

Encroachment and demolition

ZARINA HOSSAIN

THE ongoing demolition of illegal structures and encroachment produces feelings so mixed that it needs several emotions to express it -- relief, contentment, shock, wonder, anger, inquisitiveness, grief, and many more.

When such huge investments in built structures all over the country goes down in dust -- not by earthquake or other natural calamity but by institutional machineries that are responsible to accord permits for such structures, many eyebrows must be raised and questions asked.

Hundreds have lost their business operations and livelihood and the country has lost investments just because structures housing the businesses were built in the wrong place, most by people with muscle and clout and rented to others for business or shelter.

The reality is: the process through which urbanization has taken place for years together is severely flawed, to say the least. Where it exists it is riddled with corruption and unaccountability or does not exist at all. The mechanism to change the system has been recommended in numerous planning reports. Professional civic groups have raised concerns

in the media and in seminars but little action has been taken.

In a democratic political system the right to own private property is recognized by the constitution but the right to develop and to use any land in public or private ownership in any particular way is controlled by the state. This is very fundamental for the creation of equitable and sustainable settlements.

Public and collective interests must prevail over private gains. Thus for a nation it is unacceptable to allow anyone -- whether with political patronage and muscle power or otherwise law abiding citizens to build what they want, when they want and where they want.

Unfortunately due to a dysfunctional development control mechanism practiced by Rajuk and all the development authorities, building construction occurred with or without permits. In other areas across the country there is virtually no such system allowing those in custody of government land to build structures anywhere, particularly along communication routes -- road, rail, and waterways.

Two very different reasons can be attributed to this culture. These are: need and greed.

Government development authorities and local government bodies do not assess needs of the

population or the city/settlement as a routine activity and address those needs accordingly. They do not coordinate amongst themselves or with the private sector to meet urgent needs.

Where the doors of communication between the development authorities and the city corporations should be wide open, in our case it is closely shut. Therefore market demands for goods and services (kitchen markets, tailoring, laundry, amenities stores, snack shops, small scale manufacturing, etc) keeps on mounting -- but spaces for such activity is not allocated or created adequately through the formal mechanism due to inaction and rigidity of the system. Projects sponsored by the development authorities do not target the housing or employment needs of the poor.

Thus vast numbers of people who are largely ignored by the formal sector have no other option for survival other than to live and work on encroached land. The rent seekers control the market and make undue and illegal gains. If the formal sector will not ascertain needs and make provisions as per guidelines under a planning process, then the informal sector will provide the goods and services in any manner they can.

Again, with unemployment rates so high and opportunity for

investment so little, people will grab any opportunity. In other words market forces and pressing needs of the informal sector initiate and sustain illegal encroachment. The livelihood of hundreds is based on corruption and unmet market demand.

However, when greed is the motive for such illegal extension, demolition is easily acceptable. Private individuals cannot be allowed to make gains at the cost of the community and the city. Thus, such encroachments should be demolished in most cases.

Having said that, there is an economic cost in building and demolishing structures. In a country where poverty and unemployment looms in every corner, it is unethical to waste resources. This is not to condone illegal occupation and construction.

In principal all deviations are illegal but a rigid system leaves no room for variations, which may be justified in many instances (for instance allowing a small tailoring shop or a small snack shop, etc) in designated places approved by the authority after verification and consent from the community and immediate neighbours.

A process may be initiated immediately to record all types of encroachment and unauthorized use (setback, parking, dropping

area, height, etc). The effect of the deviation on traffic movement, pedestrian movement, views and vistas (visual obstruction) now or in the near or distant future may be ascertained.

Where it affects the life of many others such as disruption or delay to traffic or pedestrian movement (by construction of ramps, stairs and other extensions), obstruction to water movement, change of use, these will have to be removed or corrected. If no such problem arises instead of demolition, revenue income from such extended spaces that are considered illegal extensions may go into the government coffers under a special urban fund, not as a one-time fine but revenues to be received in perpetuity.

Such funds may be used to provide urban amenities and open spaces for the city or own. Illegal additional floors may be used for community use such as a community library etc. On the one hand it this measure will generate funds for providing urban amenities and on the other hand it will deter people from making illegal extensions.

In some cases such due permits have to be given to certain extensions such as porches or sunshades over footpaths. These extensions shelter the pedestrian from monsoon rains and scorch-



ing summer sun. Why they are being broken is anybody's guess. There may be many other such examples.

A planning system may look at cases individually within a transparent system. Through this procedure significant amount of investment will be protected for the benefit to the people. In short a through procedure of correctional measures have to be adopted

which is logical, transparent, equitable and sustainable.

