to stop the flow of such toxic effluent into Phuleli Canal. Further, the Commissioner Hyderabad and M.D. WASA were directed to complete the process of repairing filter plants within a month and provide filtered water to the people. As during the span of one day only one filter plant situated at Jamshoro Road Hyderabad could be visited, the District & Sessions Judge, Hyderabad was directed to visit the remaining Filter Plants and Treatment Plants in the company of M.D. WASA and Deputy Commissioner Hyderabad within a week and submit his report regarding their condition and the quality of water being provided from these Filter Plants.

11. On 22.4.2017 at 11.00 a.m. the Commission assembled in Annexe Building High Court Karachi. Learned Advocate General, Sindh appeared and submitted an interim report on behalf of Chairman Task Force/ Secretary Irrigation. In response to notice on the issue of sand-lifting from the bed of Malir River, D.I.G East and S.S.P Malir appeared and made statement that no illegal activity of sand-lifting from the Malir River bed was going on. However, when they were confronted with the report of learned District Judge, Malir dated 19.04.2017 submitted meanwhile confirming sand-lifting from bed of Malir River, D.I.G East and Advocate General Sindh sought four days' time to take necessary steps to stop it and to submit such report. In addition, D.I.G assured that the police pickets would be established at the site to check sand-lifting from Malir River bed in future.

12. Mr. Raham Ali Otho, Chief Engineer HESCO appeared and submitted a report that on 105 Water Supply and drainage schemes a request for electricity connections was made. HESCO had already supplied 67 connections which were running. As regards remaining electricity connections, he stated that on 34 schemes electricity connections would be provided within a month, whereas on remaining four water supply schemes still the demand note / fee-challan was not deposited by PHED. He, however, assured that as soon as the fee is paid, said connections would be energized. Mr. Aamir Zia, Chief Distribution Officer, K. Electric made statement that before K. Electric only one electricity connection on water supply scheme was pending which would be energized during office hours of the day.

13. On that day, Mr. Fazulullah Pechuho, Secretary Health, Government of Sindh present along-with Advocate General Sindh submitted that not only public sector hospitals but also private ones had been taken on board to comply with Hospital Waste Management Rules, 2014, and within short time, some improvements would be visible as the Health Department was continuously striving to improve the situation. Medical Superintendent of Civil Hospital Karachi, Chandka Medical University Hospital Larkana, Qaid-e-Awam University Hospital Shaheed Benazirabad, Liaqat University Hospital Jamshoro/Hyderabad, Executive Director NICVD Karachi, Executive Director Liaqat National Hospital Karachi, Director Children Hospital Karachi, Executive Director JPMC Hospital Karachi, Executive Director Indus Hospital Korangi Karachi were called upon to ensure provision of potable water and management of hospital waste in their respective Hospitals. Directors of Atomic Energy Medical Centre Jinnah Hospital (AEMC), Karachi Institute of Radiotherapy and Nuclear Medicine (KIRAN), Nuclear Institute of Medicine & Radiotherapy (NIMRA), Nawabshah Nuclear Medicine Oncology & Radiotherapy Institute (NORIN) and Larkana Institute of Medicine

and Radiotherapy (LINAR) were also notified to follow suit and submit such report.

14. Managing Director, KW&SB submitted a report and stated that, KW&SB was making efforts contiguously to improve quality of water and it was in the process of purchasing chlorinators. He claimed that within 15 days water quality would be improved substantially. However, he was reminded that so far no substantial improvement on the issue of T.P-II and running of T.P.-I and T.P.II in the light of directions of the Honourable Supreme Court was shown by him to have been achieved.

15. On the issue of transfer of betterment charges from SBCA and H.D.A to KW&SB and WASA respectively, the Advocate General Sindh and Secretary, Local Government assured compliance within a week. During the proceedings members of the Task Force took stance that unless RBOD was made functional, the drainage problems in Sindh province would not be adequately addressed and resolved, and unless S-III development project was initiated, and completed and five Combined Effluent Treatment Plants were built, the issue of municipal and industrial waste in Karachi would not be resolved. They informed that these schemes were funded by the Federal Government but on one pretext or the other, Federal Government was not releasing the requisite funds, hence all the schemes were in limbo. In order to know the stance of Federal Government on the above issue, the Secretary, Water & Power, Government of Pakistan, Secretary Finance and Secretary Planning & Development Government of Pakistan were directed to appear on the next date to explain the position of Federal Government viz-a-viz the above stated projects.

16. Learned District & Sessions Judge, Hyderabad's report dated 22.04.2017 in compliance of order dated 15.04.2017 was perused, which showed that condition of Filter Plants Latifabad, Pretabad, LSR and Hala Naka Hyderabad was pathetic and no activity of water-filtration was going on there, so much so even the said facilities including their lagoons were without boundary wall. Therefore, the Commissioner Hyderabad and M.D. WASA were directed to immediately take measures to rehabilitate the above said Filter Plants and start activity of filtration of water there, and ensure construction of boundary wall on these facilities. In the said hearing, Chairman Task Force was directed to ensure water supply in rural /less privileged areas and to submit a report as to how many rural water supply schemes were functional.

17. On 6.5.22017 at 11.00 a.m. the Commission assembled in Annexe Building High Court Karachi. Mr. Shoaib Siddiqui, Secretary Planning & Development,

Government of Pakistan appeared and apprised the stance of Federal Government on RBOD, S-III and five CTPs Projects. Mr. Muhammad Waseem, Chairman, P & D Board and learned Advocate General Sindh addressed the Commission on behalf of Sindh Government on the said point. Both the parties took contrary stances regarding financial liability, etc. on the said projects. Both the parties, however, agreed to hold a meeting on 11th May, 2017 to find out an amicable solution to the stand-off. They also agreed that outcome of the meeting would be placed before the Commission on 20.05.2017 for further orders. Mr. Munir Ahmed, Secretary Finance, Govt. of Pakistan and Mr. Muhammad Saleem, Joint Secretary Water & Power, who were present, assured their presence in the said meeting.

18. In compliance of the order dated 22nd April, 2017, Mr. Aijaz Ahmed Qureshi, Executive Engineer Kalri Baghar submitted a short-term plan regarding treatment of industrial effluent at Darya Khan Pumping Station and explained its various components to the Commission, a copy whereof was supplied to Chairman, Task Force as well as representative of Public Health Engineering Department for their comments and report.

19. In response to notice dated 22.04.2017, the Law Officer of Pakistan Rangers and Deputy Secretary, Home Department appeared. To a Commission's query to check sand-lifting from Malir River bed by establishing Rangers pickets as requested by DIG East vide his statement dated 29.04.2017, the Law Officer stated that Pakistan Rangers was working under supervision of Home Department, Government of Sindh, and would need to conduct a survey of the area first to determine the feasibility, financial impact and other related issues for establishing pickets there. He was directed to undertake such exercise and submit report on 13.05.2017. Chairman Task Force submitted a third report showing steps taken for compliance of the order of Honorable Supreme Court. Whereas, Dr. Ghulam Murtaza Sr. Research Officer PCRWR also submitted a summary report on capacity-building-training of laboratory staff of KW&SB on water sampling and testing.

20. M.S. Civil Hospital Karachi, M.S. SMBBMU Hospital Larkana, Executive Director, JPMC Executive Director, NICVD Karachi submitted preliminary reports regarding implementation of Hospital Waste Management Rules, 2014 and provision of potable water in the hospitals and sought a week's time to submit the detailed report in this behalf.

21. M.D. KW&SB was directed to submit report on 13th May, 2017, that whether T.P-I and T.P-III, were made functional in the light of orders of Honorable Supreme Court.

22. On that day M.D. WASA Hyderabad submitted a concise statement and stated that two chlorinators had been installed in the Water Filtration Plant at Jamshoro Road Hyderabad, and Laboratory in the said Plant had also been made functional. Representatives of KIRAN, NIMRA, Hospitals, Karachi and LINAR submitted reports which indicated installation of incinerators in the said hospitals. D.G. SEPA was directed to submit a report on the steps taken for implementation of orders of the Honorable Supreme Court and recommendations of the Commission on 13th May, 2017.

23. The Commission held proceedings in Annexe Building High Court Karachi on 11.5.2017 at 11.00 a.m. as report of learned V Civil Judge and J.M. Malir Karachi dated 06.05.2017 in compliance of order dated 29.04.2017 was received, which reflected that still the illegal activity of sand-lifting from Malir River bed in night hours and otherwise was going on. It was apparent that the police had failed to stop it. Therefore, it was found necessary to direct the Rangers to establish its posts to keep on watching the designated area of Malir River from where the conduits taking water to Karachi are passing through, because various reports submitted before the Commission suggest that if these conduits are damaged, it would lead to an enormous crisis of water for the people of Karachi. Accordingly, learned Advocate General Sindh, Additional Attorney General, Chairman Task Force, Focal Person of Chief Secretary Sindh, M.D. KW&SB and D.G. Rangers or his representative were directed to appear before the Commission on 12.05.2017 at 12.30.

24. The Commission assembled in Annexe Building High Court Karachi on 12.05.2017 at 12.30. In compliance of order dated 11.05.2017, learned Advocate General Sindh, Additional Attorney General, Home Secretary Sindh, Representative of Pakistan Rangers, M.D. KW&SB appeared. They were heard at length, and thereafter, with consent of all the parties, in order to secure designated area of Malir River from where the water conduits are passing through, in addition to issuing direction to the police to patrol the said area, the Rangers were directed to deploy two mobiles to patrol the area for 24 hours a day. And in this regard the Home Secretary was directed to ensure that in the designated area at least 03 police pickets should be established and 24 hours police patrolling be ensured. From him an undertaken was also taken that in future no activity of sand-lifting in Malir River would be allowed. Learned Additional Attorney General, Advocate General Sindh, Home Secretary and representative of Pakistan Rangers were directed to submit compliance report of above directions periodically, and M.D. KW&SB was directed to have a liaison with officials of Pak. Rangers for the purpose of marking the exact area of Malir River to be watched over by them. In the same hearing,

M.D, KW&SB showed some serious concern about security of Dhabeji Pumping Station. Therefore, Home Secretary was directed to ensure full security to not only Dhabeji Pumping Station by the police but to all other facilities under the control of KW&SB wherefrom water is being provided to the people of Karachi.

25. The Commission held proceedings in Annexe Building High Court Karachi 20.05.2017 at 11.00 a.m. Mr. Shoaib Siddiqui, Secretary Planning & Development, Government of Pakistan appeared and apprised the Commission that on 11.05.2017, the scheduled meeting took place to consider resumption of reconstruction work on RBOD-II, development on S-III project and implementation of proposal for five Effluent Treatment Plants in Karachi, but the final decision could not be reached. He, however, assured that within two weeks some tangible progress would be made on the said issues. He also stated that deliberations on K-IV project to provide additional water to Karachi had taken place between Prime Minister of Pakistan and Chief Minister of Sindh and it was likely to be constructed in near future. In the said hearing, the Chief Secretary Sindh also appeared and informed that those directions of the Honorable Supreme Court for the implementation of which a timeline was given to Sindh Government had been complied with and only the requisite notifications to give them effect had to be issued.

26. Secretary, Health Department was enquired about compliance, he replied that yet the incinerators had not been installed in the Hospitals but confirmed that the process for the same was in place and would be finalized very soon. About private hospitals and laboratories, etc. he assured the Commission that he would take steps to ensure that Hospital Waste Management Rules, 2014 were followed by all of them and to check observance of the said rules, he would constitute a committee with the mandate to inspect periodically all such laboratories and hospitals.

27. Chief Executive SEPCO in terms of order dated 06.05.2017 appeared and informed that within his jurisdiction 109 electricity connections of water supply and drainage schemes were pending but all these connections had been energized. Since CEOs of the HESCO and SEPCO submitted the reports that they had supplied electricity connections to all the water supply and drainage schemes, learned District Judges were directed to depute some judicial officer to visit the water supply and drainage schemes along with officers concerned within their respective jurisdiction and submit report about their functionality within three weeks. They all have submitted the reports, which show that most of the schemes are not functional and no benefit to the people from them is being extended.

28. In order to see any difference, since passing of the order of the Honorable Supreme Court, in the quality of water being provided to the people of Sindh for drinking from various sources including River, Canals, R.O. Plants, Water Supply Schemes etc., Member Task Force namely Dr. Ghulam Murtaza was directed to take water samples at his convenience from all such sources and from the places including the Hospitals, Schools public places etc. for the purpose of testing, and submit such report. He has submitted such report, which is enclosed herewith as Annexure A.

29. In the said hearing, M.D. and DMD KW&SB were present. They could not satisfy the Commission, as to why TP-I and TP-III were not yet made functional yet in compliance of order of Honorable Supreme Court dated 16.03. 2017. They claimed that quantity of chlorinated water had been enhanced from 250 MGD to 330 MGD, but admitted that chlorinated water was being mixed with remaining water before supply to the people. They, however, maintained that after completion of rehabilitation work they would be able to achieve maximum chlorination and filtration of water. Queries from M.D. KW&SB in respect of laying new water distribution system and revamping the old one were asked and he was further directed to submit a report in regard to mode of taking water from water hydrants.

