

POURASHAVAS AND URBAN DEVELOPMENT

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INTRODUCTION

The Pourashava is a corporate body that oversees the welfare and development of urban areas within its jurisdiction. At present in Bangladesh there are 91 Pourashava towns (Municipal towns) with 1981 population varying between 8,400 in Mohespur to as high as 405,600 in Narayanganj. The total 1981 Pourashava population was approximately 4.7 million, while the median pourashava population in 1981 was 36,400.

The overall population in the country has been increasing rapidly. The basis of population projections in Bangladesh are the national censuses. The most recent 1981 Bangladesh census indicated a total population of 89.9 million (corrected for under enumeration). Using the 1981 results, national population projections have been developed by various organisations. The middle projection assumes a 1990 population of 113 million rising to 147 million by the year 2000. (1) And it must be noted that much of the future growth will be urban.

Half of the 1974-81 population increase was in the urban areas. In 1981 the population in urban areas stood at 13.5 million--- 15% of the national total. Nearly 6 million--- about 41% of the total urban population lived in four major cities namely Dhaka, Chittagong, Khulna and Rajshahi which are administered through individual Municipal Corporations. In 86 Pourashava towns 35% lived while the remaining urban population were in nonmunicipal urban areas. It seems, that the distribution of future urban population among different urban places is not likely to be much different from that of 1981. (Table-1)

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Table -1 : Expected Urban Population Distribution in Bangladesh.

Urban Centres	Population 1981 (in million)	Projected 1990	Population 2000
a) Dhaka, Chittagong, Khulna & Rajshahi (Municipal Corporations)	5.7	10.5	18.5
b) 86 Pourashavas (Municipal towns)	4.7	8.8	15.4
c) Non Municipal	3.1	5.8	10.1
TOTAL	13.5	25.1	44.0

INSTITUTIONAL SETUP, SERVICE DELIVERY MECHANISMS AND SOURCE OF FUNDING OF POURASHAVA.

The Municipal Corporations and Pourashavas in Bangladesh have vital role to play in the development of urban areas. In matters of municipal functions there is little difference between the Municipal Corporations and Pourashavas, though the responsibilities and revenue income of Municipal Corporations are much larger and are governed by their respective ordinances.

Under the pourashava Ordinance 1977, Pourashavas are empowered to undertake:

- all or any of the functions so given which may be undertaken by a pourashava and
- such other functions as administered by Pourashava generally or by any particular Pourashava

The functions of the Pourashava broadly relate to:

- Town Planning and Building Control
- Public Health Care and Prevention
- Water Supply, Sanitation and Solid Waste Disposal
- Provision & maintenance of streets, roads, bridges and culverts.

The Municipalities in Bangladesh vary greatly not only in size but also in manpower available. The Pourashava Chairman and Committee of Ward Commissioners are elected. The Secretary is the senior executive who heads the general administration and looks after inter-departmental co-ordination in the Pourashava, except in large pourashavas which have Chief Executive officer in addition to Secretary. Information collected from 43 pourashavas shows that, the post of the Secretary, though important, is presently vacant in 16% of the Pourashavas. Pourashava manpower ranges from as low as 5 in Mohespur to as high as 370 in Chandpur. About 40% of the Pourashavas has staff strength of over 100, 42% over 50 and 16% below 20. (2)

The largest single source of Municipal funding is the central government development grants. Property based taxes are potentially the most productive form of mobilisation of local resources. But the revenue base of the Municipal organisation is both weak and underutilized. Holding of property taxes do not respond to the population increase or economic activities due to current deficiencies in property assessment practices. Nonrealisation from central government development grant are common. The municipal governments have acquired for themselves an image of a 'taxing institutions' that render little or no service. The Urban Government Management Paper 1985 has reviewed management, resource mobilisation and national policies including an intergovernmental grant system. Inefficient management and inadequate pricing of urban services are constraints that relate to all municipal services in general. Services cannot be provided without funds while people cannot be motivated to pay their taxes unless their participation is encouraged and adequate services are provided. But given the perseverance, initiative and political will it is possible to break this mould and improve mobilisation of local resources. Choumohoni, a small Pourashava, has over the period 1985-88 increased its revenue from Tk. 5.7 million to Tk. 24.6 million. (3)

As is already evident, the pourashavas are the Local Government Institutions, which are responsible for the overall development of the areas within their urban limits. In view of the Government's recent decentralization of power through the upazila system, pourashavas have acquired renewed importance in the administration, development and maintenance of physical and social services in urban areas of Bangladesh. That the Pourashavas should be the major participants in bringing about development and creating viable environment in urban areas, is a logical outcome of recent government policy.

However, it is beyond the scope of this short paper to discuss all aspects of pourashava functions. The paper will focus on the controls pourashavas exercise or are expected to exercise in the erection or re-erection of buildings and small scale improvements in the poura areas.