Greed can be easily checked if compliance to authorized permits is resorted to. The question of need is far more difficult but with innovative ideas, accountable, transparent administration, and political will a forward planning mechanism can continuously address the needs of the population.

A town and country planning department for the country, should be established which looks beyond the capital cities. In tiers, it should reach the local level. This department should look at promotion of development to address people's need and to check development.

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NOTES FROM HISTORY
Remembering the horrors of March 25, 1971

EDITORIAL DESK

RUMOURS swept across Dhaka all day on March 25, 1971. Apparently the negotiations between the Awami League, on the one hand, and the Pakistani military junta of Yahya Khan and the People's Party, on the other, had stalled.

For their part, Bangabandhu and the rest of the Awami League leadership waited for a response from the regime to their latest constitutional proposals. No such response came, despite a promise by Lt. Gen. S.G.M.M. Peerzada, principal staff officer to President Yahya Khan, that the regime would get back to the Awami League.

It was the expectation of the Awami League that there would be another session of talks with the regime to formalize the deal putatively arrived at. Throughout the morning and till early afternoon, nothing was heard from the president's team.

As the minutes and then the hours ticked away, talk of imminent military action against the Awami League began to grow. At his residence in Dhanmondi, Bangabandhu Sheikh Mujibur Rahman, all astuteness and yet weighed down by worry, sensed danger in the air. Information he had been receiving from various sources appeared to confirm his worst suspicions, which was that the army was about to go into an offensive against him and his party.

He probably did not sense the sheer murderous scale of the operation on the way, but he did advise his party colleagues and workers, including Syed Nazrul Islam and Tajuddin Ahmed, to move out of Dhaka and into safety. For himself, despite entreaties from everyone around, he chose to stay at home and be arrested. As a constitutionally elected leader, it was not for him to run, though he saw the necessity of others going into hiding because they would be needed in the struggle that lay ahead. A few West Pakistani political leaders, sympathetic to the Awami League cause, came to say farewell to Mujib.

Throughout the city, students and the general body of citizens put up barricades across roads in a large number of localities, the aim being to prevent the army from entering the areas easily.

As dusk fell, General Yahya Khan, who as the records show had already instructed Lt. Gen. Tikka Khan, Commander, Eastern Command, and zonal martial law administrator, to move against the Bengali nationalists, left Dhaka by a secret Pakistan International Airlines flight for Karachi.

However, left behind were Lt. Gen. Abdul Hamid Khan, chief of staff of the army, Brigadier Abdur Rahman Siddiqi, chief of inter-services information, Roedad Khan, secretary, Ministry of Information, among others. Also left behind was Zulfikar Ali Bhutto,

chairman of the Pakistan People's Party, and his team of negotiators.

Sometime after 11 pm, the Pakistan army launched Operation Searchlight. In what was to be the initial step in the genocide of Bengalis, soldiers attacked the teachers' quarters and residential halls of Dhaka University with particular ferocity.

At Jagannath and Iqbal Halls, students were mown down mercilessly. Other students were forced to dig a large grave and once that was done, they too were shot. All the bodies were dumped into the grave, which was then bulldozed by the army.

Soldiers burst into the quarters of the philosopher Gobinda Chandra Dev and murdered him. They also killed the mathematics teacher Rafiqul Islam. And they left Jyotirmoy Guhathakurta, a senior teacher in the English Department of Dhaka University, seriously wounded. Guhathakurta was to die a few days later at Dhaka Medical College.

Outside the campus, the soldiers razed the Kali Mandir, a Hindu temple inside the Race Course compound, to the ground. In similar fashion, they blew up the Central Shaheed Minar before the Dhaka Medical College Hospital. On the streets, common citizens were murdered at random. Rickshaw pullers died even as they slept on their three-wheelers. Early on March 26, the

army dragged Commander Muazzam Hussain, a former accused in the Agartala conspiracy case, out of his residence and killed him on the street outside.

Sometime after midnight, Bangabandhu Sheikh Mujibur Rahman declared Bangladesh's independence. His call for freedom was passed through wire- less to M.A. Hannan, a senior leader of the Awami League in Chittagong.

Around 1 am (it was already March 26 and the army's murderous operation went on in fury), jeep-loads of soldiers surrounded the Bengali leader's residence in Dhanmondi. He was taken into custody and driven to the steps of the under-construction National Assembly building in Sher-e-Bangla Nagar (now the Jatiyo Sangsad building). From there, an officer reported to Tikka Khan: "Big bird in the cage. Little birds have flown."

The officer enquired if the martial law administrator wished to have Mujib brought before him. Tikka replied contemptuously: "I don't want to see his face." Bangabandhu was driven off to Adamjee Cantonment College, where he would be a prisoner until he was flown to West Pakistan in early April.