30. The Commission assembled in Annexe Building High Court Karachi on 03.06.2017 at 11.00 a.m. In compliance of order dated 20th May, 2017, learned Advocate General Sindh and Mr. Shoib Siddiqui Secretary, P & D, Govt. of Pakistan were present to reply queries of the Commission in respect of progress on RBOD-II, development on S-III project and five CETPs in Karachi. But learned A.G sought time on the ground that Chief Minister Sindh and Chief Secretary Sindh and other officers concerned were busy in pre-budget meetings. He further assured that the proposal floated by Mr. Aijaz Qureshi, XEN, Kalri Baghar Circle, regarding treatment of industrial effluent at Darya Khan Pumping Station Hyderabad would be sorted out at the highest level and within 4/5 days, a short-term plan would be submitted before the Commission to resolve the effluent issue in the Phuleli Canal Hyderabad.

It was informed by the Chairman Task Force that CETP Kotri had not been made fully functional due to constant breakdown of power, therefore, Mr. Ghulam Mujtaba, M.D. SITE was directed to provide Generator to said facility to cope-up with power shortage. Chairman Task Force was directed to submit report regarding mode and manner and the scheme being executed at each water hydrant for taking water therefrom with all necessary details and with a particular reference to the quantity of water being taken from each water hydrant and matters ancillary thereto. And it was also directed that in case, some anomaly was found, therein by

him, he being Chairman, Task Force should take all the necessary steps to remove them to ensure transparency.

31. Deputy Secretary PHED Mr. Riaz Hussain Sahto was directed to explain about delay in completion of water supply and drainage schemes launched in the past five years, besides inordinate long phasing of the schemes and reason why the phasing of future schemes should not be shortened. He sought time. However, in the same context Secretary PHED was directed that in future if any drainage scheme was initiated, it should not be allowed to have outfall in any irrigation canal, but if it was necessary due to non-availability of some alternative, it shall have necessary treatment plant. In the said hearing, Secretary Health sought one months' time to submit some tangible progress in respect of installation of new incinerators in Government-owned Hospitals. Dr. Saeed Qureshi, Focal Person to Chief Secretary also sought one week's time to submit compliance report in respect of directions of Honorable Supreme Court in which timeline for their implementation was given.

32. M.D. KW&SB informed that they had made efforts for providing potable water to the citizen of Karachi but were not yet successful, and further claimed that Laboratories in Filter Plants were made functional but the said claim was contested by Dr. Ghulam Murtaza, Senior Research Officer PCRWR, Member Task Force. It was also reported that staff members posted at the various Laboratories of KW&SB were not regular in duty, which was giving rise to malfunctioning of the Laboratories resulting into compromise on quality of drinking water. M.D. KW&SB was directed to make sure attendance of all staff members at the Laboratories etc. and in this regard to introduce Bio-metric system.

33. Secretary Local Government submitted a report along with a copy of Notification dated 23.05.2017 issued by SBCA imposing ban upon construction of multistory and high rise buildings. Mr. Abid S. Zuberi Advocate/ representative of ABAD filed an application U/o 39 rule 1 & 2 CPC for suspension of said notification, upon which notice to the petitioner and learned Advocate General Sindh was issued on the point whether the application was maintainable before the Commission tasked only with monitoring the implementation of the orders of Honorable Supreme Court dated 06.03.2017, 08.03.2017, 13.03.2017 and 16.03.2017 and whether the Commission was empowered to proceed to hear the application on merits and vary the directions contained in the said orders.

34. The Commission assembled in Annexe Building High Court Karachi on 17.06.2017 at 11.00 a.m. Learned A.G filed a statement along with annexures in respect of RBOD-II, S-3 and CETPs. Secretary, Health Department also submitted

his statement along with annexures. M.D, KW&SB filed photographs of laboratories at different filter plants to show that biometric system was installed in the Laboratories to monitor attendance of the staff. On behalf of Chief Secretary, Sindh statement along with annexures was filed to show compliance on various issues.

35. In compliance of order dated 3rd June, 2017, the Chairman Task Force submitted a detailed report in respect of mode and manner and the scheme being executed at each water hydrant for taking water therefrom. According to him, *“water hydrants are not being run quite methodically. There is dearth of rules and regulations, which leads to arbitrary decision making that often results in mismanagement and bad practices. The whole set of issues relating to functioning of water hydrants, including allocation of water, the number of filling points, the commercial rates, the rates of tankers, generation of bills, dealing with the defaulting contractors, the process of procurement, the selection /prequalification of the contractors etc.”*. This report was found alarming as it clearly demonstrated that water distribution from water-hydrants was not transparent, and no exact figures relating to issues identified in the report are available. It was also clear that water-taking from these water-hydrants is not being processed in accordance with any SOPs, rules, regulations, etc. and this practice is merely dependent on discretion of the management of KWSB which is deciding the distribution of water and other matters ancillary thereto without any check and balance and without being regulated by any law. The said position has undoubtedly resulted into mismanagement and malpractices rendering the distribution system of water supply ineffective and, thus, giving rise to hand-made scarcity of drinkable water for the people of Karachi. It was also noted with surprise that the execution of water-hydrants and supply of water through tankers therefrom was going on for the last about 15 years, but the Sindh Government so far has not made any efforts to frame rules, regulations or enact a law to regulate them. It was in in this context that learned Advocate General Sindh was directed to have a liaison with M.D. KW&SB to propose rules or float some suggestions to run water hydrants. Simultaneously, the Sindh Government was directed to enact a comprehensive law in respect of running of water-hydrants and distribution of water therefrom and other concomitant issues.

36. On the issue of RBOD-II, Mr. Shoib Siddiqui Secretary, P & D, Govt. of Pakistan and learned A.G as well as DAG appeared and were heard. After hearing them, it was obvious that yet the Federal Government and Sindh Government were not able to end deadlock over resuming remaining construction work of RBOD-II, an important and vital scheme to deal with the saline water / waste water of the

province of Sindh. In view of such position, learned A.G Sindh and Additional Attorney General were put on notice to assist the Commission on next date of hearing on the point as to why the Commission should not pass order for starting the remaining work over RBOD-II immediately, irrespective of any deadlock on any issue between the Federal Government and the Sindh Government.

37. D.G. SEPA appeared and stated that in compliance of the order of the Honorable Supreme Court the Laboratory of SEPA at Karachi had been made functional. Dr. Ghulam Murtaza, Senior Research Officer PCRWR, and Member Task Force was directed to visit the said Laboratory and submit his report regarding its functionality and that whether the work i.e. necessary tests as mandated by the relevant law was being carried out therein. He submitted requisite report on 01.07.2017 (Annexure B) and has stated in his remarks that *“the most of the laboratory staff is recently transferred from SEPA outfits to Water Quality Laboratory Karachi to make it functional. Most of the equipments require calibration, reinstallation, repair and purchase of accessories/standards. Presently laboratory is partially functional. However; it will take some time for proper functioning i.e. analysis of drinking and waste water samples (industrial/sewerage) according to meet the SEQS laws and standards”*.

38. An application U/O 39 R. 1 & 2 CPC was filed by Association of Building and Developers of Pakistan (ABAD) seeking suspension of the notification dated 23.05.2017 whereby a complete ban/moratorium has been imposed by the Sindh Building Control Authority on construction of multi-story and high-rise buildings beyond ground plus two stories in the Karachi Region. This notification appeared to have been issued in compliance of the order of the Honorable Supreme Court passed in the subject petition on 16.03.2017. And in view of this fact, the applicants were directed by the Commission vide order dated 03.06.2017, when this application was filed, to satisfy about maintainability of the said application before the Commission, and that whether the Commission was empowered to vary the directions of the Honorable Supreme Court set out in the orders passed in the said petition. And to hold hearing on this point only, the notices to the Petitioner namely Mr. Shahab Osto and learned Advocate General, Sindh were issued. All the parties were heard. The applicants could not demonstrate that the Commission tasked to monitor implementation of the directions of the Honorable Supreme Court, and its recommendations incorporated in the order dated 16.03.2017, had a mandate or powers to vary the terms of such directions. Therefore, the said application was considered non-maintainable and was dismissed accordingly.

39. In the said hearing, the Commission, after perusing the reports of the Government Functionaries, the ground realities conveyed by the Petitioner from time to time in his arguments, various applications sent by the people from all over the province, and the reports of the learned Sessions Judges called earlier, evaluated tentatively that no substantial compliance had been made in respect of time-bound directions given by the Honorable Supreme Court. For instance, the Honorable Supreme Court in Para No.12 of its order dated 8.3.2017 passed in the subject petition has observed as under:-

As regards the immediate issue of the functioning of the water filtration plants and sewerage treatment plants TP-1 and TP-III the Chief Secretary Sindh undertakes that a committee comprising of the Secretary, Local Government, the MD, KWSB, Professor Dr. Muhammad Ahsan Siddiqui, Water Technologist and any other expert/s shall be formed by him and such committee shall address the noted issues. The committee shall ensure the rehabilitation of all the water filtration plants if required. The Committee shall also ensure that the laboratories are equipped with necessary instruments for proper monitoring of water quality. It will further ensure that necessary chemicals are procured and rehabilitate the water filtration plant at Gharo and its laboratory. The Chief Secretary assures that this committee will be provided funds promptly to undertake the aforesaid assignments. This exercise shall be completed within one month and compliance report shall be submitted for our perusal in Chambers. Requisite training to the laboratory staff will be imparted and their skills updated through experts in a month's time.

During the proceedings of the Commission on different dates although various reports were submitted but neither STP-I and STP-III were shown to have been made functional, nor were all the Water Filtration Plants including Filter Plant at Gharo rehabilitated completely in compliance of the above direction.

40. Likewise, in Para No.4 of its order dated 13.3.2017, the Honorable Supreme Court has observed as under:-

“.....In view of the aforesaid clause 2(10) in the lease it becomes incumbent on SITE to ensure its compliance. SITE must therefore inspect all industries periodically and develop a transparent mechanism to gather data and take samples of effluents from every lessee/industry to determine whether the same is “dangerous,

poisonous or objectionable”, and if the same is dangerous, poisonous or objectionable SITE should inform the concerned lessee/industry to take remedial measures. The samples of effluent taken must be sealed and photographed to ensure the integrity of the sample sent to the laboratory for testing. Secretary Industries should adopt a similar methodology with regard to the industries situated in Korangi, landhi and Federal ‘B’ Area. Compliance reports be submitted within one month by MD, SITE and Secretary Industries.”

The MD SITE and Secretary Industries were required to do the needful and comply with the above direction within stipulated period of one month. Their reports showed that samples of effluent from some of the factories were obtained and tested, but these reports did not confirm that the compliance in the terms as stated in above produced observation of the Honorable Supreme Court was made in toto.

Likewise, on 13.3.2017 the Honorable Supreme Court in Para No.6 of the order passed has observed as under:-

“We therefore direct the chairman of KPT, MD of KWSB and MD of SSWMB to personally examine all the water channels/drains that bring and discharge effluents and solid waste into the harbor and the Karachi coast, devise practical, inexpensive and immediate measures from their existing budgets initially to prevent the pollution of the harbour and the Karachi coast. Each of them are directed to submit their separate reports in this regard (with photographs/videos recordings) within one month.”

M.D, SSWMB and Chairman KPT submitted reports dated 13.4.2017 and 22.4.2017 respectively indicating that a meeting was held on 5.4.2017 by all the concerned in compliance of the said direction and a visit to the Karachi harbor was also undertaken by some of them. But beyond that no further measures in terms of above observation of Honorable Supreme Court to prevent the pollution of the harbor were devised by them within the stipulated period of one month. MD KW&SB even did not bother to submit any report to show his concern to comply with the said direction.

Likewise, in Para No.7 of the said order dated 13.3.2017 the Honorable Supreme Court has issued direction as under:-

“With regard to the solid waste in hospitals, the Secretary Health states that there is only one incinerator that is functioning for all government hospitals in the city of Karachi and the rest are just not

functioning for which he could not offer any plausible explanation. We direct him to rehabilitate and activate all incinerators installed within the hospitals in the Province of Sindh within one month from today and submit a compliance report in this regard for our perusal.”

Although the Secretary, Health submitted some reports on different dates of the Commission’s proceedings to the effect that he was making efforts to comply with the above said direction, and the incinerators already installed had been made functional, but no substantial material confirming the said fact was produced before the Commission.

41. In Para No.11 of its order dated 16.3.2016, the Honorable Supreme Court has observed as under:-

“In addition to the above recommendations in the commission’s report further directions may also be issued by the Commission. The proposed Task Force shall comply with the directives contained in this order and report compliance to the Commission as well as to this Court through the Registrar, for our perusal in Chambers”

Although various reports have been submitted before the Commission, but the compliance of above direction in the terms as stated therein was not made and no result affirming material improvement in quality of drinking water in Sindh and sanitation was produced in compliance of orders of Honorable Supreme Court.

42. In Para No.14 of its order dated 16.3.2016, the Honorable Supreme Court has directed the Sindh Government as under:-

“.....We direct the Sindh Government, especially the Irrigation Department, to immediately minimize the pollution in the aforesaid arteries used for providing supply of clean drinking water to the public in Sindh. The Task force shall immediately take remedial steps to stop this menace and report its progress to the Commission within one month.”

