

Continued from page 8
agencies which contributed in one way or the other, who could not be ignored. They have to be included.

The particular angle of the Master Plan which we must look into is whether we are damaging the rural sector due to urban development, whether we are damaging the water course. There are things which depend on policy. These are strategy and standards. There are temporary things, such as agriculture in rural area. There are certain permanent things which, once the costly mistake is made, cannot be changed. Once a road is made, it will remain there for a hundred years. So that is infrastructure and transport. Then there are certain things which can be corrected, such as municipal and socio-economic. We feel that transparency is needed in all these things.

In development planning, there is planning and building, planning off-site and building construction is on-site. There is the Building Construction Act. It mentions haphazard construction. That is the location aspect. That has nothing to do with construction. We don't find this in the BC Act. This has been covered by the rules later on.

What do we need at the development planning level? What are the problems? There should be transparency. Who has what function at what level? For example, it should not be the Mayor's problem as to whether there will be an eastern by-pass or not. The responsibility of the City Corporation is his priority. But that can't just be discarded. Who is to see that?

Then the interests of a small community may seem big to them, but it is only natural that it may not be so big in RAJUK's huge scheme of things. So there is a need for transparency to distributing these things at different levels. There is the inter-sectoral level and the area level.

Let us see what the BC Act has and what it does not have. It has a good side. It has development in congruence with the Master Plan. The BC Act does not mention any provision for making a Master Plan.

There is another good side which has allowed mixed use. Another thing is that if the government so wants, it can withdraw this law from any particular area.

What things doesn't this BC Act cover? The difficulties we find when planning, what we feel was necessary, are, firstly, there is no mention of land filling. It mentions excavating ponds, man-made tanks. But it does not mention natural sources of water.

Then there is conservation of agriculture, open spaces, buildings of historical importance and architectural interest. These are not covered in the Act.

There is the Construction Act, but there is no mention of quality control or strength of any building. It has no control on land subdivision, which it should have had. There is no land ceiling, land sharing and land adjustment. RAJUK is often blamed, naturally, about the fact that the price of land is going up, but in acquiring land, developing it and then selling it, it is not possible for many reasons to keep the price of land in control. In many countries there is a land-sharing or land adjustment approach. It can be done here too. We have brought it in our Master Plan, but it would be better if it was given legal strength.

Then just as we don't see surface density when constructing a building, we don't see the underground constraints. There are maximum fault lines along Dhaka City according to geological surveys. This too should be brought under the jurisdiction of law in the case of construction.

Then infrastructure. You need a road, you simply build one. The water course is blocked, no one bothers about the adverse effect. There should be some legal coverage there. Then there is density control, high rise building, major development, floor ratio, height; all these have to be covered. These have been covered, though, under the national code.

Also under the national building code is land occupancy type. But in Dhaka, do we have the preparation to apply this? We have reviewed the entire building code and seen that in Chapter 3, the planning aspects are somewhat covered, but the construction party is very hit-and-miss. We have reviewed this and, as much as possible, brought it into the plan. We have brought about some changes, such as we have added two things. One is about open space. This has agriculture, fisheries, recreation, environment, pond. The other is for mixed use.

Occupancy type, building type is very important. To use this, land use classification needs to be changed and coordinated. At that time we studied land under RAJUK and brought the issue of land use anew. Stress was laid in flood flow zone. There must be a flood flow zone. There will be no haphazard construction there. The building code will be analysed about what buildings can be there for what use. Then there is the sub-flood flow zone. We have divided the zones in this manner.

Since RAJUK is the caretaker, since RAJUK develops this, then let us see what authority RAJUK has under the TI Act. The TI Act authorises RAJUK to prepare schemes to provide infrastructure, acquire land, lease out land, sell or exchange land. If sharing was there it would be good. It provides public transport. These are the major works. This is essential to keep a city alive. This is in the law. RAJUK is to make a Master Plan. It has done so.

RAJUK has another positive

side. It has the authority to give permission for construction of buildings. It is clearly stated that if you apply to DCC for building construction, DCC will refer this to the RAJUK Chairman. If the RAJUK Chairman deems it contradictory to the Master Plan, then he will refuse it and DCC will refuse it too. This is not only applicable to DCC, but to the pourashava also. The Act mentions both the Municipal Act and pourashava ordinance. But what about the union council and the upazila?