As fires raged around Dhaka throughout the night between March 25 and 26, Zulfikar Ali Bhutto watched from his suite at the Hotel Intercontinental (now Sheraton). He saw the offices of The People, a radically Bengali



nationalist newspaper, burning after an attack by the army. The military also set fire to the Ittefaq and Sangbad newspapers, leaving those inside dead or wounded.

At the university, as the killing of students went on, Professor Nurul Ula, an academic, recorded the scenes on his movie camera. The footage, gory and yet clearly indicative of everything that went on, was later to be transmitted to the rest of the world.

At the Intercontinental, the British journalist Simon Dring, who had avoided deportation by the army earlier by hiding in the kitchen of the hotel, observed

conditions, and would, a couple of days later, file the first graphic details of the genocide launched by the Pakistan army against a population whose leader had been expected to be Pakistan's first elected head of government. The murder and mayhem went on till the morning of March 27, when the military authorities lifted the curfew for a few hours.

Reducing prices: A layman's suggestion

M. H. RASHID

THE railway network, a gift of the British Raj, has amply been neglected by the self-ruled Bangladeshis. They (the British) set up with much sweat and tears, the railway line from Khulna to Calcutta via Jessore to carry not only the passengers but also to carry perishable food items like fish and vegetables for Calcutta. They also built the all-weather Jessore-Calcutta road (the only road of then East Bengal), perhaps for the same purpose.

They also set up the rail link from Serajganj to Ishurdi to Calcutta, from Parbatipur to Santahar to Ishurdi to Calcutta. The layman writer of this piece is a living eye-witness to see the act of attaching two or three parcel vans loaded with fish from Khulna and vegetables from Jessore at the back of the Barisal Express. The similar number of parcel vans loaded with red potato of Bogra potol of Tilakpur and Akkelpur were attached with the Assam Mail at Santahar to reach Calcutta in three hours.

Again, at Ishurdi Junction a few parcel vans, loaded with hilsha and large tortoise, both of the Ganges, were attached at the back of the Darjeeling Mail to reach the market of the then capital of the Bengal Presidency the next morning.

The mail trains then were hauled by coal-fired engines which had to stop at the junction stations to fill the water tanks. And that stoppage was only for five minutes and a shunting engine was then waiting with the parcel vans with inscription on their body: "Fit to run with Mail Trains."

As soon as the mail train stopped the shunting engine pushed the parcel vans at the back of the water-taking mail train and that was all. The passengers would never know what has happened during this short stoppage.

Even today, rice grows in abundance in northern part of the country and is then hauled in trucks to Dhaka for consumption by the Dhakaites. Plenty of vegetables still grow in Jessore and Rajshahi area, so are the seasonal fruits like mango, watermelon, papaya, etc.

These are brought to the capital by trucks and the price paid to the farmers and the price paid by the consumers are quite far apart. The brinjal (egg plant) that sells at Abhoynagar in Jessore at Taka 6 to 8 per kg is being sold to Banani market in Dhaka at Taka 26-30 per kg. This wide margin is contributed by the truck freight, middleman's profit, and chadabazi (toll) in every point of the road to Dhaka.

If the present government pays attention to improve the railway

service then the country will be enormously benefited in the following ways:

- The price of rice, fish and vegetables will automatically be reduced to tolerable level as the carrying cost will be reduced to less than ten percent and tolls will be eliminated.
- The poor people can travel safely at a lower cost. Bus accidents instrumented due to negligence of the operators cost the life of around 5,000 passengers a year and unaccounted number is maimed. These will be reduced in a noticeable number.
- With more and more use of the railway, number of long distance buses and trucks will be reduced resulting in significant lowering of road congestion in Dhaka city.
- Last but not the least, if adequate attention is paid to the railway hitherto totally neglected to serve the interest of politicians and further improved in management and operations with gradual expansion (extension towards Daudkandi or towards Aricha), supply line of the foodstuff to the capital, Dhaka, will not only be strengthened but also population pressure on the capital will be reduced. Many people will prefer to live in the outskirts of the congested mega-city if travel to the work place is made safe and easy. Just look at the case of neighbouring mega-city Kolkata where the population is reduced to 50% in the night as with the safe and easy train journey some live as far as 150 km away and with electric train they reach their work place every day in time.

In a real democratic society, the common man's interest is above everything. Unfortunately, in Bangladesh, democracy is manipulated by a bunch of thugs and at their dictations and directives in anti-people measures, the schedule and timetable, fare and freight, frequency and monopoly are determined, and the people are completely at their (operators') mercy.

This is true for not only the road transport but also for the river transport. It is learnt from reliable sources that the frequency of the train service to Dhaka from western zone is almost at the lowest level due to the wishes of a very powerful (ex) member of parliament who was afraid of reduced passengers in his bus service.