Although Chairman Task Force, who is Secretary, Irrigation Department also, and the Government of Sindh through Chief Secretary have submitted some reports. But these reports only show that the points/outlets discharging waste water/effluent in the irrigation channel/arteries have been identified. But the real work to stop such outfall within a month as required has not been done.

43. In Para No.27 of the order dated 16.3.2017 the Honorable Supreme Court has observed as under:-

“The Task force shall ensure that all filter/treatment/sewerage plants in Sindh inclusive of Karachi, Hyderabad, Sukkur and Kotri shall be

made functional. It shall submit detailed periodical reports to the Commission. The Task Force shall also make functional all the incinerators installed in the Government hospitals as per the undertaking given by the Health Secretary in court on 11.3.2017 (Report No. 25-K/2017)”

Except submitting some inconsequential reports, nothing substantial was produced before the Commission to show compliance of the above direction.

44. In Para No.30 of the said order the Honorable Supreme Court has observed as under:-

“In view of the aforesaid sad state of affairs, we are compelled to direct the Sindh Government to withdraw the installation and maintenance work of RO/Filter plants from the Special Initiative Department and/or the Sindh Coal Authority and to assign it to the Public Health Engineering and Rural Development Department to be the executing department as mandated by the Sindh Government Rules of Business. It will also be the responsibility of the said Department to maintain the RO/filtration plants.”

The Chief Secretary Sindh in his report dated 14.6.2017 submitted that as per amendment in schedule-II of the Sindh Government Rules of Business, the Special Initiative Department, Government of Sindh has been mandated to construct and maintain RO/Filter plants. He also submitted a copy of the notification dated 9.5.2017 in proof thereof. It was, however, apparent that said notification amending the Rules of Business, 1986 was issued much after the direction of Honorable Supreme Court incorporated in the order dated 16.3.2017. In the circumstances, the Chief Secretary, Sindh was put on notice to explain the validity of said notification and its repercussions particularly in the backdrop of specific directions of the Honorable Supreme Court on the issue.

45. In Para No.31 of the above stated order, the Honorable Supreme Court has directed the Secretary Public Health Engineering and Rural Development Department as under:-

“As regards Pak Oasis, the Commission has reported that it did not have the capacity to meet the need nor the infrastructure. The installation/maintenance of RO/filtration plants is the function of the Public Health Engineering & Rural Development Department under the Rules of Business. The Secretary of the said department shall collect details of the RO plants installed throughout Sindh and submit

it to the commission with the status as to whether the RO plants are functional or not. From today onwards, the Public Health Engineering and Rural Development Department shall be responsible for installation and/or maintenance of all the RO plants in the Sindh Province. The Task Force shall also submit its report to the Commission in this regard.”

In compliance of said direction, the Secretary Public Health Engineering & Rural Development, Department has not submitted any report or produced any evidence to the effect that the department has assumed responsibility of installation and maintenance of all the R.O Plants in the Sindh as directed.

46. In Para No.32 of the said order the Honorable Supreme Court has dealt with the issue of Rural Water Supply Schemes and has assigned the duty of remedying the shortcomings in the said schemes to the Task Force. But no progress on these very important schemes has been made and still the rural areas of Sindh are witnessing drought-like situation.

47. In Para No. 42 and 43 of the said order of Honorable Supreme Court has observed as under:-

“42. In this backdrop, we are constrained to direct the Sindh Government to withdraw all municipal functions (i.e. water supply, sanitation and solid waste disposal) of all the cities within the purview of NSUSC forthwith as has been done in the case of Shikarpur and Larkana cities and transfer these functions to the Public health Engineering Department. The NSUSC shall in the intervening period provide all the details of any nature as and when required by the commission. On completion of the two schemes referred hereinabove, NSUSC shall be wound up. The NSUSC shall neither be disbursed nor receive any amount hence forth either by the Provincial Government or by Asian Development Bank on any count. The daily wager or contract employees appointed by NSUSC shall not be paid by the Sindh Government and the employees of TMAs shall immediately report back to their parent departments.

43. The Government of Sindh in the intervening period is further directed to order forensic audit of the NSUSC from the date of its creation till today through A.F. Ferguson and Co. The proposed forensic audit shall contain the amount it has received either from the Asian Development Bank or from the Provincial Government or from any other source and shall provide all the details of the disbursement

of the aforesaid amounts to the proposed Auditors. This forensic audit shall be completed within two months from the date the services of A.F. Ferguson and Co., are hired. The Sindh Government shall hire the services of the said company within two weeks from today and a compliance report in this respect shall be sent directly to this court, and a copy thereof to the Commission. The proposed Auditors shall submit the forensic audit report in sealed cover directly to the Registrar, Supreme Court and the Commission.”

On this direction, the Chief Secretary, Sindh submitted in his report dated 14.6.2017 that the Sindh Government has filed a Civil Review Application No.14-K/2017 in the subject petition before the Honorable Supreme Court. As to the audit of accounts of NSUSC, it was informed that M/s A.F. Ferguson & Co. was approached, but it regretted to do the same vide its letter dated 9.6.2017 on the ground that the Firm was already pre-occupied in some other related assignments. But it was not informed that any stay order was passed in the said Review Application to stop the Sindh Government from complying with direction regarding withdrawal of municipal functions from NSUSC. It was also obvious that in the face of refusal to audit the accounts of NSUSC by the above stated Firm no other Firm or company of good repute was either proposed or approached. The said report of the Chief Secretary further showed that the letter to M/s. A. F. Ferguson & Co., was sent by the Secretary Planning on 31.5.2017, while as per terms as stated in Para No.43 of the order dated 16.03.2017, the Sindh Government was required to hire services of the said company within two weeks. However, later on, the Chief Secretary in his reply to show-cause notice to explain non-compliance of the above-said direction submitted a copy of notification dated 12.05.2017 whereby only the municipal functions have been reverted back from NSUSC to relevant local councils.

48. As regards Sindh Solid Waste Management Board , Honorable Supreme court in the said order in Para No.50 has observed as under:-

“We under these circumstances are compelled to observe that this court has serious reservations with regard to the continuation of Sindh Solid Waste management Board programs, which have failed to deliver in any part of Sindh including Karachi, and as the Government continues to also pay to Local Government Departments for the same work. Such amounts need to be utilized by strengthening the departments which are meant for the aforesaid job. Running a parallel organization to perform the same function leads to bad governance and lack of responsibilities and accountability, which is

sadly the order of the day, as clearly demonstrated from the material collected by the Commission and by viewing the recordings. Experiments should end now. The non-functional Board which has never performed should be dissolved by transferring its functions to the local bodies as provided under the Rules of Business. In doing this, the agonies of the residents of the cities will be minimized. It will also save the Sindh Government from waste of public money of which the Sindh Government is trustee.”

The Chief Secretary in his report dated 14.6.2017 stated that Sindh Government has filed a Review Application No.14-K/2017 on the said point. However, the Chief Secretary did not mention that whether any restraining order to stop the Sindh Government from complying with the said direction has been passed in the said Review Application.

49. All the aforementioned directions for implementation and compliance were given by the Honorable Supreme Court with specific time-line but as is apparent from the above discourse, the Officials concerned did not comply with the same within stipulated time. The Commission after considering the above state of affairs issued a show-cause notice to Officials concerned to explain why the proceedings for willful contempt of court’s order shall not be initiated against them.

50. Thereafter, the Commission assembled in Annexe Building High Court Karachi on 01.07.2017 at 11.00 a.m. Secretary Industries, Secretary Public Health Engineering Department, Secretary Local Government, Director General SEPA, D.G. WASA, and M.D. SITE were present and submitted their reply to the show-cause notice through learned Advocate General Sindh. Learned A.G. Sindh also submitted reply to show-cause notice on behalf of Secretary Health, who, according to him, was out of the country. He further stated that Chief Secretary Sindh, Secretary Irrigation, M.D KW&SB, M.D. SSWMB were not able to prepare reply of show-cause notice due to their pre-occupation with official work, and sought one weeks’ time to submit their reply. Learned counsel for K.P.T also sought one weeks’ time to submit reply on the ground that the post of Chairman KPT was lying vacant and no one on his behalf was holding the charge.

51. On the issue of resuming remaining work on RBOD-II, Learned A.G Sindh informed that the Sindh Government has approved seven billion rupees and soon after release of the funds, the work on the said scheme would start. Mr. Shoaib Siddiqui, Secretary Planning & Development Govt. of Pakistan stated that the Federal Government and Sindh Government were able to sort out differences in

respect of their liabilities about funds for completing RBOD-II scheme. He further informed that the PC-I for approval and release of said funds would be submitted shortly to Central Development Working Party (CDWP) and Executive Committee of National Economic Council. He hoped that by the end of July, 2017, the remaining work on RBOD-II would be started. After hearing the parties, the said issue was postponed for 15 days on 15.07.2017 when learned AG Sindh, learned Additional Attorney General and Secretary, Planning & Development Govt. of Pakistan were directed to address the Commission on the question framed vide order dated 17.06.2017. It was also ordered that meanwhile if some progress, as suggested by the above officials was made towards resumption of remaining work on RBOD-II, it shall also be brought on record.

52. Dr. Ghulam Murtaza, Senior Research Officer, PCRWR, Member Task Force reported about his visit of the STP Plants installed on the basis of MBBR Technology at Nawabshah (6MGD+4MGD), he stated that the said plants were complete in all respects but due non-energizing of electricity connection, the same were lying non-functional. He submitted same report about Ultra Filtration Treatment Plant (0.800 MGD) installed at Golarchi District Badin. Therefore, the Secretary PHED was directed to verify the above facts and submit report on 8th July, 2017 showing putting these Plants in immediate operation. Dr. Ghulam Murtaza also submitted a report of his visit of Water Laboratory at Chillya, which was partly functional due to non-availability of electricity connection. M.D. KW&SB was directed to do the needful to make it fully functional.

53. Further learned A.G Sindh sought time to submit report about progress over enactment of laws, rules or regulations etc. in respect of running water-hydrants by KW&SB.

54. The Commission assembled in Annexe Building High Court Karachi on 08.07.2017 at 11.00 a.m. Learned A.G. submitted reply of the Chief Secretary Sindh to show-cause notice. Learned A.G. on the last date of hearing had raised a point that this Commission had no jurisdiction to issue show-cause notice or start contempt of court proceedings against the Government officials and the show-cause notice issued by the Commission against the officials concerned was beyond its mandate and thus not sustainable. He was, however, directed to come prepared to argue on this point on the next date of hearing. But he on that day sought one weeks' time. The Petitioner was also directed to come prepared to assist the Commission on the said point.

55. M.D. KW&SB submitted a report disclosing installation of transformer at Chilya Laboratory and energizing of its electricity connection. He also informed

that the law/rules, regulations, etc. in respect of running of hydrants by KW&SB have been drafted and transmitted to Government of Sindh for approval and action. Secretary Local Government confirmed the said position and assured further action thereon in accordance with law. M.D. KW&SB also submitted a copy of such proposed laws/rules.

56. In the said hearing, Major (Retd.) Umar Farooque, Chairman Left Bank Canal Area Water Board Badin submitted a report regarding anti-encroachment operation on the banks of Akram Wah; and the problems faced by the Irrigation Department while executing the said operation. He informed that when an illegal 3 feet diameter pipe from Akram Wah was being removed, the irrigation Department faced resistance from the beneficiaries of that pipe line who are local influential. And although they informed the District Authorities about such resistance and the law and order situation but neither any help from them was provided, nor any legal action was taken against the law-breakers and encroachers. Accordingly, learned A.G Sindh and Chairman Task Force were directed to provide due assistance to the officials of Left Bank Cana Area Water Board for removing illegal encroachments and illegal water outlets from the banks of irrigation channels of Hyderabad. In this regard District Officials concerned were also directed to provide assistance to the officials of Irrigation Department in the ongoing anti-encroachment operation taking place on the banks of Irrigation Canals.

57. Chief Secretary Sindh addressed the Commission on the issue of TP-I, TP-II and TP-III and the problems being faced by the Government of Sindh in rehabilitating TP-II, the main portion of which has either been encroached upon or leased out by KMC where thousands of houses have been built. He stated that Government of Sindh was looking for alternate land for the inhabitants residing within the premises of TP-II, who are likely to be displaced during its rehabilitation process. He also informed that in order to functionalize TP-1 and TP-III, all the required funds had been committed and within very short time, TP-I and TP-III would be put in operation. However, when he was asked to give specific timeline for operationalizing these two treatment plants, he sought one weeks' time and stated that on next date i.e. 15th July, 2017, he would be able to submit specific timeline for operationalizing all these three Treatment Plants.

58. Learned A.G made a statement that mainly all the directions and recommendations have been complied with, necessary notifications have been issued, and funds to improve water related infrastructure have been committed. But to achieve implementation of some of the directions and recommendations, he stated, sometime was required. His claim was, however, disputed by associate of

the petitioner. He informed that that although the work seemed to be going on but no result was yet achieved; the quality of drinking water was as non- satisfactory as it was before, and the condition of the Filter Plants had not improved much.

