

ENVIRONMENTAL LAWS

# Realtors real violators

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PROBIR KUMAR SARKER

**E**VEN though the Department of Environment 'DoE' and Rajuk have been penalizing real estate firms for violations of environmental laws every now and then, many of them and other big businesses have been constantly dodging the laws. According to media reports, such acts are taking place defying rising public health concerns due to growing pollution of air, water and also noise pollution and protests thereby.

Since 2010, the DoE, despite having limitation of manpower, has been found to somewhat active in carrying out legal steps against violators of

the DoE officials allegedly favour some businesses by giving them more time to comply with the related laws. And, according to media reports, even though the businesses are fined, the amount of fine could be reduced through negotiations with the officials of the ministry concerned. This allows them and lures other unscrupulous businesses to dodge laws even after they are being held responsible.

The extent of violation, fines against, and dodging of laws could be gauged a bit through some news reports published in The Daily Star.

# According to a DoE statement published on October 16 last, as many as 52 industries and commer-

DoE in another statement.

# On September 24, the DoE fined the owner of 12-storey commercial building Shah Ali Plaza near the capital's Mirpur-10 roundabout Tk 21 lakh for constructing the building without environmental clearance. The building's layout plan also did not have independent sewer treatment plants, green spaces, car park bays and rain water harvesting provisions.

# On September 2 the DoE fined Japan Garden City Ltd Tk 26 lakh for constructing 26 buildings without environmental clearance certificates. Back in 2001, the DoE had given the company placement clearance against only one apartment. On May 27, 2010, a mobile court of Fire

# Renowned Concord Group on August 14 was fined Tk 14 lakh for constructing three high-rise buildings in Gulshan and Banani areas without taking permission from the DoE.

# The DoE on June 7 fined Keyari Plaza, a multi-storey commercial building in Dhanmondi, Tk 6.25 lakh as the owner of the building did not plant trees in the surrounding areas of the building.

# In May, an inter-ministerial body led by the housing state minister conditionally approved BDDL Natundhara and United City (Neptune Land Development) in Dhaka's eastern fringe following recommendations from Rajuk, the real estate regulator, even though those projects were declared illegal by the High Court last year for destroying natural wetlands and rural homesteads. Rajuk in defence said that they had made the recommendation as the district administration utility agencies and the DoE had given their clearances.

# Two other similar projects, declared illegal by the High Court, Swarnali Abashan and Green Model Town, were approved in early August by the same ministerial body in the same way -- with nod from the Rajuk and DoE.

# Another mega project -- Bashundhara Residential Area of East West Property Development -- in similarly developed area is awaiting approval and it's heard that the government is keen to give it a green signal.

# The DoE on April 1 fined owners of four buildings Tk 28 lakh -- 13-storey Midas Centre in Dhanmondi, 20-storey Lotus Kamal Tower in Banani, under-construction 14-storey Navana Chhayabithi in Gulshan and Navana Nasrin Casavel also in Gulshan -- for not obtaining environmental clearance certificate before construction. The owners also did not comply with the other related rules -- parking areas, open greenery, proper sewerage, rainwater harvesting and waste treatment facilities. Moreover, the owners did not take measures to control noise pollution during the construction, and preserve wetlands.

# Another report of January 16, 2012 said Unique Properties Ltd was issued a notice to remove the earth it filled in 2.65 lakh square feet of Meghna river within 30 days. The earth-filling obstructed the river's natural flow. The firm was fined Tk 50 lakh on December 23, 2011 for not obtaining beforehand a site clearance and environmental certificate.



Not following the directives related to the surroundings of a site including keeping open space. PHOTO: STAR

But it did not comply and appealed to the Ministry of Environment and Forests against the order. The news item also said the DoE fined and realised Tk six lakh from Dishari Real Estate Development Ltd for filling up a swamp, locally known as Sinedy canal, in the capital's Uttarkhan area for a housing project.

