



POT OF GOLD AT THE END of THE 300 FEET ROAD

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On January 28, the High Court ordered 38 housing projects around Purbachal New Town to temporarily stop all land-related activity being conducted. To be more specific, this activity included plugging up water-bodies, filling lowlands with sand, and clearing out vegetation.

"The High Court ordered the companies to maintain the status quo of things. Meanwhile the government was asked to investigate the projects and find out whether they are all in compliance," says advocate Manzill Murshed, the Supreme Court lawyer who filed the writ petition.

The companies and/or housing projects mentioned in the petition (and a



Shallow marshy lands remain dry half the year act as flood flow zones for higher ground

subsequent follow-up application to the court) include United Purbachal Lands Limited, AG Property Limited, Navana Real Estate, Biswas Builders Limited, Nilachal Housing Limited, Bagan Bilash, Rupayan Lands Limited, Adarsha Ideals Limited, Tepantar Housing, Metropolitan Christian Cooperative Housing, Gramph International Ltd, North South Housing Ltd, Manjil Housing and Development Limited, Shikder Royal City Ltd, Kapatakha Green City, Divine Holding Limited, Shatabdi Housing Ltd, Swarna Chaya Real Estate, Vision 21 and Development Limited, Ocean Heaven Limited, SFL Chandrima Limited, Fare Deal Shipping Limited, Platinum Purbachal City,



Gopal Chandra clearing weeds from a plot of land that got submerged under water because all the irrigation channels have been blocked off by housing companies

with a steel gate manned by a security guard. The compound has almost entirely been cleared of vegetation, the existing land has been filled in with sand such that the whole area resembles a large white sand-field. But it is when you pull up a satellite image of what the area looked like in 2011 that you realise how truly green it was. There were at least five greyish-green squares with clumps of floating vegetation, indicating that there were possibly shallow swamps. Of these, only one remains right now, as a pond in the middle of the estate. A lone pink water-lily plant—made up of only three flat leaves and a dwarf-sized flower—floats on the

| SPOTLIGHT |

City Cloud 9, Canada City, Jamidar City, Rimjhim Police Town, Dreamland, Homeland Purbachal City, Hometown Purbachal City, Pretty Real Estate, Mascot Green City, Puspita Empire Housing, Nandan City, Purbachal Bestway City, Malum City, Marine City and Shopun City.

The kickback is that many of these real-estate projects have already divided up the lands into residential plots and sold them off to people. *Star Weekend* talked to three such individuals who booked plots with two different companies—Purbachal Marine City and Biswas Builders—and these are now stuck in a limbo.

A quick glimpse through the company listings on different classified pages show that these plots sold for—or are selling for—upwards of Tk 2 lakh per *katha*. For most companies, the smallest sized residential plot would be 3 *katha*, meaning that customers invested a minimum of Tk 6 lakhs each. They are now held up as the companies enter what will potentially be a long-drawn battle at the court.

The High Court judgment comes at a time when many of these plots are just a few formalities away from handover. Some are still at the point of inception and exist in their natural state either as grassy turf, or ponds or paddy fields, but others have visibly morphed into huge fields of dry white sand that occupy miles upon miles.

One customer we spoke to for example, is down to signing her last cheque for a plot in Purbachal Hill City. An aerial view of the satellite city being built by Biswas Builders shows neatly laid out residential squares, each just big enough for a house, with driveways leading up to each of the blocks. Another buyer informs us that his plot too is almost ready to be handed over. It exists inside a humongous walled-off compound,

surface.

Yet all of this was cleared without an environmental clearance. "We applied for the environmental clearance, but we are yet to receive it," says Captain Shah Alam, managing director of Purbachal Marine City. An environmental clearance application was made in November 2018. Unfortunately, historical Google Earth images show that the project began as early as 2014.

When asked why plots were sold without obtaining an environmental clearance first, Alam states that because of the sheer length of time needed to get all the necessary permits from different government offices, it is not feasible for developers to get all documents in order before selling plots.

"The Marine City is not located in the conservation zone earmarked in Rajuk's Detailed Area Plan (DAP). There are no lowlands within our project. In fact, there is nothing called a lowland. DAP identifies whether or not a land is a flood flow zone or a pond, and ours did not have either," says Alam. He even produced a letter from Rajuk stating the same.