EXCERPTS FROM REPORT OF TASK FORCE.

59. The Chairman Task Force, which was constituted in pursuance of the order of Honorable Supreme Court of Pakistan dated 16.03.2017, has submitted his report (**Annexure C**) detailing the steps taken to make progress on different components. According to this report, the Task Force in order to work on different components of the task assigned to it has met several times and deliberated over the issues and has continued to monitor progress on different components of work. The report claims that the Task Force has done its utmost to follow the timelines assigned to it, yet, in certain cases, despite all possible efforts, some timelines have been transgressed, because the task assigned to it is gigantic and has countless components. And further that in the period of four months the Task Force has tried to address as many issues as possible, yet, there still are many that need to be addressed. The report also claims to reflect the latest status of progress being pursued on the orders of the Honorable Supreme Court of Pakistan. Some of excerpts from the report are reproduced herein under.

1-Outfall of waste water into irrigation system

In order to resolve the long continuing practice of discharging untreated sewerage and industrial water into irrigation channels. The Irrigation Department decided to hire the services of a reputable consultant i.e. Associated Consulting Engineers (ACE) Pvt. Ltd. This was done keeping in view enormity of work and its several dimensions of the whole problem. The consultants were assigned to: -

- i. To collect data from different regions of Irrigation Department and Municipal Committees/Corporations.
- ii. To get lab tests conducted of water samples.
- iii. To make categorization of waste water being disposed of.
- iv. To make a general assessment of impact.
- v. To propose a Master Plan.
- vi. To identify possible treatment/handling measures.
- vii. To suggest the mode/method of implementing a Master Plan.

The teams of Irrigation Department were assigned the task to assist the consultants in this field exercise. The whole exercise was finally completed within about three months. The consultants have come up with the feasibility study and Master Plan which directs at eliminating/reducing the urban sewerage/industrial water discharge into irrigation canals/channels/distributaries. According to the report, the major sources of water pollution have been identified, which mainly are rural villages and livestock, industrial waste, agriculture drainage, etc. The report presents all the data of every significant point of confluence i.e. where the untreated water gets merged into irrigation channels. Each point has been geo-tagged. Furthermore, the data has

been segregated and organized into district based data. The larger cities - keeping in view their peculiar and complex issues - were treated differently. The report finally has purposed a Master Plan, which presents a solution that requires an integrated approach from different stakeholders.

Comments/proposals of the Task Force:

The Task Force while agreeing with the plan submitted herewith is of the view that this is an enormous task that involves several stakeholders and colossal financial implications. The appropriate way of going about it would be to place the whole proposal before the worthy Chief Secretary of Sindh with the request to either get the stakeholders on board himself or advice Chairman P&D to proceed in the matter. It will require holding meetings with all stakeholders and seeking proper timelines and financial requirements.

It is understood that this cannot be done within one or two financial years. It would require consistent efforts and a long term plan that incorporates short term measures and timelines also. The prioritization of tasks would need to be done, for instance, the large cities can be taken in first phase (the cities of Hyderabad, Kotri, Karachi, Sukkur, Rohri, Khairpur, Larkana, Nawabshah and Shikarpur) or else the most hazardous points can be taken as first priority regardless of their locations. But this will have to be decided after consultation with the concerned stakeholders/Sindh Government Departments.

2-Water Hydrants in Karachi (Management and issues):

There are several issues involved in the water hydrants being run and operated by KW&SB in Karachi. In short the Task Force, on the recommendations of the Honorable Commission, addressed and looked into the following:

- a. Functioning and operation of illegal water hydrants.
- b. The number of water hydrants – sufficient or insufficient.
- c. The mode of controlling and regulating water hydrants.

On all three components and other inter-connected ones, the Task Force probed the issue in detail. The issue of installing water hydrants within the radius of three kilometers was also discussed in detail. The Karachi Water & Sewerage Board (KW&SB) is of the view that establishing of water hydrants with such intensity would not be technically possible. It was also opined by them that this would also be unnecessary. While referring to an earlier finding of the Honorable Supreme Court of Pakistan, the Board was of the view that "one hydrant per district" is a more workable strategy.

It was found that the water hydrants, surprisingly, are running without any laid down rules and regulations. Secondly it was also seen that the process of contracting out the hydrants is quite inappropriate. What was observed is the fact that the last process of tendering was done in 2008 and 2009. The contracts awarded then are still running without any fresh invitation of NITs. In the meanwhile the problems of arrears have also accumulated and there are no rules to address those issues. It was further seen that the fixation of prices is also very arbitrary and the interconnected fact is that those fixed prices are not being followed properly.

While realizing that the preliminarily enquiry could not address every issue of this complicated affair, an enquiry committee was formed consisting of senior

engineers to look into the affairs of water hydrants in detail and make recommendations. The committee has made the following **recommendations**:

1. The No. of water Hydrant (less or more as the case may be) resorted as actual need basis & maintained properly & exactly in accordance with the bylaws already set forth by the Karachi Water & Sewerage Board & lacuna in rules if any should be amended in consultation with all stakeholders.
2. As specific policy & mechanism should be devised for the fixation of commercial rates of Hydrants water in consultation with the stakeholders & followed strictly by all means and record should invariably be maintained properly.
3. There should be criteria for selecting the contractors by invoking relevant clause of SPPRA Rules 2010 & the contract should only be awarded to successful bidders after observing pre-requisite codal formalities. At present KW&SB has floated Tenders for auction/out sourcing of 06 Hydrants for period of 02 years however this committee observes that open auction would be a better option in this case for more competitive bidding to achieve higher Revenue.
4. The rules regulations of KW&SB embodied @ serial (e) although contain that the contractor shall build as sub-surface reservoir at the location, but at site there was no sub surface Reservoir hence the needful should be done according to rule & a time period should be fixed for filling & nobody should be allowed to utilize the services beyond time frame.
5. Cameras should be installed with one month with backup linked with central office to check and monitor the number of trips.
6. The calibration of Tankers capacity should be got done immediately & there should be a mechanism to ascertain exact quantity of water supplied/released through Tankers & account thereof be maintained properly, the calibration should be done bi-annual and such certificate should be pasted/available with Tanker.
7. To address the water shortage issue with DHA, it is proposed that an independent water Hydrant may be established under the administrative control of DHA authorities by getting connection and NOC from KW&SB. All Tankers providing services in DHA area should be painted under title of water services for DHA only. There after neither KW&SB / private Tankers should be allowed to supply water in DHA and vice versa. In this way the monopoly of water Tankers will be curbed and DHA will have their own alternative source of supply of water on cheaper rates as compared to prevailing market/monopoly rates. Similarly KW&SB should also paint water Tankers under the title of KW&SB water supply Tankers, in this way illegal/un-authorized water Tankers will be eliminated.
8. It is observed that existing water meters installed at Hydrants are of very inferior quality and most of them are not working hence all meters need to be replaced by reputed brand preferably of international standard in order to get actual usage of water by Hydrants, in this way revenue of KW&SB will also be increased.
9. It is observed that existing water meter are mechanical which are subject to fail because of their moving parts working under pumping pressure, therefore it is recommended that full bore latest model electromagnetic meters or any other internationally recognized brand may be installed for long term operation.

10. As already recommended by KW&SB this committee also endorses the same that all industries should install their own R.O Plants to meet the requirements of water as per their need. For this purpose necessary NOC may be obtained from KW&SB.
11. The entire Hydrants operation should focus on public service with a clear intention of serving to the deprived areas, in both acute and chronic areas.
12. No electric charges made in water bill, the electric charges of Hydrant should be paid by the contractor directly to K-Electric or any alternate energy arrangement should be the sole responsibility of contractor.
13. The staff of KW&SB responsible for the management in each & every capacity should be warned to be vigilant in discharging their duties and slackness if any noticed on part of any incumbent should not be tolerated at any cost.
14. A senior Technical Officer not less than Superintending Engineer (Grade-19) should be posted as In-charge of water Hydrant.

The proposal of the Task Force:

The Task Force agrees to the recommendations of the Inquiry Committee and proposes that the KW&SB ensures that these recommendations are implemented. It is further proposed that the draft rules, if do not incorporate these recommendations, may be amended to ensure that these recommendations are taken care of.

3. Sand Lifting from Malir River:

The Task Force in the first place appointed a team to visit the area and see for themselves the intensity of sand lifting. After having received the reports from the committee that visited the area, it was established that sand lifting was still being done and that too to the limits that could jeopardize the pipelines and conduits. Such reports were also submitted before the Commission. The Honorable Commission directed Sindh Rangers for establishing the pickets and also the similar directions were issued to Police Department for establishment of pickets and ensuring that no sand lifting is being done. The Task Force requested Commissioner Karachi to be sharing periodic reports/fortnightly reports that the sand lifting is effectively stopped. In the meanwhile the Home department also imposed ban on sand lifting through imposing Section 144 restrictions.

After establishment of Police pickets and involvement of Rangers, the Task Force is of the view the sand lifting has been stopped for the time being. Such confirmation is being received from Commissioner Karachi, every fortnight.

Proposal of the Task Force:

The Task Force is of the view the current arrangements of Rangers and Police picketing and patrolling may continue indefinitely. The Home Department may also continue to remove the restrictions on sand lifting by perpetually renewing the time-limits of Section-144.

4. The Combined Effluent Treatment Plant Kotri:

The issue of Combined Effluent Treatment Plant Kotri, being non-functional, is another problem that the Honorable Commission took notice of. With the untreated industrial waste getting into Kalri Baghar (KB) Feeder, causes abiding problem of contamination for the people of downstream KB Feeder (including Thatta & Kotri). The plant was taken over by SITE Kotri on 7th February 2017. However, when the

SITE took over the plant it was found that certain deficiencies were there to be removed. Keeping in view the deficiencies, a PC-I was prepared worth Rs.63.780 million for carrying out the remaining works, procurement of generator and the required laboratory equipment etc. was made. The PC-I was approved and funds finally released. The repair/rehabilitation works out of the released money are underway. However, it was noticed that the remaining works do not relate to the actual functioning of the plant (the remaining works includes construction of boundary walls etc.) and therefore do not restrict immediate operations.

The MD, SITE was continuously reminded by the Honorable Commission, and subsequently by the Task Force, to get the plant operational. The SITE Authorities finally got it functional - nay temporarily - for a short while. The samples were taken on such advice from the Task Force, by Pakistan Council of Research in Water Resources (PCRWR) Authorities. The samples were not found quite satisfactory. In the meanwhile the SITE Authorities closed down the plant yet again on the pretext that the clarifiers are to be de-silted. In the last meeting of the Task Force with the SITE authorities, the Chief Engineer SITE requested for another 10 days' time to make the plant finally functional.

Views of the Task Force:

The Task Force is of the view that the SITE Authorities (specially the Chief Engineer SITE) are not in the position to run the plant properly for the reasons of its inherent faults. The plant, even in the past, was run for a few days on experimental basis that invariably have run into technical difficulties that led to its closure again. Now the Chief Engineer, SITE when confronted with the past performance of the plant, came forth with the request for grant of another 15 days for completion of the plant and making it functional. If the plant is made functional, the treated water shall be tested again through reliable laboratories (preferably PCRWR) to gauge the efficiency of the plant. The Task Force has however serious reservations on the possibility of this plant ever getting efficiently operational. The Honourable Commission shall be informed of the outcome as early as the plant is made functional (not later 15 days from this date). The Honourable Commission shall also the informed of the efficiency of the plant after having done the required tests on the samples.

5. Creating Awareness in People:

The Honorable Commission also placed great emphasis on creation of awareness in people about importance of clean water and the diseases related to water (water borne deceases). The Commission also desired that the Education Department may be directed to incorporate the subjects/units/lessons/chapters on the importance of clean drinking water, sanitation and healthy environment.

The Task Force took the matter up with the Education Department. The Education Department responded that the current curriculum includes the necessary material. The Education Department was also requested to provide the details of such textual material relating to the subject. The Education Department informed that from Grade-1 to 5, the following lessons/units/chapters are included:

1. Keeping our self-clean (Class-I)
2. Our Health Center (Class-I)
3. Blessings of Almighty Allah (Class-II)
4. Water & its Resources (Class-II)
5. How human beings effects the natural habitats (Class-III)
6. What will must do to lay healthy (Class-III)
7. Water (Class-III)
8. Interaction between land and people (Class-IV)
9. Weather (Class-IV)
10. Climate (Class-V)

11. Microorganisms (Class-V)
12. Environmental pollution (Class-V)
13. Matter and changes in its stages (Class-V)
14. Main hole (Class-I)
15. Sab Kuch Allah Ney Diya Hai (Class-I)
16. Pani Zindagi Hai (Class-IV)

Proposal/views of the Task Force:

Though the material provided by the Education Department indicates that some basic concepts must have been taught to children, yet it is opined that the Department can do better to include more material to inculcate the basic values and concepts. The relationship between clean water and health/hygiene can still be elaborated and in the manner that takes hold in the tender minds.

The teacher training programs should also lay adequate emphasis on this issue.