The requirements are that the land-filling matter must be added. Cutting is mentioned, but land-filling, which is being practised so much in Dhaka, must be brought under the law. Land sub-division also should be included.

Mahfuz Anam: I will request former RAJUK Chairman Mr. Rahmatullah to speak now.

Rahmatullah: Under our Building Construction Act of 1952, there is the Building Construction Rules of 1966 and presently we are building, cutting hills, carrying out excavation, re-excavation under this Act in Dhaka City. This law is also applicable to different parts of Bangladesh. Under this Building Act, RAJUK gives, or does not give, permission for building.

There are some salient features of these Building Construction Rules. We have a procedure for application. We have to pay a fee to obtain permission for each building. This ranges from Tk. 100 to Tk. 2,10,000. This depends on square feet of the building which we want sanctioned. Section 3 of the Building Construction Act. Rules for submission of drawing. Persons qualified to sign and submit drawing. Time frame for decision. The other features are relationship with adjacent road. Distance from electric line, you need a safe distance. Land use policy. Boundary wall. Height of building. The rules have more or less all that is needed to make a building or neighbourhood beautiful.

Other salient features are what each floor will be named and conditions for construction of basement. Why these two are in one clause, I don't know, but they are. These can be fixed. There are few lines about ventilation and lighting. Construction of roof, cornice and sun-shade. This is quite a controversial matter. Architects always try to take advantage of this particular rule, how large a cornice they can make and RAJUK tries to get them to make it as small as possible. There are such areas where we conflict. Emergency exit and other necessary arrangements. As a person interested in this particular field, I would say it is very inadequate, particularly in view of the high rise buildings now being allowed by RAJUK. The law is very inadequate for emergencies. This must be changed immediately. There is certainly going to be a very big accident, it is inevitable.

Just as there are special rules for residential buildings, there are also rules for construction of garages. There are special rules for commercial buildings and warehouses. Special rules for assembly buildings like auditorium and theatres, etc. There are special rules for industrial buildings. There are special rules for hotel buildings, special rules for hospitals, educational institutions and similar buildings. Then we have special rules for seven-story or higher buildings because we are going high rise. Above all these rules we have something called special control. That is, the government can say at any time that you cannot build a building higher than this. Just if the government wants to, it can do so even if the road is wide enough and everything is there. There are special rules for cutting hills and excavation of tanks.

In the rules of submission of drawing, seven copies of the drawing are to be given to us by those who want permission, like engineers, architects and certified draftsmen.

If RAJUK is to be improved, there has to be co-ordination between all the service providing agencies. It should all come under one man's control. He should be independent and responsible for the job. There should no interference from outside. There is so much unlawful interference from outside. So if there is one strict man at the helm, it will be his job to protect his officers and organisations. At the same time, he can ensure the accountability of those who will work. But first, unless RAJUK's population is cut down, you can't do anything. We have studied a lot, surveyed a lot. Look at the slums. There has been river erosion, people come to Dhaka. In many cities of the world, in Beijing, probably in Paris too, in Rome, no one can come into the city after six in the evening without an emergency slip. Here where there is accommodation for 2 million people, if 7 million stream in, what can be done? The state of the municipality of the country is terrible. About seven or eight million people are having to be fed. They are drinking WASA's water, using the sewerage, using the lights, throwing the garbage, doing it all, but they are not taxpayers. How long can the government pay for this?

RAJUK has a book on building rules. It states there how high you can build a building depending on how wide the road is in front of the building. We see, say in Siddeshwari, maybe the road is 30 ft wide, but the building is 10 or 12 stories. Unless we try to put a halt to these things now, in future Dhaka City will be in a critical state. DCC will be in a problem. WASA will be in a problem. DESA will be in a problem.

Mahfuz Anam: Another new group now is involved in all this. They are the developers. It is some developer who is perhaps installing shops where there should be a parking space and so on. Sometimes a private owner is doing it, but developers are doing this too. I would like to question Mr. Toufique, President of the developers' association REHAB in this regard.