BUILDING CONTROL

It is important at the outset to define the term building. The pourashava ordinance 1977 defines "building" in the following terms:

"building" includes any shop, house, hut, out-house, shed, stable or enclosure built of any material and used for any purpose, and also includes a wall, well, verandah, platform, plinth and steps.

The definition clearly indicates that the control over building set-backs, volume, height, as operationally understood but shall also include the regulation and control of the use to which the building is put, i.e. the building control shall also include landuse. Section 98 of the pourashava ordinance lays down that erection or re-erection of buildings within the physical limits of the pourashava shall require the approval by the pourashava or an authority prescribed by government. But unfortunately this is hardly the case in practice. Buildings are being built indiscriminately, without reference to any authority or legislation. Except for major cities like Dhaka, Chittagong, Khulna and perhaps to some extent Rajshahi, building activities are free from encumbrances of any controls or regulations. Most pourashava do not have even a rudimentary framework of building rules and regulations. There has been little or no attempts to operationalise the provisions of different legislations pertaining to the control of building construction and landuse. But despite the absence of controls and attitudes, the question of effective control of buildings and their uses is critical for the preservation and promotion of a viable physical and social environment in every urban centre of Bangladesh. In the absence of development agencies such as RAJUK, CDA, KDA & RDA, the pourashavas will have to rise to the occasion and shoulder this responsibility.

IMPORTANCE OF BUILDING CONTROL

Urban areas are in a continuous process of growth and change. With or without pourashava interventions changes in use, renovation, erection and re-erection will take place. The owner at opportune moment undertakes the action himself. This is the case everywhere. The trend, however, presents a

paradox. It is both encouraging and unfortunate. It is encouraging in the sense that private capital and initiative are being used for physical development, but unfortunate because:

There is little evidence in the history of development..... that the private decision maker, left to his own devices, can be trusted to act in the public interest! (4)

Orderly planning of services and utilities is difficult where direction of development depends on decisions taken by numerous individuals separately on the basis of immediate needs without reference to a plan or what others are doing. The urban form that evolves in the absence of landuse and building controls, does not respect environment, public health or safety which are the expressed intent of the Pourashava Ordinance. Such practices erode open spaces, neglect community needs, destroy historic environment, disrupt traditional, functional and physical linkages, not to mention the exacerbation of existing problems. Bangladesh, a land hungry nation, cannot afford the luxury of considering property owners' freedom to build as being innate and inviolable. The right to build is designated and not inalienable.

Without control over landuse, intensity of development, building height, bulk and inter-relationship of functions, deterioration of urban areas will continue unabated. The physical and social conditions in most pourashava towns are only a premonition of a bleak future. Inadequate physical and social provisions are a rule.

Existing legislation relating to building and landuse control exists in form of the East Bengal Building Construction Act 1952 (EBBC), the Pourashava Ordinance 1977 (PO) and the recently formulated Building Construction Regulations (BCR) 1984. The EBBC 1952 empowers the pourashavas and other development agencies to formulate by-laws to regulate and control the erection and reerection of buildings, excavation of tanks and cutting of hills.

Except for a handful of Municipal Corporations no other pourashavas have framed any bye-laws under the provision of the EBBC Act. The BCR 1984 was formulated by the Ministry of Works under the powers vested by the EBBC Act 1952. The BCR, 1984 outlines the procedure of obtaining approval for construction of buildings, excavation of tanks or cutting of hills. It prescribes

set-back regulations for different plot sizes and uses, specifies a maximum of 75% site coverage for residential construction and mandates parking provisions for both residential and commercial facilities. Though much remains to be desired, the BCR 1984 is a model that may be improved and built on. While the regulations on building coverage and set-back requirements may be adopted in most pourashavas with or without modifications, parking requirements are too high even for major cities such as Dhaka, Chittagong and Khulna.

TOWN PLANNING AND RELATED URBAN SERVICES

In addition to more specific powers such as construction of drains, streets, markets, the pourashavas have the power to prepare master plans and site development schemes with control taking the form of a ban on construction without permission unless it conforms to such plans or schemes. Another provision authorises the adoption to development plans to identify projects, sources of funds and institutions capable of carrying them out.

However, the powers of planning and control have seldom been used by the pourashavas partly because of lack of trained personnel and partly because adoption of such plans will require all construction to conform to such a plan - a thing which pourashavas are presently ill-equipped to enforce. Control of land use and building construction is an integral part of adoption of a planning framework. Without a planning framework it is difficult to justify the land use controls. Though Master Plans for some pourashavas exist (prepared by Urban Development Directorate), they have not been adopted for reasons cited above. Neither is there a physical planning legislation to give legal sanction to the plans prepared.