# The DoE fined Ashiyani Lands Development Ltd Tk 50 lakh in November 2010 for destroying low-lying wetlands, flood plains, aquatic life and ecology on the capital's north-eastern Holan and Ashkona. But upon an appeal by the firm, the environment ministry mysteriously waived Tk 45 lakh from the penalty. Unfortunately for the citizens, the ministry also ordered the DoE for a speedy issuance of environmental clearance to the real-estate company. This project was, however, approved by the public works ministry upon recommendation by the Rajuk and after it secured clearance from the DoE, in September this year, which gives an impression that it's not impossible to come out clean with an illegal housing project if the owner can 'influence and persuade'.

# For cutting hills, the DoE on January 25, 2011 slapped a fine of Tk 7 lakh on RF Properties Ltd. The act of real estate firm destroyed the natural balance of Prabartak Sangha hill. On October 5, 2011 the DoE realised Tk 10 lakh as fine from Ideal Real Estate Limited for cutting down 4,000 square feet area of a hill to erect a five star hotel on the cleared out land in Jhilongha Mouja adjacent to Cox's Bazar-Chittagong highway. An enforcement team of the DoE on May 3, 2011 seized two trucks for cutting

hills illegally in Paharika Residential Area in South Khulshi, Chittagong by Impulse Properties Ltd.

# In its drive against noise polluters, the DoE on November 1, 2011 fined Building Technology and Ideas (BTI) and Urban Design and Development Ltd Tk 7 lakh for creating unbearable noise pollution in Dhanmondi residential area. An on-site test by DoE found the noise level between 82 and 86 decibels while the permissible level is 55 in the area.

# The DoE on December 7, 2010 conducted a drive in the country's only coral island, the Saint Martin's, and fined two organisations and an individual Tk 16.5 lakh for damaging the ecology. Hotel Blue Marine, Carey Limited and Major (ret'd) Sohel Rana were building illegal structures and boundary walls, digging wells and crushing stones in Coral Preservation Zones of the island.

The major allegations coming against the real estate developers are: working without environmental clearance; not following the directives related to the surroundings of a site including keeping open space and planting trees; filling low-lying wetlands, and occupying croplands and homesteads; destroying aquatic life and ecology; and cutting hills.

These are major violations of environmental laws, putting both the nature and so-called development at stake. This must stop by any and all means, persuasion and/or enforcement, for an environment friendly sustainable development.

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Filling low-lying wetlands and destroying aquatic life and ecology. PHOTO: STAR

environmental laws. It's appreciable as the government seems to have been trying to reach a situation where every business and individual will be aware of the environmental hazards posing the present and future generations and refrain from indulging in such acts which might lead to that.

However, steps taken by the DoE are only made public when the regulator fines any firm in sudden visit. People remain in the dark about the monitoring procedure during when

cial set-ups across the country were fined in September for polluting the environment. Of those, seven are housing schemes. The DoE fined Borak Real Estate Ltd Tk 32 lakh for constructing DCC-Unique Complex in Banani without an environmental clearance. Even though Borak was supposed to build a 14-storey building as per the lease deed with Dhaka North City Corporation, it had already built 27 floors. The number of realtors was four in August, said the

Service and Civil Defence Department had fined the property developer Tk 1.9 lakh for violating fire safety rules.

# The environment regulator on August 27 stopped a massive destruction of agricultural land by Genusys Limited in Joydevpur of Gazipur. The firm dug up soil of agricultural land to earth-fill nearly five acres of low-lying land reportedly in collusion with a ward councillor of Gazipur municipality.

# 'Four Cow Model' for a greener country

*Working with Grameen Bank when it was conceptualized, Professor Muzammel Huq had a vision to make a platform for small and medium farmers' access to financial instruments...He was researching and doing pilot dairy and fishery utilising local resources available. It became clear that mobilising and further development of our rural household units with small land, finance and cows can diminish crisis of energy and electricity for domestic use, provide environment friendly fertilizer...*

H M SHAHREAR

**P**ROFESSOR Khandoker Muzammel Huq introduced "Four Cow" model in 2004. This green model acts as a factory producing organic fertilizer and biogas as alternative energy source for cooking and lighting.

This Zero Waste Farming System is an answer to many questions and problems of Bangladesh and South Asia. Four Cow model addresses problems like malnutrition, unemployment, lack of access to electricity and environmental degradation. Many households, especially in rural areas, do not have electricity or other energy sources. As soon as the sun sets, children cannot study and people cannot work effectively. This model can solve both problems at a time.

