



TRANSPARENCY INTERNATIONAL - PAKISTAN

February 13, 2025

Plot 72-F/2, 1st Floor, 9th Street, Jami Commercial,
Phase VII, Defence Housing Authority, Karachi
Phone: +92-21-35390408, 35311898
Fax: +92-21-35390410
Email: ti.pakistan@transparency.org.pk
Website: www.transparency.org.pk
TL2025/0213/1B

Mr. Syed Zakki Haider Rizvi,
Cantonment Executive Officer,
Cantonment Board Clifton (CBC),
Karachi.

**Subject: Complaint Against Allegations of Non-Supply of Water by CBC in Violation of
High Court of Sindh Orders in Petition No D-1294 of 2024 and D-3434 of 2024**

Dear Sir,

Transparency International Pakistan has received numerous complaints on account of CBC's failure to provide its residents with a continuous and uninterrupted supply of water through water pipes despite the implementation and collection of water charges annually, as well as failure on the part of the CBC to provide water bowsers in compliance with the order passed by the High Court of Sindh in petition No. D-1294 of 2024 and D-3434 of 2024.

The complainants have made the following allegations that;

1. The CBC has failed to provide its residents with piped water despite collecting water charges annually thereby depriving them of their basic fundamental right to water.
2. This has resulted in undue benefit to the black-market supply of water by forcing citizens to be entirely dependent on water tankers.
3. The CBC has failed to comply with the order dated 13-11-2024 passed by the Honourable High Court of Sindh in Constitutional Petition Nos. D-1294 of 2024 and D-3434 of 2024 wherein the CBC was directed to supply with 05 water tankers of 1000 gallons each to the petitioners.
4. The CBC has failed to ensure compliance with the High Court Order under the pretence that residents have failed to discharge their annual tax liability, which is contrary to the order of the High Court of Sindh in the abovementioned Constitutional Petitions which require the CBC to supply water unconditionally.
5. However, the Honourable High Court of Sindh vide its order dated 14-12-2023 passed in Constitutional Petition No.D-139 of 2019 and connected petitions, has declared that following the implementation of the 18th Amendment to the Constitution of the Islamic Republic of Pakistan, neither Cantonment Boards nor the Federal Government is competent to impose, levy, charge or recover any monies immovable property including but not limited to the annual rental value of the immovable properties.
6. The CBC has placed reliance on the recently amended Sindh Urban Property Tax Act, 1958, and Entry No.2 of the Fourth Schedule of the Constitution to justify the implementation and collection of property taxes, however, it must be highlighted that in terms of all acceptable practices and principles, no liability can be imposed upon citizens/taxpayers with a retrospective effect and all such charges or liabilities created must be prospective in nature. Therefore, any charges collected or required to be discharged by



residents in compliance with the amended Sindh Urban Property Tax Act, 1958 must be applied from the date of the amendments affected and as such no back taxes can be demanded by the cantonment boards in lieu of the amendments.

Transparency International Pakistan Comments & Recommendations

Transparency International Pakistan requests the CEO CBC Karachi to examine the allegations of the complaint and issue directives for compliance with the order of the Honorable High Court of Sindh, ensuring the supply of water to address residents' grievances.

Transparency International Pakistan is striving for across-the-board application of the Rule of Law, which is the only way to stop illegal practices and achieve Zero tolerance against corruption.

Regards,

Advocate Daniyal Muzaffar,
Trustee/Legal Advisor
Transparency International Pakistan

Copies forwarded for the information with a request to take action under their mandate to:

1. Registrar, High Court of Sindh, Karachi

Note:

This is to clarify that Transparency International Pakistan is not a complainant, it acts as a whistleblower and operates under Article 19-A, of the Constitution of Pakistan which gives the right to the public to know how the government is being run by public officers. Article 19-A makes the right to access information pertaining to a public authority a fundamental right, and a three-member bench in the case of Mukhtar Ahmad Ali vs the Registrar, Supreme Court of Pakistan, Islamabad, headed by Chief Justice Qazi Faez Isa in the landmark judgment on 16 October 2023, in CP No. 3532/2023, has declared that

"What previously may have been on a need-to-know basis Article 19A of the Constitution has transformed it to a right-to-know, and the Access to information is no longer a discretion granted through occasional benevolence, but is now a fundamental right available with every Pakistani which right may be invoked under Article 19A of the Constitution"