It may not be too optimistic to expect appropriate urban land use legislation to become operational in the not too distant future. Certainly actions are needed to curb rising land prices, discourage land speculation, control unsuitable uses and arrange land to be available for development at the right time, price and place. The draft Physical Planning (land use) and Development Control Ordinance 1985 is being considered by the government. The ordinance seeks co-ordination and collaboration amongst government agencies in the use of power influencing planning and to provide

a flexible formula for assigning to public agency at any level of government, for any area of jurisdiction such planning responsibility or controlling power as seen desirable. In the long term, all pourashavas are likely to be designated as such agencies with greater powers for controlling building and land use.

In view of the present condition, the urban areas of Bangladesh are not expected to change for better in the immediate future. While the new and small urban centers on the verge of rural-urban transformation are unlikely to feel the pinch of such changes, the deterioration of infrastructure and services in the larger towns will continue unabated. Though there has been improvements in infrastructure and services, but such improvements have failed to keep pace with the demographic changes. Moreover, the improvements have been in bits and pieces without reference to the community needs or a plan. The problem of co-ordinating development is urgent. In the absence of effective planning intervention conditions are likely to worsen of the expected population increase a significant portion will consist of immigrants most of whom will be poor and without skills. It is most likely that they will be employed/under employed in insecure marginal occupations at very low wages. Being on subsistence level these people will contribute little to the municipal revenue, but will nevertheless increase pressure on the existing services. Housing, basic services, social provisions and above all jobs will be needed. Old areas will densify and new areas will have to be developed.

RECOMMENDATIONS

Lack of trained manpower, dearth of financial resources and poor capability of pourashavas are subject of lengthy discourse. In the words of Micheal Cohan :

the combined strains created by the pace of urban growth in the Third World and a lack of resources for maintenance of infrastructure could rapidly lead to the breakdown of a generation of urban investment in many places. (5)

This is indeed a pessimistic scenario but it is not an ordained fate. It is true that conditions are not expected to change overnight. But development and environmental improvement cannot await the evolution of an ideal institutional system. An optimist, a believer in the ingenuity and resilience of people, in their ability to survive, the worst must rely on different institutions to cope with the enormous problems. Development programme must consider the existing limitations with possible improvement in modus operandi. There is a need for change -- a change in approach to planning and development. Planners, urban designers or architects may bemoan the lack of building regulations or the inability of the pourashavas in enforcing existing legislations. But experts really cannot blame the community for not enforcing controls or responding to programme which the community did not help formulate. The involvement of the local community, so vital for success of building controls or development programmes, is virtually non-existent. The positive impact of UNICEF assisted and Local Government Engineering Bureau (LGEB) administered Slum Improvement Project (SIP) in Bangladesh and the success of Kampung Improvement Project (KIP) in Indonesia speak of the strength and efficacy of involvement of communities in improving their environment and lives. In both these programmes there were neither building controls nor master plans imposed on the community. The community was the master of its fate--the decision maker, the controlling agency and the planner. The local development agency with its engineers, planners and administrators was the 'enabler' that advised the community, provided it with information and choice.

While it is true that efficiency, management and staffing of pourashavas have to be improved, it is equally true that a mechanism to effectively involve the community in identifying problems, articulating priorities, devising solutions and implementing programmes has to be found. Top-down administration must successfully interface with bottom-up community involvement. Administrations that enjoy the confidence of the administered find roots in the community and enjoy a higher chance of success. It is the sense of belonging to a programme that builds confidence and provides momentum to development programmes. Community involvement in decisions affecting their lives is an effective way of promoting this sense of belonging and confidence. Instead of imposing a programme on a community, authorities should help people help themselves.

But the apparent simplicity of such participatory programme belies the real complexity. They present some of the most difficult and challenging problems for urban governments, especially in an environment where authorities are conceived of as 'entities' apart from and above the community. Furthermore a contract between officials and the urban community to improve environment can neither be precisely defined nor tightly scheduled in advance. Progress depends largely on the willingness of the authorities to allocate resources which make community consultation and involvement possible.

CONCLUSION

There should be no doubt on the importance of the role of pourashavas in controlling building activities and landuse. Without effective control of building and landuse, pourashava will not be able to fulfill its objectives of providing orderly physical and social infrastructure to its inhabitants. To operationalise and rationalise the control mechanism, a planning framework has to be adopted and rules and regulations suitable to local conditions and in consultation with local community have to be formulated and enforced. But above all a commitment to preserving and developing a wholesome environment has to be made. Concept of 'wholesome' environment should not be based on a 'preconceived' notion of adequacy, but on a thorough understanding of socio-economic conditions and community resources available--human, financial and institutional-- and its willingness to commit them to the improvement of the environment.

Be it urban design, planning, building controls or provisions of physical and social services, it is only through the involvement of the community that social justice and development relevant to the context can be achieved. The process may be slow but achievements will have lasting value. Participatory approach is often criticized for its apparent lack of efficiency. But is efficiency and efficacy synonymous? Let us pause to think.

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