Unfortunately, this is a catch-22 situation—the project is based off of the rules set by DAP, but DAP's demarcations themselves are not without question either. In 2015, *The Daily Star* reported that the DAP was altered to remove several places in Rupganj (where Purbachal is located), from 'flood-flow zones' to normal lands for development. The decision by Rajuk drew huge flak from environmental experts concerned about environmental disasters and water-logging.

Decimated or not, when walking about Rupganj, one can see where flood waters collect during the rainy season. These are the patches of land with watercress and taro beds growing abundantly. Some still have

social media ad. *Star Weekend* went through the Department of Environment's (DoE) environmental clearance committee's meeting minutes of the years 2018, and 2012 to 2015, all of which are publicly available on their website. Only the names of Purbachal Bestway City, Purbachal Malum City and Purbachal Hill City came up in the minutes as companies that had applied for environmental clearances. We requested official sources at the DoE to cross check the other projects mentioned in the petition with the records of 2016 and 2017 since those were not publicly available.

Upon doing so, they found that none of them have environmental clearances. The sources declined to go on-record because of the on-going court investigation into the projects.

Abul Fateh Mohammed Shafiqul Islam, the Upazila Nirbahi Officer of Rupganj, Narayanganj did go on record though, and stated that "None of the land projects mentioned in the writ petition can be called legal since they do not have their permits in order."

"This is the list of permits the companies need to take: they need to first get a no-

correspondent saw it, it was completely submerged under and overrun with *kochuripana* weeds.

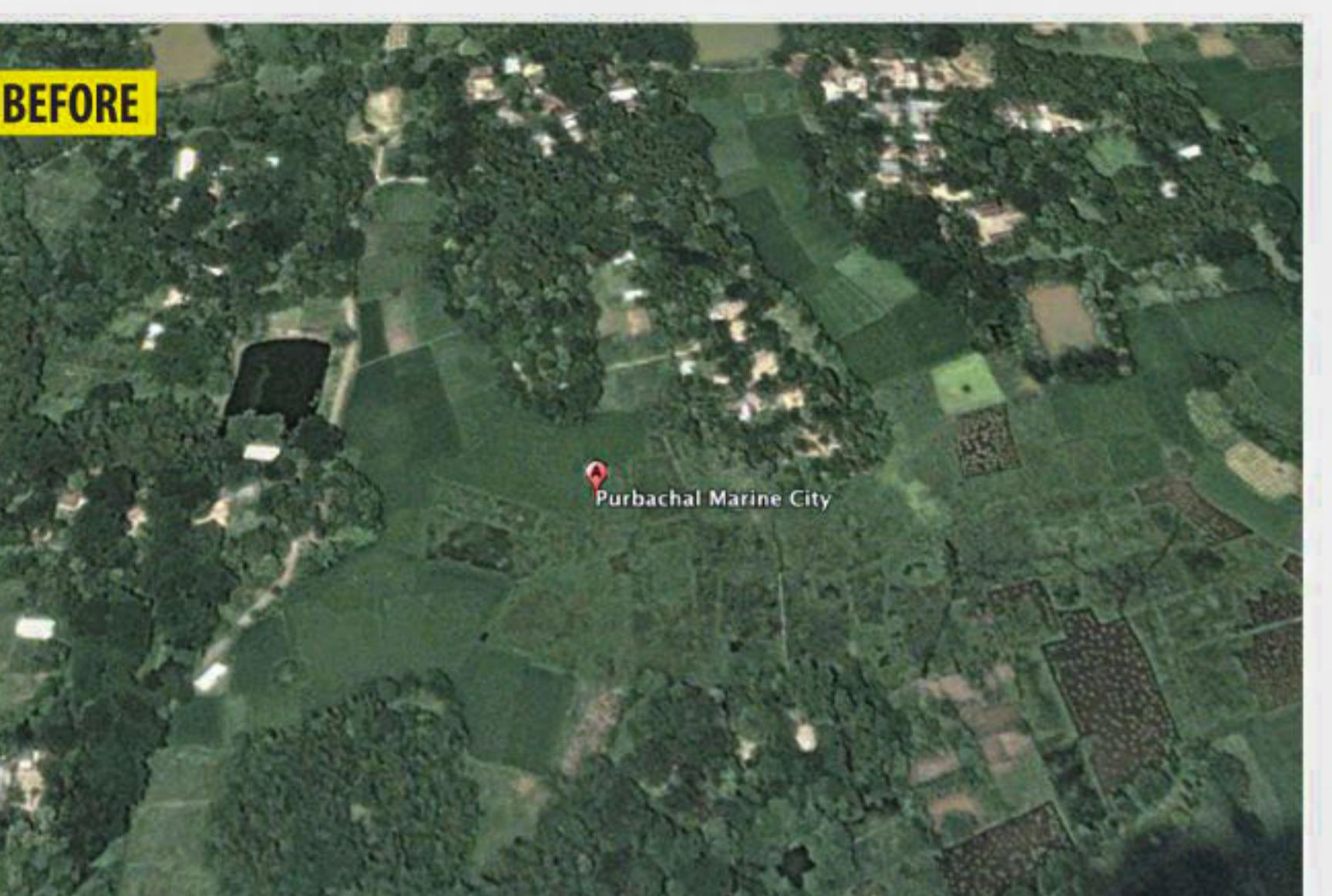
"This is the land I used to harvest rice on. Unfortunately, I cannot anymore because it is permanently waterlogged. When the land companies filled up their plots with sand, they blocked off all the irrigation channels through which water could not only flow in, but also flow out," he says. When talking to this correspondent, the man was waist-deep in a plot submerged underwater clearing out *kachuripana*.