Dr. Toufique M. Seraj, President, REHAB: A little while ago someone had said that RAJUK is always the target. However, after attending quite a few private and government policy meetings, I now feel that a second target in society are the developers. The developers are responsible for any problem which crops up. Recently, Janakantha and some other newspapers have been writing a lot about high rise buildings and environmental pollution. At the end of the day, the conclusion is like Aesop's fables, the developers are doing everything in an unplanned way and that is why there are traffic jams, noise pollution, everything.

As a developer, I would like

A survey carried out by RAJUK last October states that there are about 260 high-rise buildings in Dhaka which are risky and constructed with no specifications. Of these risky buildings, 43 are in Dhanmondi, 29 are in Mirpur and Uttara, 27 in Gulshan, five in Ramna. These buildings are supposed to be demolished. So far RAJUK has failed to break one.

trees are all being cut down. There will be no (healthy) environment left in Dhaka City. However much the City Corporation sprays insecticide, it won't stop the mosquitoes unless it can keep the city clean.

Judiciary has to be there, so immediate action can be taken.

Mahfuz Anam: Now our co-host from the Scouts will speak.

Mesbah Uddin Bhuiyan, Deputy National Commissioner, Bangladesh Scouts: Instead of blaming anyone, let us see how we can overcome the problem. Chief Engineer of RAJUK has said that they pass the drawing of a building in many cases, it's perhaps a commercial building with a car park below, but a few days later it is seen that these are made into shops. He said that it is the responsibility of those making the building to inform RAJUK how the building is being made. He said that once the shops are made and DCC is giving them trade licences, they are getting legal rights. So my suggestion is that, when the building is being made, RAJUK can check it from time to time. Then perhaps this can be stopped. Once a shop is made, DCC is giving the trade licence. But when partition walls are being made in a car park space, shutters are being put up, or space is being made for shops, we can see these

to say that this is a fallacy. After all, when a professional developer develops a building, be it residential, commercial or a shopping complex, I can say, particularly about REHAB members, a lot of planning goes into each building. I see a lot of known faces here today who are involved with various developers in the field of architecture, engineering and so on. Utmost care is taken when designing a multi-storyed building, for parking, exit, lift, escalators and so on. I personally feel that private citizens make more unplanned buildings than developers. I am not wanting to offend anyone.

As far as I know, RAJUK would never pass a plan for a 10-storyed building with a shopping space, but no parking space. But look at Elephant Road, Panthapath or Kemal Attar Avenue. If anyone passes a plan for a three-storyed building, there is no need for parking. For example, there is the main road of Dhanmondi. There are quite a few shopping centres there, other than Rapa Plaza, which are four-storyed. According to the law, there is no need for parking space here. So they can make the structure there without any parking lot, without violating any law. This creates serious traffic jams. There is Eastern Plaza. It's a nice building. It's a very estab-

lished shopping centre of Dhaka, but on the two Eids the traffic jams caused there are terrible. The developer has not broken any of the prevalent laws. He has kept adequate parking space as is prescribed for a building of that size. But even so traffic jams are created. The designer could have played an important role here if RAJUK had any such law. There could have been a separate drop-off bay. The frontage is extremely small for such a big building.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

As far as I know, RAJUK would never pass a plan for a 10-storyed building with a shopping space, but no parking space. But look at Elephant Road, Panthapath or Kemal Attar Avenue. If anyone passes a plan for a three-storyed building, there is no need for parking. For example, there is the main road of Dhanmondi. There are quite a few shopping centres there, other than Rapa Plaza, which are four-storyed. According to the law, there is no need for parking space here. So they can make the structure there without any parking lot, without violating any law. This creates serious traffic jams. There is Eastern Plaza. It's a nice building. It's a very estab-

lished shopping centre of Dhaka, but on the two Eids the traffic jams caused there are terrible. The developer has not broken any of the prevalent laws. He has kept adequate parking space as is prescribed for a building of that size. But even so traffic jams are created. The designer could have played an important role here if RAJUK had any such law. There could have been a separate drop-off bay. The frontage is extremely small for such a big building.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.

Mayor Mohammed Hanif:

This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Dr. Toufique M. Seraj: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mesbah Uddin Bhuiyan: This discussion as we are having is really essential. Perhaps we should have had it three years ago, but better late than never.

Mahfuz Anam: I thank our Mayor for agreeing to reply to our questions. He will speak now.