

Decentralization in Urban Land-Use Planning in Bangladesh: Rationality of the Scene Behind a Screen

Md. Shahinoor Rahman

Lecturer, BUET-Japan Institute of Disaster Prevention and Urban Safety
Bangladesh University of Engineering and Technology
Board Member (National and International Liaison), BIP
Email: shahinoor@jidpus.buet.ac.bd

Muhammad Ariful Islam

Joint Secretary, Bangladesh Institute of Planners (BIP)
Senior Manager (Planning & Research), Sheltech (Pvt.) Ltd.
E-mail: airftushar@gmail.com

Background

Bangladesh is a small south Asian country having high population density of 1019 persons per km² (UN Data, 2011) and rapid population growth. The urban area of Bangladesh is facing rapid horizontal expansion due to rapid population growth in all urban areas in the country. Total four large metropolitans, fifty eight medium and more than four hundred small urban areas have one quarter of the total country population (UNICEF & CUS, 2010). Therefore it becomes an important issue to prepare Land-use Plan for the cities to manage the growth and development. After the liberation of Bangladesh, there was a little effort to prepare land-use plan. Haphazard urban growth along with poor governance made inconvenient urban life in most of the cases. In recent time, the Government of Bangladesh has been initiated preparing land-use plan for the urban areas to ensure better urban living. However, prepare appropriate land-use plan is not a simple task at all.

In recent days, decentralization in Bangladesh is a burning issue for social scientists and urban planning professionals. Much of the recent debate on decentralization in Bangladesh is focused on 'local government'. Experts opined that local government tiers or levels should be governed by elected officials. However, the process of decentralization should be ensured through more people participation in local government. Our government can pursue for effective decentralization through devolving power to grass-root levels and strengthening local government system. Little attention has been paid in the public debate as the local governments play

minor role in public service provision. For example, education sector has shown success in service provision in decentralized way. Nevertheless, until now no authority addresses the urban land use planning as an issue of decentralization. Thus, this paper is an attempt to focus on the practice of urban land use planning in relation to the autonomy, participation, capacity to address and understand the decentralization in planning. Special emphasis is given on determining the importance of decentralization in urban land use planning, identifying the problems in decentralization and formulating suggestions.

Theoretical Framework

Decentralization is also an important issue in policy debate. When centralized government faces various problems of complex activities, decentralization seems as the ultimate solution. In case of service provision to the people or empowerment of the local people, decentralization is a crucial strategy. It is always effective if problems are identified locally, and solutions are suggested on the basis of local needs, characteristics and capabilities. In decentralization, measures which are realistic, practicable and acceptable to the local people can be taken at lower costs by the government.

For the general understanding of decentralization we can take in mind the famous and useful definition of decentralization by Rondinelli, (1981): the transfer of responsibility for planning, management, and resource-raising and allocation from the central government to (a) field units of central government ministries or agencies; (b) subordinate units or levels of government; (c) semi-autonomous public authorities or corporations; (d) area-wide regional or functional authorities; or (e) NGOs. Similarly, Bennet (1990) differentiates decentralization from intergovernmental and market based decentralization. The types of decentralization and the dimension of decentralization are very wide. There are three principle types of decentralization: deconcentration, delegation, and devolution (Ahmad et. al 1998). However, these types of decentralization also differ along fiscal, administrative, and political dimensions (Kaiser, 2006). The political decentralization is the power distribution and accountability, administrative decentralization is the focus from central to local in public administration and the fiscal decentralization is the revenue rising and spending autonomy of local government. Here, Kaiser (2006) describes delegation as the transfer of responsibility for decision making and the administration of public functions to local governments or semi-autonomous organizations not wholly controlled by the central government, but ultimately accountable to it. Therefore this paper is aiming to understand the decentralization in urban land use planning form

the delegation point of view and from the administrative and political dimension of decentralization.