"Since I cannot harvest rice anymore, I had to buy chickens but it is never enough money. Now I am thinking of selling a bit of the land that cannot be used anymore," laments the man.

Harijor Rahman, the executive engineer from National Housing Authority (NHA) also claims, "We did not give permissions for any land projects around Purbachal New Town." This claim is astounding seeing that when travelling from the 300-feet road all the way to Kaliganj, Gazipur the entire landscape is littered with signboards of different land projects. One cannot go a few feet without seeing such a signboard.

"These signboards are everywhere, NHA

Housing projects getting decommissioned at the last minute is not a new thing, in Rupganj or elsewhere. Perhaps the most infamous of these cases were Modhumoti Model Town and Ashiyani City. In 2017, the High Court barred Ashiyani City from continuing development. Rights groups including Ain O Salish Kendra, Association for Land Reforms and Development, Bangladesh Environmental Lawyers Association, Bangladesh Legal Aid and Services Trust, Bangladesh Paribesh Andolon, Institute of Architects Bangladesh,



Purbachal Marine City



Nijera Kori, and Paribesh Bachao Andolon fought the court battle to maintain Dhaka's flood flow zones. The land project situated right outside Dakshinkhan now exists as a completely barren zone devoid of people.

Even before that, in 2012, the apex court of the country ruled Modhumoti Model Town illegal. The judgment stated that the residential project that is spread out over Savar was built upon flood flow zones and hence cannot be allowed to continue. This ruling was based on a writ petition filed by BELA in 2004—meaning it took the court a whole eight years to pull the plug, by which time the project had sold most of its plots.

Dr Firoze, an eye doctor by profession, is one person who lost investments during the Modhumoti Model Town fiasco, and may potentially lose out again this time. He booked a plot at Purbachal Hill City by Biswas Builders, which is one of the companies mentioned in this recent High Court order.

"I had invested in some land in Modhumoti Model Town. When it was declared illegal, the money was never returned to us," he says, "and even now, when we call the office to get our money back, they tell us that everything will be okay. Let's see what happens this time. I'm guessing I'm going to lose this money as well."

must seriously investigate how these companies have set up shop without a single permit from the housing authority," says Moqbul Hossain, the former Member of Admin and Finance and NHA.

How do these cities sell plots without having all necessary permits?

"They use a legal loophole. The plots are not sold as housing project plots—meaning the land deed is never transferred to the housing project's name. It is directly transferred from the person whose land is being bought (e.g. the farmer) to the company's customer booking the plot. There is no law barring

one individual from transferring their land to another individual," explains Shafiq. It is true—*Star Weekend* scrutinised several land deeds of plots booked from these housing companies and found the names of the companies mentioned nowhere on the list. The deeds simply noted that a piece of land was exchanging hands from one individual to another. The housing projects essentially acted as middlemen during the land deed transfer process.

DÉJÀ VU

"Last year there was a similar problem with Rimjhim Police Town and Italian City. The projects were permanently stopped by the High Court," says Shafiq.