Our city roads and highways

MOHAMMED NAWAZISH

WE are happy that a number of cleansing measures have been adopted by the interim government. Once the pro-people trends are firmly set on the rails, they will continue to roll on in their own momentum and merit. Issues to focus on are ubiquitous but I would like to concentrate on three major areas which call for immediate notice.

The city streets will have to be cleared of the beggars. Some feeble attempts to send them to vagabond homes were made in the past but very soon the same nuisance with added force reappeared on streets. Their massive inflow before Eid and other festivals is highly embarrassing.

The presence of the hordes of beggars on street corners and their disgusting and obnoxious ways of approach to people reflect, in fact, a disparaging indignity on our national character. Begging on streets, bazaars, and public places shall have to be strictly prohibited and the responsibility of executing the order be

squarely imposed on the police and the social welfare directorate. How successfully they discharge the responsibility is a matter to be decided between the two agencies, but for even one instance of non-observance each of these agencies should be made openly answerable.

Next I focus on the second increasing gruesome trend of highway accidents. Except for some casual measures like the creation of highway police and installing a few speed breakers and road signs no positive and cast-iron measures have been initiated by the government to stop the reckless loss of human lives and irreparable injuries to human bodies.

Speed and overtaking are the two major causes that lead to such horrendous crashes, drunkenness and daredevilry of the drivers, obstructions on road, mechanical failure etc may come next. I am not sure of the activity of the highway police or whether they still exist or not. I must say that a highway driving code should immediately be prepared and circulated among all highway

drivers with wide publicity on TV and newspapers.

The highway police force has to be strengthened to a really viable entity so they can effectively patrol each highway at close intervals. A few military posts should also be set up at vulnerable points to assist the highway police and regulate highway traffic. Speed detector cameras/devices be installed at different points. Unless the highway drivers and their employers are positively convinced that they will not be spared of a painful consequence if any of the highway rules is violated, the mayhem in the form of accidents will continue to ascend at the cost of human life and property. The road markers, signals and dividers at important sections play a vital role. The R&H authority or the local boards cannot escape responsibility on any excuse.

Now something on the traffic situation in cities, particularly Dhaka. Strange that no visible improvement is observed despite the crackdown of law-enforcers. The unbearable traffic jam is continuing unabated. The situa-

tion turns hellish when the bulging rows of vehicles on the branch and feeder roads are forced to wait for 20 minutes or more to allow the vehicles on the VIP roads to pass on in unbreakable stream. See for yourself what happens at Bangla motor or Sonargaon crossings.

This undoubtedly is a form of ugly discrimination in traffic management. It has to be ensured that no road should ever remain blocked for more than 10 minutes. Very recently I had the misfortune to accompany a sick friend to Lab Aid on Mirpur Road.

He had an emergency appointment with a cardiologist. It was 6.30 pm and our car got trapped in a traffic jumble that started near the Standard Chartered Bank and led up to the petrol pump junction. After 30 minutes the vehicles inched forward to reach near the intersecting road between the Lab Aid hospitals but I was agast finding the unbelievable mess and chaos of disarrayed vehicles that swarmed and tightly blocked the entire intersection area.

We had to take a left turn but it appeared impossible to do it in

another hour. Cars hysterically tried to force into wherever a cubit space showed up and sharply swayed left and right without caring for other trapped vehicles. My friend meanwhile grew pale to paler and I counted danger. With a rare acrobatic feat I dragged him out of the car and somehow took him to the doctor after about 45 minutes. Strangely, not a single traffic constable or sergeant was visible anywhere near the scene of the pandemonium. Nothing unusual. They are seldom visible near a traffic mess-up.

I admit that the traffic constabulary is not sitting idle, it has been preparing its half-hearted and half-baked strategy every now and then. But I feel the traffic controllers are not equipped with trained personnel and experts and no pragmatic and critical study of the problem has ever been worked out.

We often find that wishful and impractical measures are abruptly adopted only to be given up in a few days. Some roads and lanes have to be made one-way either permanently or for a certain period of the day and some U-turn and

crossing points need to be relocated.

The left lanes at crossings must remain free for unobstructed movement of vehicles taking the left exit way, and, buses in particular will have to be disciplined at all costs. But it all needs an analytical and spot study by experts to come to right conclusions. Erratic and unsteady decisions will create more harm than good. Mere checking of papers and imposing fines indiscriminately will serve no real purpose.

The primary mission is to ensure an orderly traffic movement. We do not expect a quick fool-proof package deal to grapple with the situation but we must say that the process in the right direction should begin right now. With trial and error an acceptable pattern will finally emerge. Salvador Dali once commented: Have no fear of perfection -- you'll never reach it. I believe him.

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