6. Creation of a Single Civic Agency:

Realizing that the issues of managing water and sanitation are fragmented and disjointed, the Honorable Commission had desired that a Single Civic Agency may be created in each district, so that the issues of water and sanitation are managed in a more coherent manner. The Task Force took up the matter with Secretary, Local Government, who himself is member of the Task Force. He initiated a note for the Chief Secretary, wherein it was suggested that a District Executive Committee on drinking water and sanitation be created in each district of Sindh excluding Karachi & Hyderabad. The committee stands notified and so far eleven District Executive Committees have generated their reports highlighting the issue in their respective districts.

View of the Task Force:

The Task Force is of the view that some focal office needs to be created in the Secretariat of Local Government Department that could exclusively focus on the issues being raised continuously by different District Executive Committees. This focal office could sift the issues and bring before the Secretary of Local Government a list of doables that Secretary, Local Government could address. The focal/monitoring office should be capable of analyzing the reports and making out coherent plans. Without such a body, exclusively dedicated to collection and analysis of Executive District Committees, the concept may fade away into obscurity. The Task Force shall continue to oversee the performance of these committees and outcome of their reports.

7. K-IV Project:

K-IV Project is bulk water supply scheme of Karachi Water & Sewerage Board that is supposed to be catering for the needs of future. It would, in total, be providing 650 MGD in three phases in addition to the current supplies. The first phase K-IV Phase-I that is supposed to be having the capacity of providing 250 MGD is underway. It commenced in 2016 and the PD, K-IV is confident that it would be completed by June 2018. The phasing of K-IV is as follows:

#	PHASES	YEARS
1	K IV Phase-1, 260 MGD	2016 to 2018
2	K IV Phase-2, 260 MGD	2017 to 2019
3	K IV Phase-3, 130 MGD	2019 to 2020

K-IV, Phase-1 is further subdivided into two packages, package (a) and package (b), the details are as follows:

Package-A Conveyance system including intake structure, canal, conduct, siphons, pipelines, cross drainage structures, supper passages, culverts, pmu central office, and allied works.

Package-B 2 pump stations 260 mgd, rising mains, filter plants 260 mgd, 4 x storage lagoons (130 mg), & site offices.

As reported by PD K-IV, Package (a) has already been awarded for Rs.15.254 billion in June 2016; so far the physical progress on package (a) is 26%. The expenditure so far on package (a) has been Rs. 4621.000 million. As far package (b) it is likely to be awarded by July 2017. In the meanwhile Frontier Works Organization (FWO) is fully mobilized at site and manpower deployed is more than 1100. The necessary equipment and machinery exceeding 700 in number has been dispatched to the site. The work on the whole stretch i.e. 122 kilometers is in progress.

Package (b) is also expected to be simultaneously completing with package (a) i.e. in June 2018.

View of the Task Force:

The Chief Secretary, Sindh, on 8th July 2017 held an important meeting to, inter alia, review this project. He probably will brief the honorable Commission on this issue on the next date of hearing.

8. Augmentation plan - ensuring water supply to the tail ends:

The Project Director K-IV was assigned, by MD KW&SB, the task to prepare PC-I for augmentation of the tail end areas. He has prepared PC-I and submitted to the MD, KW&SB. The MD, KW&SB informed that the PC-I worth Rs.11.000 billion is prepared and the process being transmitted to Planning & Development Board, Government of Sindh. Prior to its transmission, however the permission of the Chief Minister would be required for the reasons that this PC-I would be outside the regular budget. The MD, KW&SB has further informed that the Summary for Chief Minister would be initiated by Monday the 10th of July 2017.

The Task Force's point of view:

The Task Force would continue to monitor the progress and keep the honorable Commission updated.

9. The Filtration Plants, KW&SB:

As per the data provided by KW&SB, there are eight filter plants currently installed for the purpose of cleaning the raw water. Location of these eight filter plants along with their capacity, whether or not filtration is being done and whether or not chlorination through chlorinators is done:

Sr. No.	Location	Capacity (MGD)	Filtration	Chlorination Through
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				Chlorinators
1	Gharo	20	X	X
2	Pipri-old	50	X	X
3	Pipri-JBIC	50	✓	✓
4	NEK-Old	25	X	X
5	NEK (K-II)	100	✓	✓
6	COD-(70 mgd)	70	X	✓
7	COD-(45 mgd)	45	X	✓
8	Hub-Manghopir	80	✓	✓
Total		440	230	345

The Task Force has worked very closely with MD, KW&SB, who is also a member on this Task Force. In pursuance of the directions by the Commission, the following works have lately been accomplished. On NEK, K-2 two clarifiers have been completely de-silted. The water channel leading to plant have also been de-silted and it is completely functional now. One pre-chlorinator and one post-chlorinator are functional.

At Pipri-JBIC, the ballistic tank and thickener pond have been completely de-silted. In addition 1 pre-chlorinator and 1 post-chlorinator are also functional. It is also important to be pointed out that Pipri Old Filter plant is closed for long and is abandoned.

At COD 70 MGD filter plant, three clarifiers have been de-silted. In addition the remaining works of chlorinators have also been accomplished to make them functional. One pre, one post and one stand-by chlorinators are now functional. As for the 45 MGD filter plant, the pulsator has been de-silted and two chlorinators made functional. At Gharo filtration plant the chlorinator has been repaired and made functional.

Views of Task Force on Water Filter Plants, KW&SB:

The Task Force, simultaneous to the works being executed by KW&SB, conducted an exercise of taking samples from these plants and analyzing the impact of the works carried out. Dr. Ghulam Murtaza, Director General, PCRWR, who is also member of the Task Force Team, conducted this exercise. His final report is almost complete and at the last stage of preparation, yet, he has shared some preliminarily observations with the Task Force. According to his observations, for instance, as for the filter plant, NEK, the samples taken from the site indicate that the process of chlorination is quite effective. The bacterial presences is substantially reduced and brought into the acceptable parameters. However, the samples taken from the distribution system speak quite to the contrary and show bacterial presences once again. The results of analysis speak of the similar observations on COD and Pipri Plants. As for Gharo Filter Plant, there is no effective chlorination or filtration being done even at the site. The Task Force is of the view that the KW&SB has made some efforts within their financial limits. Yet there is an enormous task ahead to set the system in order. The KW&SB has been financially assisted to the extent of Rs.3.4 Billion in the current ADP, by the provincial government (ADP Nos. 1568 &

1569) for rehabilitation of the existing filter plants and construction of new ones. In addition Rs.446 M have been granted by the provincial government as grant in aid. The Task Force shall continue to observe/monitor, very closely, the progress on all the treatment plants. It will make sure in collaboration with KW&SB that the filter plants are made efficiently functional. The Task Force is requesting KW&SB to find out the reasons for the chlorination and filtration getting ineffective. The preliminary indications are that contamination recurs for the reason that pumping stations are not properly de-silted (there are about 300 pumping station in Karachi). The reason could also be raw water getting into the filtered and treated one and contaminating it once again.

10. Laboratories:

The three stage work plan has been approved by competent authority. For the 1st stage of work plan, the funds amounting to Rs.75.00 million have been transferred to KW&SB. The chemicals and lab equipment for COD and Gharo filter plant labs have already been procured and taken to the destination. The rest of the chemicals and equipment for other laboratories shall be received soon. The whole process of installation and making the labs functional shall be completed by 31st July, 2017. At Chilliya transformer has been installed on 7th July 2017.

View of the Task Force:

The KW&SB has initiated the work on laboratories quite effectively. Yet once the labs are fully functional, the review shall be done by the Task Force through its member, Director General, PCRWR, Mr. Ghulam Murtaza. Only then could the Task Force be able to verify that the labs are effectively functional.

11. Trainings:

Out of 64 Lab employees, 40 have been selected for training at PCRWR Lab in Karachi. Out of 40, 27 employees have completed their 10 days training session. The last batch will attend training program within this month. In order to ensure regular attendance of lab employees, biometric system of attendance has been installed at six labs (namely, Chilliya, Gharo, Pipri, NEK, Hub and COD).

View of the Task Force:

The training component is running satisfactorily.

12. Water Meters (KW&SB) - State of Affairs – Progress Made:

A system of installation of meters at the consumer's connections for bulk purchasers as well as the large commercial and individual industrial consumers is already in place in KW&SB, which is being pursued vigorously. Under this system, water meters are installed at the consumer's connections on the cost of the consumers. With this SOP, out of a total of 5503 active bulk and industrial consumers, 1692 are billed on working meters, while 1049 are billed on metered average consumption (Metered were installed, gone out of order and under process of re-installation for which notices have been served to consumers)

As for the 2762 connections without meters, from March 6, 2017 the consumers are being pursued to install meters on their respective non metered connection and connections with defective meters.

By now, altogether 2938 notices have been issued to consumers for the installation/repair of defective water meters.

A total number of 214 meters have been installed at water connections of KW&SB customers, since March 6th. The cost of meters and their installation at site is to be borne by the consumer.

Moreover, all the new Bulk/commercial/industrial connections are now being allowed only with the installation of meters.

Domestic meter installation cannot be taken up unless the condition of water supply is improved in the city and pressure is maintained for 24/7 supply. Otherwise the domestic meters will not work because of suction pumps.

Government Departments:

All the Government Departments are being issued notices to install meters on their water connections. Currently 102 large Government Connection are already metered.

Private Concerns:

The private concerns connected with the Bulk and Trunk Main system of KW&SB are part of Metered Section under which all the large hotels, private hospitals, industries are already metered.

However, the private concerns connected with distribution system of water don't fall under the category of metered connections, while they are being billed at flat rates on covered area basis.

Now in compliance to the Honorable Supreme Court, two dedicated officers of Meter Section have been posted with Director Taxes to expedite the process of installation of meters on private entities mentioned above. Since Water Supply is not sufficient for metering at all the areas therefore only selected consumers can be taken up for metering in this category.

View of the Task Force:

The above narrated progress and state of affairs comes from the In charge Meter Cell, KW&SB. The Task Force proposes to get an objective view and possible way forward through some independent organization.

The Task Force shall, in the meanwhile, continue monitoring the progress on this issue. We also plan to evaluate the regulatory mechanism and see if it requires some amendments to:

- a) Facilitate consumers*
- b) More financial autonomy and commensurate checks on the Metered Consumers' Cell of KWSB.*

13. Filtration Plants WASA:

S.#	Name of Filter Plant with Location	Year of Establishment	Year of Expansion	Capacity
1	Old Filter Plant at Jamshoro Road	1961	1974	10 MGD
2	New Filter Plant at Jamshoro Road	1991	1995	30 MGD

3	Hala Naka Filter Plant	2008		08 MGD
4	Pretabad Filter Plant	2008		08 MGD
5	Unit No. 4, Latifabad	2008		04 MGD
TOTAL				60 MGD

Of the filter plants listed above, the first, that is, the old filter plant at Jamshoro Road, stands abandoned since long. The WASA Hyderabad has got this scheme of rehabilitating the plant in the ADP of current financial year with the cost of Rs.1950.038 million. The second on the list is new filter plant at Jamshoro. As for this plant, some substantial progress can be seen. Four chlorinators have been rehabilitated and made functional in addition to three clarifiers that have been desilted. It is also important to point out that two new clarifiers are under construction that would increase the capacity of the plant. The civil works (like boundary wall) is also near completion. Some work was done to clear the lagoons of the plant. It is also pointed out that a lab has also been made functional on this plant. According to the claims of WASA Hyderabad two chlorinators have been made functional over Hala Naka Plant. These chlorinators are functioning on trial basis for the time being. This plant also requires massive rehabilitation for which the WASA Hyderabad Authorities have been successful in bringing another scheme worth Rs.185.091 million for its rehabilitation. The scheme has been included in the current year's ADP.

For Pretabad Filter Plant another scheme has been introduced in the current year's ADP worth Rs.189.776 million.

As far the Latifabad Filter Plant, PC-I is under preparation and is expected to be submitted by next week, according to WASA Hyderabad.

Comments of Task Force:

The Task Force simultaneously to the progress of work on filter plants in Hyderabad conducted an exercise to see if the desired results have been achieved or otherwise. Sufficient samples were taken from all the plants and it was noted that some improvement in turbidity and bacterial presence has been brought about in the new filter plant at Jamshoro Road. Yet the tests conducted by one of the members of the Task Force, Mr. Ghulam Murtaza Arain, DG RCRWR, indicate that the outcome is not within the parameters laid down by the World Health Organizations (WHO). The WASA Authorities must to do a little more to make this plant, the first in Hyderabad to be functioning under the protocols of WHO. As far the other plants the test results indicate no improvement at all, almost.

The Task Force shall continue to pursue with WASA Hyderabad in order to get things in order and as early as possible.

14. Sewerage Treatment Plants-WASA Hyderabad:

The sewerage system of Hyderabad comprises of the following treatment plants:

- | | | |
|------|---|-------------------|
| I. | Northern Sewerage Treatment Plant | capacity 09.0 MGD |
| II. | Southern Sewerage Treatment Plant | capacity 07.0 MGD |
| III. | Western Sewerage Treatment Plant | capacity 02.5 MGD |
| IV. | Eastern (Darya Khan) sewerage treatment plant | capacity 16.0 MGD |

None of the treatment plants functions properly right at the moment.