According to the Pourashava Ordinance-1977; the area that has more than fifty thousand population with density of more than 1500 persons per square kilometer and three-fourth population are engaged in non-agriculture activity, is called urban area. However there are categories in urban area which is discussed in the next section of this paper.

There are many definitions and discussion on urban land use planning. According to Canadian institute of planning, urban land use planning is "the scientific, aesthetic, and orderly disposition of land, resources, facilities and services with a view to securing the physical, economic and social efficiency, health and well-being of urban and rural communities". However, there are different types of land use planning depending on scale like master plan, urban area plan and detail area plan.

Different administrative advantages can be achieved through decentralization such as overcome limitations of centrally-controlled planning system; make officials knowledgeable about local needs; lead to equality in allocation of government resources; and develop administrative capability among local government institution. All these things are required for land use planning. Decentralization involves the formulation and implementation of plans concerning the locality at the local level. A system of actually decentralized administration improves the way preparing and implementing the land use plan. It helps to collect detailed and accurate information about local conditions such as existing land use, demanding land use, people's movement, travel behavior, housing needs and some other information that are relevant. As a result formulated plan becomes relevant, implementable and acceptable to the concerned local people. Development Management becomes easier under a decentralized system because it increases flexibility and responsiveness, and also serves as an aid to coordination among the various agencies involved in planning and implementing land use plan at the local level. At the same time, decentralization ultimately provides the opportunity to participate in development planning and management to the citizens; restrains the control over development activities by local elites; and allows local leaders to locate services and facilities more effectively within communities. All these things are fundamental to integrate isolated areas into regional economies and to monitor the implementation of development projects more effectively.

Urban Local Government and Land-use Planning

It is important to know the administrative and political structure of Bangladesh for two reasons. Firstly, it is necessary to understand the structure of government in decentralization discussion. Secondly, decentralization in urban land use planning comes with the administrative and political decentralization. The Government of the People's Republic of Bangladesh has been contemplating decentralization of administration since the country became independent in 1971. Bangladesh (previously East Pakistan) suffered under an authoritarian and centralized system of administration for a long time, and regional development was affected seriously. In different times, Bangladesh government tried to decentralize in different sectors. However, there is strong political debate on rationality on the decentralization for such a small country.

Devolution of political power to the local level is incomplete in the present system of decentralization in Bangladesh. It is more deconcentrated in nature (Paul and Goel, 2010). There are multiple layers of sub-national government below the central government. The highest levels of sub-national government are the administrative divisions. The headquarters of the seven administrative divisions are the major cities in Bangladesh. Below the divisions, there are 64 districts working as deconcentrated units of the central government.

In urban Bangladesh, two types of local government exist: municipalities (pourashavas) and city corporations. Ten city corporations are operated in Dhaka North, Dhaka South Chittagong, Khulna, Rajshahi, Sylhet, Barisal, Rangpur, Gazipur, Narayanganj and Comilla. However, this paper is mainly about the specific task of urban authority. So this paper seeks to the delegation types of decentralization rather than devolution and deconcentration of local government.

For controlling the development and growth of the city there are development authorities for four large cities in Bangladesh. The control area of development authority is larger than the municipal authority. Therefore, development authorities are now responsible for the preparation of urban land use plan for their jurisdiction. There are more than three hundred medium and small municipalities along with eleven city corporations in the country and these are known as Pourashava. Following repeated assertions and statements of intent, the Government of Bangladesh embarked on a massive program of decentralization in 1982. The move resulted in the creation of a new and extremely important unit of local government. Still there is an effort to declare New City Corporation and Pourashava. So, the

decentralization in this context is not abolished. Thus, the number of development authority and municipal authority will be increased in future.

In the case of land use planning, decentralization required as per the needs of urban area and also after the administrative and political decentralization. In case of Dhaka, the capital of Bangladesh has the first experience of the land use planning in 1959 through the development plan named 'Dacca Mater Plan, 1959'. Later, another three major cities prepared their land use plan. Newly formed two metropolitans are now working on their land use plan. There is also a recent effort to prepare land use plan for the 223 small and medium urban areas under the projects of Upazila Town Infrastructure Development Project (UTIDP) and District Town Infrastructure Development Project (DTIDP). But, rest of urban areas will be planned in the next phase under the same project.