It is an integrated food security system that creates economically, socially and environmentally sound small-scale family mini-dairy ventures across rural Bangladesh. People in poor countries do not get sufficient dairy products to meet their nutritional requirements. This provides dairy products such as, milk and meat besides a green energy source for rural households. In addition, this involvement itself provides a source of income. But, more cows also mean more cow waste. Biogas converters will allow people to capture methane gas and use it as energy source. The remaining manure can be used as fertilizer and fish feed. Both humans and

the environment can benefit from a win-win situation that is quite simple to achieve.

This model has a specific focus on reducing the damage due to climate change, on a micro-level. More than 80 per cent of families use firewood and cow-dung as cooking fuel and each family, without access to modern energy sources, uses three tonnes of biomass each year. Environmental degradation, partly caused by migration to urban centres, is creating tremendous pressure on cities further endangering their local environment. Moreover the growing need for fuel has resulted in the increased use of firewood and thus further reduction of trees. The use of firewood is also a cause of respiratory illnesses on a large scale among women and children because of harmful emission.

The 4-cow mini-dairy attempt to address these problems is economically viable and environmentally sound. The model not only creates employment in rural areas but addresses two of the major problems -- meeting needs of nutrition and clean fuel. On a global scale, these projects can be replicated as a possible path to clean, green energy. It benefits society and nation through reduction of environmental damage and by producing self-sustaining social business.

The basic model of a commercially viable mini-dairy comprises of four milch cows and a bio-digester to produce bio-gas and organic fertilizer. It is conservatively estimated that Bangladesh has the potential for four million such farms.

Local agents identify entrepreneurs and

arrange financing and training required to set up a four-cow mini-dairy along with a biogas plant and vermin-compost facilities. The financing required for each mini-dairy is about USD 4000 (approx. BDT327,000). In addition, initiators assist with marketing of milk and fertilizer and also help create new markets for organic fertilizers.

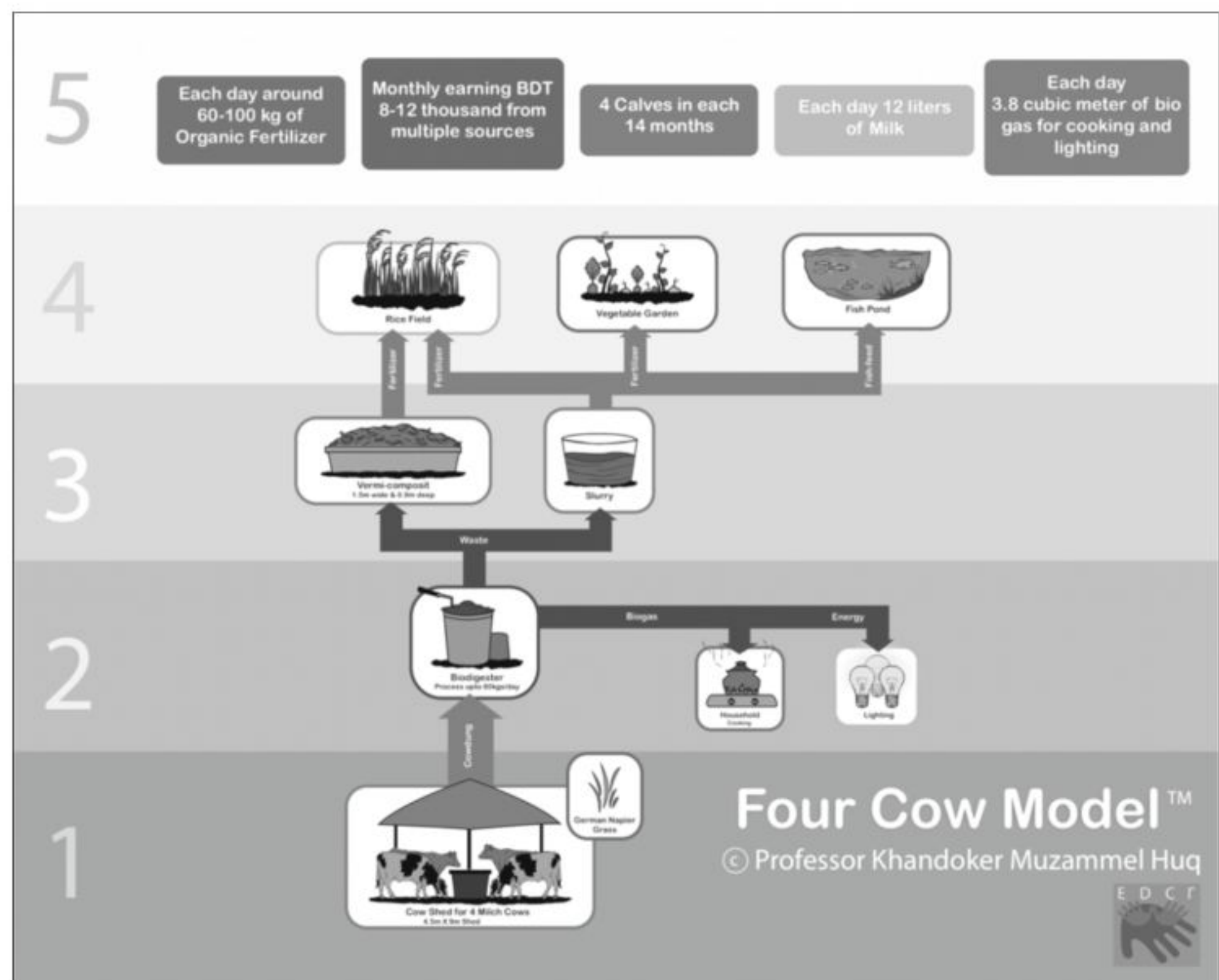
The start up requirements for a mini dairy farm are: 0.5-1 acre of land, 4 milch cows (pregnant/lactating at the time of purchase), A 4.5m x 9m shed with cement flooring, corrugated iron tin roofing, brick and bamboo walls for housing eight cows; mostly family run units, so no external labor is required. Occasional day labourer may be needed for 52 man days a year. A Bio-digester with capacity for processing up to 80 kgs of cow-dung per day produces 3.8 cubic meter of bio gas. A vermi-compost pit 1.5m wide and 0.9m deep and of varying lengths, depending on amount of compost, to be prepared.