However what is encouraging is the fact that the WASA Hyderabad, after such directions from the honorable Commission, has been successful in getting three sizable schemes included in the current year's ADP. The details of scheme are as follows:

Sr. No.	ADP #	Name Of Scheme	Estimated Cost	Allocation 2017-18
1	1563	Rehabilitation of Northern Sewerage Treatment Plant (NSTP)	100.00 M	25.00 M
2	1564	Rehabilitation of Southern Sewerage Treatment Plant (SSTP)	450.00 M	112.50 M
3	1565	Remaining Work of Waste Water Stabilization Treatment Ponds at Qasimabad, Hyderabad	200.00 M	50.00 M
Ponds at Qasimabad Hyderabad			750.00 M	187.500 M

The concerns expressed very cogently by the Honorable Commission regarding Darya Khan Pumping stations and flow of untreated water in old Phuleli have been addressed by WASA. As a short term measure WASA Hyderabad has planned to treat the Darya Khan ponds through "Pond based bio-chemical sewerage treatment process" by 31st of July, 2017. The Finance department, government of Sindh, has released Rs.150 M for the purpose.

Comments of the Task force:

We see that with incorporation of major schemes in ADP 2017, things would begin to change for better. The Task Force shall keep apprising the honorable Commission of the progress. However regarding the proposed cleaning of Darya Khan through Bio-chemical process, the Task force has reservations on its impact on oil and grease. However we will wait till it gets functional and there after samples shall be taken and the honorable Commission shall be apprised accordingly.

15. Laboratory-WASA, Hyderabad:

The WASA Hyderabad has established a new laboratory at new filter plant, Jamshoro Road. The laboratory is equipped appropriately and advertisement for appointment of Chemists and Assistant Chemists has also been placed in the leading newspapers.

Comments of the Task Force:

The new laboratory appears on the face of it to be appropriately established. However the Task Force shall arrange a visit to the lab and place the report before the Honorable Commission along with the findings.

16. Meters at the RO Plants:

In compliance with the directions by the Honorable Commission the Task Force followed up all the departments Energy Department, Special Initiative Department, Local Government Department, Irrigation Department, KW&SB etc. to make sure that meters are installed at all the RO Plants to check for their quality and quantities. So far the KW&SB has reported that their RO Plants at Lyari and

Keamary have been metered. The reports have also been submitted in this regards from PCSIR Laboratories Karachi indicating that water is within safe parameters. In addition the Irrigation Department has reported that meters have been installed over 23 out of 29 RO Plants that they operate at and around Manchhar Lake.

The Comments of the Task Force:

The Task Force shall continue to follow up matter with other departments and ensure that the meters are installed. The KW&SB is further being advised through KW&SB, who is also member of the Task Force, to get the results verified through PCRWR Laboratories.

In addition Secretaries of Energy, Local Government, Special Initiative and Irrigation Department have been requested to ensure that SPPRA rules are strictly followed in all the upcoming schemes. It has also been requested that components of water quality and quantity checking are made integral part of such schemes in future. The Task Force shall keep monitoring this issue.

17. Sewerage Treatment Plants, KW&SB:

The three proposed treatment plants i.e. TP-I, TP-II & TP-III have been looked into by the Task Force. As for TP-I, it is expected to be completed within another six months according to KW&SB. TP-III shall be taken up after that.

The issue of TP-II however remains unresolved. In this regard in compliance with the orders of the Supreme Court, Board of Revenue, KW&SB & KMC submitted their independent reports and KW&SB was requested to resolve the issue and come up with the minimum requirements that they think are appropriate to make TP-II functional. The issue of encroachments however continues to haunt any further progress on TP-II. This report submitted situation on ground, as far TP-II in 2007 and again 2017. The images show how quickly have encroachments mushroomed within TP—II premises.

The alternative that is being considered now is to take TP-II's effluent to TP-IV, which is planned to be established in Korangi. The land for TP-IV has been identified.

Views of the Task Force:

The Chief Secretary Sindh on 8th of July 2017 appeared before the Honorable Commission and stated that a timeline shall be furnished within a week before the Honorable Commission for complication of TP-I, TP-II & TP-III. He subsequently held an important meeting on the same day. He is likely to furnish time-lines during the next hearing before the Commission.

18. RBOD-II:

The Rs.61.985 million PC-I was finally approved by CDWP in a meeting held on 6th July 2017. The issue was previously being delayed for the reason of federal-provincial government stand-off on sharing the cost of flood protection works involved in the scope. The issue was finally settled mutually.

As per the report from Project Director RBOD-II the project would be completed within two years from now.

19. Outstanding Due of KW&SB & WASA:

On such directions from the Chief Secretary, Sindh, the departments have started to act. So far Sindh Police Department has paid 121.330 M and Central prison Karachi, 64.070 million to KW&SB out of arrears. As such the KW&SB has received Rs. 185.430 million out of their arrears.

The Task Force shall continue to monitor and expedite the progress on this issue. It will request the Chief Secretary of Sindh for invention wherever necessary.

20. Betterment Charges:

On the directives of Honorable Judicial Commission, SBCA has transferred Rs.60.00 Million of betterment charges to KWSB (unconsolidated). Sindh Building Control Authority (SBCA) has so far released Rs.63.30 million against the betterment charges and has further promised to release the share of betterment charges towards WASA in future.

View of the Task Force:

The Task Force shall continue to monitor further progress and keep the honorable Commission posted.

21. Establishing the District Offices of Sindh EPA:

The summary for establishment of district offices of Sindh EPA was initiated by the Administrative Department (ECC & CDD) dated April 7, 2017. The summary has been received by the Administrative Department dated April 26, 2017 with the endorsement of remarks by Finance Department that the establishment of district offices may be planned in phase wise. Therefore, this office has proposed the establishment of district offices in 10 districts in each financial year vide D.O. No. PS/Secy.{ECC&CDD}/ (830) 2017 dated May 4, 2017 with the estimated cost of Rs.245.352 million.

Finance Department, Government of Sindh has reflected only 100 million rupees in the budget book for the financial year 2017-18 for establishment of these offices at district level. The proposed budget would establish only 04 district offices instead of 10 offices during this financial year.

Therefore, Sindh EPA has approached Finance Department, Government of Sindh dated 15-06-2017 for allocation of remaining funds of Rs.145.352 million from outside budget to establish proposed 10 district offices during this financial year in compliance of orders passed by Honorable Supreme Court of Pakistan in C.P.38/2016 dated 16.3.2017.

The Task Force shall continue to monitor the progress and keep the Honorable Commission updated.

22. The Additional Demand of Water for Karachi:

The Chief Secretary Sindh has after such approval from the Chief Minister Sindh initiated a Summary for the Council of Common Interests (CCI) on 16.02.2017 for allocation of 1200 cusecs in addition to the existing provincial allocation. This would be meant for domestic/industrial use of Karachi. The matter is likely to be discussed in the next meeting of CCI. Concurrently, the KB feeder shall have to be upgraded to take the increased discharge. The Irrigation Department has provided for completion of PC-II (Rs.41M) the current financial year. The consultant is in the process of being hired. PC-I is expected to be prepared within two (2) months.

23. Marine Pollution:

One of the recommendations of the Honorable Commission relates to marine pollution. The Chairman, KPT was requested to check the spill-over of oil from visiting ships that damages the marine life and overall cleanness of the sea. MD, KW&SB were requested for finding the ways to stop untreated effluent of industrial units getting into the sea. In this regards the Chairman KPT has forwarded a report wherein he has narrated the steps that they take for the purpose of stopping the sea waters getting polluted. The MD, KW&SB on the other hand has a forwarded report compiled by consultant hired for the purpose of coming-up with the ways to stop pollution.

The views of the Task Force:

The Task Force is of the view that KPT and KW&SB require to work together and come up with a coherent and integrated plan. The report of the consultant may be seen by the experts of KW&SB, so that a way forward is found and a concrete/workable proposal is made out. The Task Force shall continue to follow up the issue with the concerned quarters and keep the Commission updated.

24. Stopping bulk connections from transaction lines dedicated for domestic consumers:

The KW&SB has issued a notification imposing restrictions on allowing the bulk connections from transaction lines dedicated for domestic consumers.

25. Ban on Construction of Multi-Story/High Rise Vertical Buildings:

The Sindh Building Control Authority (SBCA) has imposed ban in compliance of the recommendation of the Honorable Commission.

26. Grant of NOC by KW&SB for provision of water to Multi-Story Buildings/High Rise Buildings:

The KW&SB has issued a ban on issuance of NOC to multi-story/high rise buildings, except for residential units having ground plus two stories.

27. Installation/rehabilitation of incinerators:

The Health Department has made some progress on this account. Some of the existing non-functional incinerators have been made functional whereas the department has also procured new incinerators out of the current ADP Schemes for DHQ hospitals. The details are:

Incinerators rehabilitated:

1. Ghulam Muhammad Mahar Medical Hospital, Sukkur.
2. Chandka Medical College Hospital, Larkana.
3. Liaquat University Hospital, Hyderabad.
(Automatic system of incinerator is out of order and irreparable. Hence presently, the installed incinerator is being manually operated).
4. PMC Hospital Nawabshah, Shaheed Benazirabad.
(One burner is functioning and another is non-functional due to non-continuous supply of Sui Southern Gas. Health Department has requested MD Sui Southern Gas ensures uninterrupted Sui Gas Supply to PMC Hospital Nawabshah).

New Incinerators procured:

ADP SCHEME NO.	DISTRICT / TALUKA	QTY	REQUIRED	TO BE PROCURED
ADP Scheme No. 734 (2017-8) Expansion & improvement of DHQ Hospitals in	Shikarpur	1	Procured and incinerator would be installed by	

ADP SCHEME NO.	DISTRICT / TALUKA	QTY	REQUIRED	TO BE PROCURED
Sindh (3 Nos.) (1). Badin, (2) Khairpur, (3) Shikarpur.			the end of July 2017.	
	Badin	1	Procured and incinerator would be installed by the end of July 2017.	
ADP Scheme No. 735 (2017-18) Expansion & Improvement of DHQ Hospitals in Sindh (06 Nos.) (1) Dadu, (2) Mirpurkhas, (3) Sanghar, (4) Thatta, (5) NausheroFeroze, (67) Mirpur Mathelo	NausheroFeroz	1	Procured and incinerator would be installed by the end of July 2017.	
ADP Scheme No.733 (2017-18) up-gradation of THQ Hospital to the level of THQ Hospital in Sindh (2 Nos.) (1) Tando Muhammad Khan, (2) TandoAllahyar, (3) Jamshoro @ Kotri.	Tando Muhammad Khan	1		Procurement process is under process and equipment would be procured by the end of October 2017.
	TandoAllahyar	1		Procurement process is under process and equipment would be procured by the end of October 2017.
	Jamshoro @ Kotri	1		Procurement process is under process and equipment would be procured by the end of October 2017.

Recently the department arranged an imported sterilizer unit on an emergent basis for getting it installed at CMC Hospital Larkana which would take one month to be fully installed. The department approached the Mediland Pakistan Private Limited authorized distributors/sole proprietor of ATI Environment, France for furnishing details and proposals regarding supply of incinerators to hospitals. The proposal is expected in a week subsequent to which the department would proceed for its procurement and supply.

Views of the Task Force:

The Task Force is of the view that the process of rehabilitating incinerators and procurement of new ones, wherever required, has begun. It however, is going to

take some time before implementation on the orders of the Honorable Supreme Court and the Honorable Commission is fully made. The Task Force is committed to continue pursuing the matter with Health Department and the relevant quarters, wherever necessary. The update on this account shall also be submitted before the Honorable Commission.

ANALYSIS OF WATER SAMPLES.

60. The Commission during its proceedings on 20.05.2017 while considering Government Functionaries' claim of improvising quality of drinking water and sanitation condition in Sindh directed Member Task Force Dr. Ghulam Murtza, who is Sr. Research Officer, Pakistan Council of Research in Water Resources (PCRWR), to collect samples of drinking water from all over Sindh from all the sources i.e. River Indus, Irrigation Channels, Water Supply Schemes, R.O. Plants, etc. and after analyzing them submit his report. He has submitted his report.

This report shows that in all 460 water samples were collected from surface and underground sources, Reverse Osmosis Plants in Karachi, Thatta, Hyderabad, Jamshoro, Tando Mohammad Khan, TandoAllahyar, Badin, Mirpurkhas, Tharparkar, Shaheed Benazirabad (Nawabshah), Khairpur, Sukkur, Shikarpur, Larkana districts of Sindh by PCRWR teams. The district-wise water sample collection is 118 from Karachi, 16 from Thatta, 40 from Hyderabad, 30 from Jamshoro, 20 from Tando Mohammad Khan, 11 from Tando Allahyar, 36 from Badin, 20 from Mirpurkhas, 28 from Tharparkar, 26 from Shaheed Benazirabad (Nawabshah), 28 from Khairpur, 30 from Sukkur, 32 from Shikarpur and 25 from Larkana. The water samples were analyzed for detailed physicochemical and microbiological drinking water quality parameters. The analytical data was compared with the WHO and SEQS/NEQS guideline values recommended for safe drinking water. The result is as under:-

Karachi. From 118 samples collected from different sources, 107 (90.7%) were found unsafe for human consumption. As per exact description, 21(17.8%) samples were found unsafe for drinking due to contamination from physical parameters i.e. presence of turbidity values beyond the safe limit (5NTU). 11(9.3%) samples were found unsafe due to presence of high content of total dissolved solids (TDS). 104(88.1%) samples were found microbiologically contaminated i.e. presence of total coliforms and 40(33.4%) samples were found fecal contaminated i.e. presence of E.coli.