The four city development authorities are under the Ministry of Housing and Public Works. On the other hand, all urban local government authorities like City Corporations and Pourashavas are under the Ministry of Local Government, Rural Development and Cooperatives. Thus, concerned ministry is different in case of land use planning in Bangladesh. In addition, four large cities have both development authority and city corporation.

Legal Basis

In Bangladesh, development authorities are separated from municipal authority. All metropolitans have own act or ordinance. For the capital city, urban land use planning follows the 'Town and Country Planning Act, 1953'. In this Act, section 73 (1, 2, 4) stated that *"As soon as may be after the provisions of the Act comes into force, the authority shall prepare a Master Plan for the area within its jurisdiction indicating the manner in which it proposes that land should be used (whether by carrying out thereon of development or otherwise) and the stages by which any such development should be carried out.*

.... any such plan may, in particular, define the sites of proposed roads, public and other buildings and works, or fields, parks, pleasure-grounds and other open spaces or allocate areas of land for use for agricultural, residential, industrial or other purposes of any class specified in the Master Plan.

..... Any person objecting to the plan or part thereof shall file objection with the [Government] within sixty days from the date of the publication of the plan."

Unlike Dhaka, three other development authorities have their own ordinance for monitoring their jurisdictions. However, newly formed divisional cities do not have the development authority. Therefore land use planning of these cities is prepared under the rules of Urban Development Directorate (UDD). All other ordinance have almost same provision as Chittagong Development Authority Ordinance 1959. In this ordinance section 22 (1, 3) stated that *“The Authority shall, as soon as feasible, but not more than two years after the provisions of this Ordinance comes into force, prepare and submit to the Provincial Government for approval a Master Plan for the Municipality and the areas in its vicinity indicating the manner in which it proposes that land should be used*

.....Any person objecting to the Plan or part thereof shall file objection with the Provincial Government within thirty days from the date of the publication of the Master Plan.”

For the small and medium urban areas, section 95 of the ‘Pourashava Ordinance 1977’ mentioned *“A pourashava may, if so required by the prescribe authority shall, draw up a master plan for the municipality which shall, among other matters provide for survey, development, improvement, expansion and restriction.”*

From the above discussion it is clear that all urban areas have the right to formulate their own land use plan. The act and ordinance also has the provision for the public participan. Thus, the development authority and municipality has autonomous power to prepare land use plan. But finally, they need permission from the ministry to publish the plan as gazette. This type of decentralization supports the delegation types of decentralization in administrative and political dimension. However, the funding or financial matters are still laid to the central government.

Decentralization in Practice

Decentralization is one of the well known trends in Bangladesh. Like other developing countries it is the high priority agenda for reform. Decentralization is generally considered as a political essential in our country. In Bangladesh, decentralization in urban land use planning came through the local government decentralization. Necessity of urban land use planning was identified after the formation of development authorities and municipalities. But, it has a sound basis in the economic rational of the allocation of resources and the responsiveness of policy

making, strengthening grass root democracy. For discussing the decentralization in practice, it is obvious to address the necessity of autonomy and accountability of the local government. Similarly, it is also important to address the decentralized approach in preparing urban land use plan and assessing the capabilities in implementing the plan.

Political aspects of decentralization have been ignored in our country. There is difficulty of matching among autonomy, authority and accountability. If we look in depth to the legal strength on the autonomy, these authorities have the full face of autonomy to prepare the plan. However, in practice, always the central ministry put their nose to practice their autonomy. In 2010, Detailed Area Plan (DAP) of Dhaka was finalized and there was a conflict between private land developer and the civil society. As a result, the ministry appointed another review committee for reviewing the plan. If we want to solve this type of conflict among stakeholders, more public participation is obvious. Here again, question on the capacity of these development authorities arises. All development authorities have very few personnel and resources to prepare this kind of large scale land use plan. In our country, general people are not very aware about plan preparation. As a result, public participation is very poor. In the Detailed Area Plan project of RAJUK, public participation was also very limited. But, after publishing the plan, number of people tried to incorporate their opinion which was not possible to consider. In most of the cases, authority cannot realize the public views. Therefore, public participation became as palm reader where people go to the authority to know the use of their parcel of land only. But planners hardly ask the local people how they want to see their area in future.

