

Return the plundered land to nature

A citizen of Pakistan recently appealed to the Government of Khyber Pakhtunkhwa to stop the unjust and environmentally destructive allotment and sale of plots to the rich and powerful in the beautiful locations of Galiyat. He pleaded that this is resulting in the destruction of the pristine Galiyat forest land besides denying the ordinary citizens their right of 'access' and 'freedom of movement'.

The appeal was based on the fact that the right of access and freedom of movement in mountains, forests, valleys, lakes, rivers and beaches is an inalienable right of all citizens and not that of a privileged few. Also preservation of many species of plants, forests, animals, birds, flora and fauna is an ethical, legal and environmental responsibility that we all owe to our future generations.

This brings us to a fundamental question of ethics, law and the right of ordinary people to environment, freedom of movement and access to nature. To what extent has this right of the ordinary people been denied by converting the finest green and scenic locations of the Galiyat hill stations into residential plots for the rich, influential and powerful people of Pakistan. Has the Khyber Pakhtunkhwa Government deprived the ordinary citizens of Pakistan their right of access and free movement in these scenic and natural locations.

A much delayed request made under the 'Right to Information' (RTI) law finally bore fruit when in 2015, the Galiyat Development Authority Abbottabad in its response vide GDA / Information /1450-53 /Admin dated 29-7-2015 disclosed the names of the individuals who owned the allotted / purchased residential plots in Galiyat.

It soon became obvious from the data provided that the Government of Khyber Pakhtunkhwa in collusion with the powerful elite of this country had caused irreparable damage to the Galiyat environment. Some of the finest and most scenic locations of Galiyat were converted into private property and allotted or sold to friends and families of the rulers. The level of nepotism is so disgustingly blatant that only one individual, i.e. Mst. Nusrat Shahbaz w/o Mian Shahbaz Sharif is now the owner of five prime residential plots in Doonga Gali, namely i.e. Plot no C-35, Plot no C-36, Plot no C-42, Plot no. C-50 and Plot no. C-51-1.

By undertaking these unethical, unlawful and environmentally destructive activities the Government of Khyber Pakhtunkhwa has violated numerous fundamental rights of the ordinary citizens of Pakistan. First it is a violation of citizens' right of equality before law, granted by Article 25 of the Constitution. It is also a violation of Article 15 of the Constitution that guarantees that every citizen shall have the right, subject to any reasonable restriction imposed by law, to enter and move freely throughout Pakistan.

The Constitution of Pakistan declares the right to Life and Liberty as a fundamental right of all citizens. The word "life" as explained in the Shehla Zia v. WAPDA, PLD 1994 SC 6930 case, includes all such amenities and facilities which a person born in a free country is entitled to enjoy with dignity, legally and constitutionally. Sadly these rights of ordinary Pakistani citizens and their future generations, to enjoy nature and its beauty have forever been taken away by the ruling elite in collusion with the government of Khyber Pakhtunkhwa.

It is important to reverse this insane cycle of the rich and the powerful buying out the most beautiful and scenic portions of our hill stations and depriving millions of ordinary citizens the joy and the freedom of natural environment. It is important to halt and reverse the process of permanent occupation of our hill stations by a select few – with or without the collusion of the Government.

Every citizen of Pakistan has an equal right to all places of natural beauty - may they be beaches, lakes, forests or hill stations. The Government of Khyber Pakhtunkhwa must rethink the development of Galiyat from the point of ordinary citizens. These scenic places of nature have been seized by Pakistan's rich elite by collusion, coercion and clout. It is time to revert this plundered land back to nature.