Thatta. From 16 water samples collected from different sources, 14(87.5%) were found unsafe for human consumption. As per exact description, 11(68.8%) samples were found unsafe for drinking due to contamination from physical parameters i.e. presence of turbidity values beyond the safe limit (5NTU). While 14(87.5%) samples were found microbiologically contaminated i.e. presence of total coliforms, and 12(75%) were found fecal contaminated i.e. presence of E. coli.

Hyderabad. From 40 water samples collected from different sources, 35(87.5%) were found unsafe for human consumption. As per exact description, 15(37.5%) samples were found unsafe for human consumption due to contamination from physical parameters i.e. presence of turbidity values beyond the safe limits. 8(20%) samples were found unsafe due to presence of high content of total dissolved solids (TDS). while, 34(85%) samples were found microbiologically contaminated i.e. presence of total coliforms and 17(42.5%) samples found fecal contaminated i.e. presence of E. coli.

Jamshoro. From 30 water samples collected from different sources, 29(96.7%) were found unsafe for drinking. As per exact description, 12(40%) samples were found unsafe for human consumption due to contamination from physical parameters i.e. presence of color in samples and turbidity beyond the safe limit. 5(16.7%) samples were found unsafe due to presence of high content of total dissolved solids (TDS) and other inorganic constituents. while, 27(90%) samples were found microbiologically contaminated i.e. presence of total coliforms and 11(36.7%) samples found fecal contaminated i.e. presence of E. coli.

Tando Muhammad Khan. From 20 water samples collected, 17(85%) were found unsafe for human consumption. As per exact description, 8(40%) samples were found unsafe for human consumption due to contamination from physical parameters i.e. presence of color, turbidity and pH values beyond the safe limit. 10(50%) samples were found unsafe due chemical contamination i.e. presence of dissolved solids, inorganic salts i.e. chloride, sodium, sulfate, hardness and trace element i.e. arsenic. while, 11(55%) samples were found microbiologically contaminated i.e. presence of total coliforms and 06(30%) samples found fecal contaminated i.e. presence of E. coli.

Tando Allahyar. From 11 water samples collected from ground water sources and RO plants, 10(91%) samples were found unsafe for human consumption. As per exact description, 04(36.4%) samples were found unsafe for human consumption due to contamination physical parameters. 06(55.5%) samples were found unsafe

due chemical contamination i.e. presence of arsenic, dissolved solids and other inorganic salts. while, 06(54.5%) samples were found microbiologically contaminated i.e. presence of total coliforms and 03(27.3%) samples found fecal contaminated i.e. presence of E.coli.

Badin. From 36 water samples collected from different sources, 29(80.6%) were found unsafe for human consumption. As per exact description, 15(41.7%) samples were found unsafe for dinking due to contamination from physical parameters i.e. turbidity and pH values beyond the safe limit. 09(25%) samples were found unsafe due chemical contamination i.e. total dissolved solids (TDS), chloride & sodium. while, 28(77.7%) samples were found microbiologically contaminated i.e. presence of total coliforms and 12(33.3%) samples found fecal contaminated i.e. presence of E.coli.

Mirpurkhas. From 20 water samples collected from different sources, 18(90%) were found unsafe for human consumption. As per exact description, 10(50%) samples were found unsafe for dinking due to contamination from physical parameters i.e. presence of color and turbidity in water samples beyond the safe limit. 01(5%) sample was found unsafe due chemical contamination i.e. total dissolved solids (TDS), chloride, hardness, sodium & sulfate. 17(85%) samples were found microbiologically contaminated i.e. presence of total coliforms and 06(30%) samples were found fecal contaminated i.e. presence of E.coli.

Tharparkar. From 28 water samples collected, 18(64.3%) were found unsafe for human consumption. As per exact description, 4(14.3%) samples were found unsafe for dinking purpose due to contamination from physical parameters i.e. turbidity and objectionable taste of water samples. 13(46.4%) samples were found unsafe due to presence of chlorides. 09(32.1%) were found unsafe due to sodium and 7(25%) due to the presence of TDS value beyond safe limit. While 10(35.7%) samples were found microbiologically contaminated i.e. presence of total coliforms and 3 (10.7%) samples were found fecal contaminated i.e. presence of E.coli.

Nawabshah. From 26 water samples collected from surface, underground sources and RO plants, 15(57.7%) were found unsafe for human consumption. As per exact description, 4(15.4%) samples were found unsafe due to contamination from physical parameters i.e. presence of color & turbidity beyond the safe limit. 6(23.1%) samples were found unsafe due to the presence of TDS & sodium content beyond safe limit. 5(19.2%) samples were found unsafe due to presence of chloride and sulfate ions beyond safe limit. 13(50%) samples were found unsafe due to

microbiological contamination i.e. presence of total coliforms, while 6(23.1%) found fecal contaminated i.e. presence of E.coli.

Khairpur-Mirs. From 28 water samples collected from different water sources, 20(71.4%) were found unsafe for human consumption. As per exact description, 2(7.1%) were found unsafe due to contamination from physical parameters i.e. presence of turbidity beyond the safe limit. 4(14.3%) were found unsafe due to presence of total dissolved solids (TDS) beyond safe limit. 18(64.3%) samples were found unsafe for human consumption due to microbiological contamination i.e. presence of total coliforms, while 5(17.9%) samples were found unsafe for human consumption due to fecal contamination i.e. presence of E.coli.

Sukkur. From 30 water samples collected from surface and ground water sources, 25(83.3%) were found unsafe for human consumption. As per exact description, 12(40%) were found unsafe due to contamination from physical parameters i.e. presence of turbidity and color in samples. 11(36.7%) were found unsafe due to presence of turbidity beyond safe limit and 1(3.3%) were found unsafe due to colored samples. 03(10%) were found unsafe due to chemical contamination presence of total dissolved solids (TDS) and sulfate salts beyond safe limit. 25(83.3%) samples were found unsafe for human consumption due to microbiological contamination i.e. presence of total coliforms, while 15(50%) samples found fecal contaminated i.e. presence of E.coli.

Shikarpur. From 32 water samples collected from under-ground sources and RO plants, 22(69%) were found unsafe for human consumption. As per exact description, 5(15.6%) were found unsafe for drinking due to physical contamination i.e. presence of colour. 3(9.3%) samples were found unsafe due to pH values beyond safe limit. 16(50%) samples were found unsafe due to presence of total dissolved solids (TDS) beyond safe limit. 11(34.4%) samples were found unsafe due to presence of chloride. 12 (37.5%) were found unsafe due to sulfate. 13(40.6%) were found unsafe due to sodium and 6(18.8%) were found unsafe due to presence of total hardness beyond safe limit. 22(68.7%) samples found unsafe for human consumption due to microbiological contamination i.e. presence of total coliforms, while 8(25%) samples found fecal contaminated i.e. presence of E.coli.

Larkana. From 25 water samples collected from underground sources, 22(88%) were found unsafe for drinking purpose. As per exact description 16(64%) were found unsafe for drinking due chemical contamination i.e. presence of sulfate, 15(60%) due to presence of sodium. 13(52%) samples were unsafe due to total

dissolved solids (TDS) beyond safe limit. 15(60%) samples were found unsafe for human consumption due to microbiological contamination i.e. presence of total coliforms.

Overall analytical data shows that out of 460 water samples, 354 (77%) samples were found unsafe, and 106(23%) samples were found safe for human consumption for analyzed parameters under prescribed standards as shown in below table.

Sr. No.	District	Total No. of Samples	Safe		Unsafe	
			No.	%age	No.	%age
1	Karachi	118	11	9.3	107	90.7
2	Thatta	16	2	12.5	14	87.5
3	Hyderabad	40	5	12.5	35	87.5
4	Jamshoro	30	1	3.33	29	96.7
5	Tando M. Khan	20	3	15	17	85
6	Tando Allahyar	11	1	9	10	91
7	Badin	36	7	19.4	29	80.6
8	Mirpurkhas	20	2	10	18	90
9	Tharparkar	28	10	35.7	18	64.3
10	Nawabshah	26	11	42.3	15	57.7
11	Khairpur	28	8	28.6	20	71.4
12	Sukkur	30	5	16.7	25	83.3
13	Shikarpur	32	7	21.9	25	78.1
14	Larkana	25	3	12	22	88
	Total	460	76	16.5%	384	83.5%

The major contaminants found were turbidity, microbiological contamination i.e. presence of coliforms and E.coli, total dissolved solids (TDS), hardness, chloride, sulfate, sodium, iron, arsenic and fluoride.

Water Quality in Hospitals:

From 71 (public/private) hospitals of 14 districts of Sindh including Karachi, 87 water samples were collected. Detail of hospitals and samples collected are given in below table. Out of 87 samples, 68(78.1%) were found unsafe for human consumption for analyzed parameters under prescribed standards. As per exact description, 25(28.7%) samples were found unsafe due to chemical parameters i.e. high TDS and other inorganic constituents. 68(78.1%) samples were found unsafe for drinking due to microbiological contamination i.e. presence of coliform and E.coli bacteria. In 29 (33.3%) samples contamination from E.coli, was found which indicates mixing of sewerage water with fresh water sources.

S.No	District	No. of Hospitals visited	No. of samples Collected	Safe	Unsafe	
					chemical	Micro
01	Nawab Shah	04	05	02	02	03
02	Hyderabad	10	11	03	0	08
03	Badin	01	06	01	02	05
04	Jamshoro	05	07	0	0	07
05	Tando M. Khan	02	02	0	01	02
06	Tando Allahyar	03	04	01	03	02
07	Mirpurkhas	03	03	0	0	03

08	Khairpur	03	04	01	01	02
09	Sukkur	04	04	01	02	03
10	Thatta	02	03	0	0	03
11	Shikarpur	04	05	0	05	05
12	Tharparkar	0	0	0	0	0
13	Larkana	06	09	01	07	04
14	Karachi	24	24	03	02	21
		71	87	13 (14.9%)	25 (28.7%)	68 (78.1%)

SUMMARY

61. From a perusal of above stated reports, and the proceedings held for the last four months, it is obvious that no substantial improvement in the quality of drinking water and sanitation has been achieved by Sindh Government. On the contrary the report of water samples submitted by Dr. Ghulam Murtza depicts that quality of drinking water has gone from bad to worse (Annexure-A). The condition of hospitals in this respect is in fact more alarming where 78.1% water has been found unsafe for drinking. Learned Advocate General, Sindh often claimed during proceedings that almost on each issue identified in the Commission's report, material progress towards achieving the object has been made and many steps in this behalf have been taken by the Government. And to bring home his point of view, he frequently referred to few notifications, letters and the notes/summaries for getting P C-1 approved for the schemes directed to add to existing water-related infrastructure or to build new ones. But regrettably, he could not demonstrate any real difference made in quality of drinking water, sanitation and other related issues since passing of order dated 16.03.2017 by the Honorable Supreme Court. The condition of the filter plants has not improved much, except in one or two cases some rudimentary repair work has reportedly started. The Treatment Plants are still in disarray, so much so, even the Combined Treatment Plant of Kotri has not been made functional. Still the municipal and industrial effluent is being discharged with impunity in irrigation canals and sea. There is no drinking water available in the hospitals, schools, etc. The condition of rural water supply schemes is pathetic as no water is available there, and in some areas drought-like situation is being experienced by the people. The public and private hospitals are allowed to run without following Hospital Waste Management Rules, 2014, the incinerators have not yet been installed on wide scale and the infectious waste is being disposed of in municipal disposal system, which ultimately end-up in irrigation channels. The encroachments on the embankments of irrigation canals are still extant. The solid waste is still available on roads and streets; there is no dumping site in any of the city to dispose of solid waste. Although the notifications to ban high-rise and

multistory buildings, and declaring chlorination of water have been issued, but there appears no system to guarantee their compliance. In the case of KW&SB and SEPA, M.D and D.G have been changed, and the officials concerned bragged about such change as a proof of due compliance, but perhaps without realizing that this change was ordered by the Honorable Supreme Court to bring about some improvement in water-related, sanitation and environmental issues, and not simply for changing the guards only. It has been observed that in the entire approach the basic understanding, that merely working out schemes and spending millions of rupees on them in the current scenario of kickbacks and commissions would not matter, is noticeably missing. And it is also being conveniently ignored that unless we are able to get rid of such state of affairs, no progress can be made. The other problem appears to be long phasing of the schemes which is normally extended over the years due to which either the due benefit is not realized timely or the scheme itself is abandoned because of increase in its cost. The Commission has drawn attention of the government officials concerned to such snag in the system hampering real progress, and ordered to minimize the phasing of the schemes, but apparently nothing has been done yet, and this time also the phasing of water-related schemes has been extended over many financial years. The Commission earlier during enquiry proceedings had identified several such schemes whereon millions of rupees were allegedly spent but they failed to deliver. The reason was that there were inherent defects in their proposal, necessity, planning, execution, etc., however, the officials concerned did not point out such faults at the relevant time and conveniently saw the public-money being squandered mercilessly. On the said schemes, the Commission made recommendation for an action against those responsible for their failure, but unfortunately nothing has yet materialized, which has led to creation of a deplorable impression that in this entire affair, there is zero accountability for all wrong-doers. So this time when a number of schemes have been planned and apparently are going to be executed with the same approach and style, the result may not be much different.