All development authorities are always complaining that there is fund limitation to prepare an effective plan which on the other hand shows again the incapability of the authorities. They are to depend on the central government allocation that establishes the dependency presents a threat to the autonomy again. In the case of municipality, they do not have setup for the planners to prepare their own plan. They do not know how to prepare a land use plan. They do not have any technical and financial capacity. So, there is too much deficiency having only autonomy to prepare the plan. Therefore, a central agency called Local Government Engineering Department (LGED) took the responsibility to prepare plan for all municipality. Municipal authorities cannot appoint consultants to prepare their own plan as their higher authority LGED took the responsibility. LGED appoints the consultants under the UTIDP, DTIDP and Urban Governance and Infrastructure Development Project (UGIIP) with common Terms of Reference (TOR) for all municipalities. Thus, the TOR which is not made by local municipality fails to address the local need for

different municipalities. Public participation is questioned under the centralized planning approach.

After preparing the plan, municipality just receives a readymade plan where they have little or no contribution. They do not have enough logistic supports to implement the plan. People are reluctant to accept the plan which came from the outside and without public participation indeed. Consultancy firms are working at the capital to prepare the plan, but with limited site visits to the project area. It lessens the contact with local actors. So, there is a possibility of being failed to understand the local need. Later on it is also difficult to implement such plan where the local actors have the sense of belonging and they might think that it is not their plan. Sometimes, local people may think in the way that they own the land, for which they will decide the use of the land. It is only happen when there is lack of proper integration of the public demand and the policy. So in order to make a successful plan, it is obvious to ensure appropriate decentralized manner with full autonomy, capacity and public participation.

In opposite of the decentralization procedure, there is an attempt to re-centralization in urban land use planning. As it is mentioned that before plan preparation, power of municipality and City Corporation within metropolitan area is abolished. So, when there are so many local units within a metropolitan area, the development authority has the right to prepare land use plan. So, decentralization effort again got some sort of centralization status. In this case what can be done to ensure the decentralization? It could be possible to give the opportunity to local unit to prepare their plan and development authority could integrate these plans as like the land use in greater London, United Kingdom. Thus, the autonomy and participation can be ensured in a proper manner. To ensure the public participation and empowerment of the local government and proper control on development, devolution of the power from central to the local is very important.

Conclusion

Decentralized decision making can bring government closer to the people, overcome information gaps, enhance transparency and accountability. But decentralization should be in proper way. It is not just showing donor agency that we are decentralized that is happening in maximum developing country. The fundamental argument of this paper is that in the decentralization discussion, we may over look this issue like urban land use planning with public participation. Without participation and clear autonomy of the concerned authority, planning never been success. Moreover, sometimes decentralization is only a documental issue not in proper practice. Central political influence, financial shortage, bureaucracy, lake of

political will and sometimes arrogance of the educated elite is the threat for the practice of decentralization in land use planning. Decentralization in urban land use planning in Bangladesh is a part of local government decentralization. Limited capacity, lack of proper vision of development goal and limited knowledge in this sector are the reasons in failure to achieve the objective of decentralization. Special attention of the policy makers is required in utilization of the local resources. Special effort for decentralization in land use planning is the ultimate way of success.

Therefore, it is essential that decentralization needs political, cultural, managerial and institutional preparedness. For that matter, capacity building at the local level is one of the prime considerations for decentralization. Capacity building also enhances the demand side of decentralization. Without such capacity building – decentralization could be more of rhetoric and may even further weaken local level governance and politics.

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