**Core element**  
Biogas digester: it is a plant that extracts methane from cow-dung to use as an energy source for cooking or lighting. Cow manure naturally decomposes to produce methane. Methane gas is one of the most potent contributors to global warming. Biogas converters accelerate the production of methane gas and capture it for household energy use.

**Each farm produces**  
Single day:  
● 60 to 100 kg of high quality organic fertilizer  
● 3.8 cubic meter of bio gas for cooking and lighting  
● 12 liters of milk  
● Every 14 months:  
● 4 calves

**It is conservatively estimated that Bangladesh has the potential for 4 million such farms yielding (each year)-**

- 4.8 billion cubic meters of bio-gas
- 240 million tons of organic fertilizer
- 5 million tons of vermi-compost
- 17 billion liters of milk
- 16 million calves (every 14<sup>th</sup> months)
- 1 million tons of meat
- 26 million square meters of hide and 0.3



- million tons of bones
- 12 million people directly employed, mostly women

Loans can be provided by commercial banks for better access to finance by rural people. But to take the project to its height institutional support for health and livestock insurance, better cold-chain management, cattle rearing farms, cattle breeding programme, better animal fodder and feed are very important for value-chain and sustainability of the small dairy ventures. Local governmental organisations such as Upazilla Live Stock Office may be involved in the projects to provide the farms necessary services.

Working with Grameen Bank when it was conceptualized, Professor Muzammel Huq had a vision to make a platform for small and

medium farmers' access to financial instruments, who will never remain the missing-middle. "Missing-middle" means the people who are not poor enough for micro finance and not solvent enough for commercial banking finance. Having this idea he was researching and doing pilot dairy and fishery utilising local resources available. It became clear that mobilising and further development of our rural household units with small land, finance and cows can diminish crisis of energy and electricity for domestic use, provide environment friendly fertilizer, and help resolve problems like malnutrition, unemployment and urban migration. Thus making Bangladesh a complete Green country, say, by year 2035.

The writer who studied under Prof Muzammel Huq at Oxford University is a development activist.