62. The Commission earlier in its report recommended that to overcome shortage of drinking water in Karachi receiving 650 MGD against demand of 1100 MGD, new sources of water supply (like K-IV 260MGD) may be acquired immediately. Against that it has been informed that after completion of K-IV, the shortage would be overcome. Regarding enhancement of water quota for Karachi from 1200 cusecs water in proportion to its population (23 million approximately), nothing concrete has been done. No program either to check un-authorized urbanization in major cities to keep the water requirement under control is in place.

63. Nothing on the ground so far has been done to provide water to the houses on tail in Karachi. The position of the areas where the water supply system is not available has not changed as no real work to lay new distribution lines of water supply in such area has started.

64. Equally, nothing concrete has so far been done for replacing existing poor and faulty infrastructure of water supply lines to reduce water shortage and water contamination.

65. In some reports, it has been claimed that bulk purchaser in Karachi have been subjected to metering system, but no tangible evidence in this regard was produced and it was not explained either as to how this metering system is working, how the billing is conceived, what is the basic unit of water being sold, what is cost per such unit, what is the basic unit for the purpose of reading, how much amount is being generated through such system, etc. More so, the report of Task Force is contradictory to such claim, which indicates that existing water meters are of very inferior quality and most of them are not working.

66. No concrete progress has been made towards replacing the system of manually monitoring water distribution, whereby it is not possible to check water theft, puncturing of water lines and running of illegal water hydrants, with a modern system based on computer technology with command and control room to monitor water supply and water theft.

67. Although on some of the water-filter plants, the rehabilitation work has started as reported by the Task Force, but it is only rudimentary in size and approach, which is evident from the fact that so far none of the Filter plants has been fully rehabilitated, and purified water supplied to the people. No visible intention and approach by Sindh Government to install new filter plants to overcome current and future deficiency has been revealed.

68. In respect of recommendation of making chlorination of water at Filter Plants and water-supply-schemes mandatory, a notification is stated to have been issued as if it would ensure chlorination of water. No structure to monitor its compliance has been put in place or even proposed. Although, it is obvious that so for KW&SB, WASA, PHED, etc. officials have failed to dose water with chlorination up-to satisfactory level, as recommended by the Commission, but Sindh Government has not proposed any action against them. Some reports have been filed indicating that the work on making the Labs at Filter Plant functional has started, but admittedly it has not been completed yet, and it has not been shown either that in the labs the

water testing on all the parameter is being conducted to maintain water quality as per WHO standards.

69. The Sindh Building Control Authority has reportedly transferred some of the amount as betterment charges to KW&SB and WASA in compliance of the recommendation of the Commission. However, it has been done only once and no further effort to devise a proper mechanism has been put in place to continue with this set-up regularly in accordance with law.

70. No actual work to install water meters in Government Departments /Institutions/Agencies/ Offices, hospitals, judicial complexes, etc. has started yet. And equally no progress to install a credible metering system on all the R.O. Plants to verify their production, supply and billing has been made. At the same time, it must be mentioned that no review of present policy of installation of R.O. Plants and their maintenance and operation on public money (as the quality of water produced and supplied from these R.O. Plants is not being maintained as per WHO standards) has been undertaken by Sindh Government in line with the order of the Honorable Supreme Court. And so far nothing has been done to introduce a component of water-quality-checking at each R.O. Plant through credible lab process.

71. Nothing substantial has been done by the Sindh Government so far to remove encroachments from Effluent Treatment Plants-II Mehmoodabad Karachi despite the order of the Honorable Supreme Court and direction of the Commission in this regard. No tangible progress either on rehabilitating TP-I and TP-III, except making the claim of committing the required funds for that purpose, has been made yet. Whenever any question about steps to enhance capacity of treating the effluent was asked, the officials referred to S-III development project as the remedy, but they were always found uncertain when that project would start and when its benefits would be provided to the people. Therefore, it is clear that the installation of additional treatment plants in Karachi (or elsewhere) to cope up with the inflow of 500MGD of sewage going into sea has been conceptualized in papers only.

72. SEPA is back to its erstwhile practice of issuing notices to the industries for their failure to install Pre-Treatment Plant to treat toxic effluent inside the Unit. The SEPA has failed to achieve any tangible result in this regard is conspicuous from its own replies submitted to the Commission. Its only claim has been to have shut down some Units for non-compliance. The SEPA has also ostensibly failed to stop degradation of coastal waters of Karachi harbor caused due to constant

untreated effluent of industrial units and spillover of oil from visiting ships going into sea. On its part Sindh Government has done nothing to declare installation of pre-treatment plant inside the factory as mandatory and ensure its compliance and/or to introduce a relevant law declaring violation thereof a cognizable offence.

73. The chairman KPT, M.D KW&SB and M.D. Sindh Solid Waste Management Board have done nothing, except holding a meeting on 05.04.2017, to comply with the direction of the Honorable Supreme Court to devise plans to protect coastal waters of Karachi harbor.

74. Although the possession of Combined Effluent Treatment Plant, Kotri has been taken from the contractor by SITE limited Kotri, but various reports of Task Force suggest that the same has not been made operative yet and in this regard M.D. SITE has been perennially seeking time. It is therefore obvious that still the water of K.B. Feeder supplying water to Keenjhar Lake is being polluted from the industrial effluent of Kotri SITE.

75. No tangible progress has been made yet by the Sindh Government to provide for potable water to all public offices including schools, and hospitals etc. And still nothing has been done to improve sanitation at all these places.

76. No concrete steps have been taken by Sindh Government to make Public Health & Engineering Department responsible for providing drinkable water to the people (except Karachi and Hyderabad).

77. Still no progress has been made by Sindh Government i.e. the Irrigation Department to establish a water Lab. at Guddu Barrage to examine quality of water of River Indus coming from Punjab so that the exact volume of water pollution may be gauged for taking necessary steps.

78. The reports of Task Force suggest that so far only the points/pipes/conduits discharging effluent in the irrigation channels or Indus River have been identified, and a Master plan has been conceived to remove them. However, up-till now no immediate short-terms measures to stop such discharge have been taken. So still the untreated municipal and industrial effluent is polluting watery bodies, which are the main sources of drinking water.

79. The operation to remove all encroachments (houses, slaughter houses, cattle pans etc.) from the banks of irrigation canals all over Sindh has reportedly been

started but it is going with snail's pace and therefore is not likely to achieve target of protecting the irrigation canals from effluent in near future.

80. On the issue of resuming remaining work to complete RBOD-II, the stand-off between Sindh Government and Federal Government over revised cost has reportedly ended, but the actual work on the said scheme has yet to be started.

81. No any real work on identifying and establishing permanent dumping or landfill site in any of the cities of Sindh to manage solid waste has been carried out. And still the practice of burning solid waste in open or throwing it in irrigation canals or nallas, or dumping it on makeshift dumping sites is going on.

82. Secretary Health has submitted reports that in some of the districts (Sukkur, Larkana, Hyderabad, and Shaheed Benzirabad) the already-installed-incinerators in the hospitals have been rehabilitated. This fact is yet to be confirmed as it has not been disclosed that whether the said incinerators are working up-to their full capacity or not and whether or not the issue of infectious waste in these hospitals has been completely dealt with. More so, merely rehabilitating the already-installed-incinerators is not the proper compliance. The Health Department has yet to ensure installation of incinerators in all government and private hospitals, and to take steps for disposal of all kind of hospital waste in terms of the Hospital Waste Management Rules, 2014. The Health Department has yet to deal with private hospitals and local labs generating infectious waste which they dispose of like ordinary waste in municipal system and which ultimately ends up in irrigation channels. It has yet to take some visible initiative to provide for clean drinking water in the hospitals.

83. For the last five years a number of schemes to supply potable water and improve sanitation condition were launched and on them billions of rupees were spent, but most of them on checking were found non-functional. No relief to the people from such schemes was provided, which fact is evident from the reports of District and Sessions judges called during enquiry proceedings earlier. Hence it was proposed that investigation into the finances incurred on all such schemes be conducted so that those who are responsible for such failure are taken to task. But conspicuously, nothing in this regard has been done yet by the Sindh Government.

84. Despite directions to investigate failure of scheme namely Extension/Improvement of Urban Drainage Scheme Jacobabad built at the cost of about 1200 million and to fix responsibility, nothing concrete has been done yet.

85. Similarly, nothing has been done to investigate failure of Sewerage Project for Qasimabad, and to fix responsibility, as in spite of spending 1700 million on this project, no benefit from it has been extended to the citizens of Hyderabad.

86. The Sindh Government has not come up yet with any proposal to review the current lax Anti-corruption laws and/or replacing them with more stringent laws against corruption, because the current Anti-corruption law has failed to discourage corrupt practices, which is the main reason of failure. And noticeably no steps have been taken yet by the Sindh Government towards making the investigation and trials into corruption matters time-bound.

87. The Commission in its recommendations had proposed that the whole system/procedure of devising schemes, decision of technical committee on feasibility of the schemes, administrative approval of funds, release of funds and execution of schemes shall be reexamined and revamped and in this regard some component of judicial overview on the execution of the schemes may be introduced to discourage and curb menace of kick-backs and commissions. But the Sindh Government has not done anything to achieve that object, and still the same system/procedure, which has benefited only a few, is in place. And if it is allowed to work in the same manner, chances are bleak that any substantial benefits would be extended to the masses.

88. The Commission in its recommendations had proposed that Sindh Government and District Management shall strictly monitor unchecked and illegal mushroom growth of housing societies which has further aggravated the service delivery in respect of supply of drinkable water and sanitation. But compliance of that recommendation has yet to be seen.

89. Regarding SEPA, it has been informed that relevant summary has been floated to expand its organizational structure. It may be stated that the object is not to simply expand SEPA'S organizational structure at the cost of public money, but to strengthen it properly so that it could achieve results and objectives set out in Sindh Environmental Protection Act, 2014, which, however, SEPA has so far failed to realize.

90. The Sindh Government has not undertaken at all any perceptible work for improving availability of water in rural areas of Sindh.

91. The above summary clearly depicts failure of Sindh Government to boast about any tangible progress in either quality of water, sanitation or environment. Some formal notifications banning high-rise and multi-story buildings, and declaring chlorination of water at each water filter plant mandatory have been issued, which the officials concerned referred to in the Commission proceedings as an evidence of compliance of the Honorable Supreme Court order. But it is not clear how the

purpose of notifications on the above stated two issues is being realized. The Commission was not apprised as to how workability of ban on high-rise and multi-story buildings is being ensured, what is its execution-process, how it is being watched over, etc.; and how the notification making chlorination of water mandatory was being implemented, because, despite such notification the filter plants are not yet chlorinating the water. And this fact besides being contradictory to the claim of the Sindh Government is an apt reflection of how the misleading documents are being produced before the Commission. Therefore, admittedly the over-all condition of water quality, sanitation and environment is same that was extant at the time of filing of the Commission's report. The undersigned has been making incessant efforts and passing orders to ensure full compliance of the Honorable Supreme Court order by the officials of Sindh Government; and on the ostensible failure of certain officers in this regard has issued them show-cause notice for contempt of court proceedings, which is pending.

92. It is respectfully submitted that the undersigned was appointed as Commission of enquiry vide order dated 27.12.2016 passed by Honorable Supreme Court in Constitution Petition No.38 of 2016 (*Shahab Usto V/S Government of Sindh through Chief Secretary, Government of Sindh and others*) to probe into allegations pleaded in the Petition. And in compliance thereof, the undersigned submitted the report on 26.01.2017, which was appreciated by the Honorable Supreme Court. But thereafter, vide order dated 16.03.2017 the undersigned/the Commission has been directed to continue to work to ensure compliance of the directions contained in the said order i.e. dated 16.03.2017 and recommendations included in the report. During the period, after the order dated 16.03.2017, besides holding proceedings of the Commission, the undersigned has been regularly conducting judicial work, and recently has been assigned the additional duty of In-charge Administrative Judge for ATC Courts Karachi Division and in that capacity the undersigned has to deal with the miscellaneous work of the ATC courts, which consumes sufficient time and energy. It is, therefore, requested that instead of undersigned by name, a bench term wise, to be nominated by the Honorable Chief Justice, High Court of Sindh or as the Honorable Supreme Court may be pleased to, may be constituted for the said purpose.

Dated. 14.07.2017

Mr. Justice Muhammad Iqbal Kalhoro
Commission of Enquiry