

Rajdhani Unnayan Kartripakkha (RAJUK): Governance Challenges and Way forward

Executive Summary



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Executive Summary

1.1 Background and rationale

Rajdhani Unnayan Kartripakkha (RAJUK) is the prime authority to build the area of its jurisdiction as a planned, livable and environment friendly city. It is one of the cities with fastest growing population. Dhaka has remained the most densely populated city on earth for the last three consecutive years with a number of 47,400 people living in per square kilometer (Economic Intelligence Unit, Amin, 2018). After RAJUK was formed in 1987, its area of jurisdiction was also redefined and included an area of 1528 square kilometers with a population of 70 lakhs which has been tripled by 2019. This is putting tremendous pressure on livability of the city. To ensure housing of these people, effective use of land and planned development is very crucial. Along with other strategic plans the seventh five-year plan emphasizes on the adequate, safe and affordable housing provisions. One of the sustainable development goals of the United Nations is that sustainable development is not achievable ‘without significantly transforming the way we build and manage our urban spaces’ (Goal 11). The perspective plan of the government also takes the ‘sprawling urbanization’ into consideration (GoB, 2010, p. 68) and is keen to ‘make cities livable’. The national integrity strategy also emphasized on service oriented, corruption-free and accountable public institutions. All these combine the role of the city development authority. This study is an initiative to assess the governance of this body as well as the services vis-à-vis its mission. On the other hand, Dhaka has been ranked as the third least livable city (Economic Intelligence Unit, 2019). The quality of housing especially the building itself is also an issue of great concern.

Among other problems associated with the city, violation of building code has become a major concern in recent years. Especially some catastrophic occurrences related to violation of building codes, such as collapse of Rana Plaza in 2013, fire in Tazreen Fashion factory in 2012, collapse of Spectrum building in 2005, fire in FR Tower in March 2019 etc. generated massive public concern on the issue and also let the concerned bodies to make some new steps. When extreme examples come in front of the people, much discussion takes place in public discourse; but after that, things are forgotten until the next occurrence repeats. So the question is why is the catastrophes happen one after another? Questions arise over governance of the relevant institutions. There are allegations and questions raised over the integrity of some officials of RAJUK. After the occurrence of fire in FR Tower, it was echoed “RAJUK cannot avoid its responsibility” of these casualties. In fact, RAJUK is the authority for giving approval of building plans as well as monitoring of construction. Now, it is time to assess to what extent the violation is going on, what are the governance challenges behind, whether any institutional limitation is working behind, whether the legal basis being created is working well, and also to explore strategies that can work to restore governance of this institution. Therefore, the study focuses on the governance issues of RAJUK, the challenges including those of legal, institutional and political ones.

1.2 Objective of the research

The overall objective of the study is to identify the governance challenges of RAJUK and also to make recommendations to overcome challenges. The specific objectives are as follows:

1. To identify legal, institutional and other challenges

2. To identify the nature and determine the extent of governance deficits, corruption and irregularities; and
3. To recommend the strategies and effective measures to enhance governance

1.3 Methodology and scope of the study

This is a qualitative research. It has followed qualitative methods of data collection. But in some cases quantitative information have also been collected and analyzed. For data collection methods of key informant interviews (KII) and observations were carried on. Interviews were conducted with all major stakeholders including officials of RAJUK, service recipients, real estate developer, engineers, architects, town planners, experts, journalists, officials of the Ministry of Housing and Public Works etc. Relevant acts, rules and regulations, policies, circulars, annual reports, research reports, websites etc. were also explored and used for secondary sources of data.

RAJUK is entrusted with a number of responsibilities. This study focuses on the services related to land use clearance and approval of plan for construction of building. Along with the above mentioned services this study also includes the planning and development related role of RAJUK. The internal management of RAJUK including code of conduct, participation, decision making process, complaint mechanism, deputation, promotion, procurement procedure, disclosure of information, implementation challenges, monitoring and supervision, audit etc. have been evaluated.

The research started with a concept note development in November 2018. Data collection of the study started in November 2018 and continued till December 2019.

2. RAJUK and major initiatives to enhance its governance

RAJUK was established as a statutory government organization in 1956 as Dacca Improvement Trust (DIT) by Town Improvement Act, 1953. It was named as RAJUK in 1987 with increasing the scope of the authority with major parts of Gazipur, Savar and Keraniganj along with Dhaka city, under its jurisdiction which encompassed an area of 1528 square kilometers. It is an autonomous body responsible for planning, development and development control and related functions.

RAJUK has taken some initiatives for improving development and development control as well as enhancing governance of RAJUK. Introduction of online application for land use clearance, building construction and training, e-documentation and training, simplification of procedure of services, GIS mapping, providing services through zonal offices etc. are some of those.

3. Governance challenges in RAJUK

3.1 Challenges of legal limitations and implementation

RAJUK is administered by a number of acts, rules and regulations. Still there are some legal limitations which are putting challenges in the governance of RAJUK.

In ***the Town Improvement Act, 1953 (Amended 1991)*** the eligibility criteria for the selection of chairman and appointment of members in RAJUK are not specified in the Act. The risk of this provision is that it might not facilitate to appoint persons with technical background. The ***Building Construction Act, 1952*** provides a very insignificant volume of penalty for deviations which facilitates violation in other words.

On the other hand, in the ***Greater Dhaka Building (Construction, Development, Conservation and Demolition) Rules, 2008***, there is no section regarding submission of fire safety plan and structural plan. Only architectural plan is mandatory for approval of plan. These create possibilities of violation as well as occurrences. There are differences among different legal bases. In the Rules, multistoried building is defined as the building having more than ten stories, which conflicts with the Bangladesh National Building Code, 2006 (20 meters), National Fire Protection Association (23 meters) and the Fire Prevention and Extinction Act, 2003 (more than six storied). According to the Fire Prevention and Extinction Act, 2003, multistoried building is seven storied and above, which requires approval of fire protection plan. On the contrary, RAJUK makes it mandatory for the service recipients to take No Objection Certificate from the Fire Service Office for the buildings consisting of more than 10 stories or 33 meters of height. As a result, seven to ten storied buildings remain beyond the coverage of fire safety. Moreover, for taking occupancy certificate, fire safety plan is not required or mentioned to submit.

In the ***Greater Dhaka Building (Construction, Development, Conservation and Demolition) Rules, 2008***, it is mentioned that all responsibilities of adequacy and suitability of all design's (As built architectural drawing, structural and service designs) fall upon the concerned architect or engineer (Paragraph 18.3). However, the necessity of RAJUK's supervision and monitoring for maintaining compliance of these designs is not mentioned. As a result, RAJUK tends to avoid the responsibility of ensuring adequacy and suitability of these designs.

According to the Rules, the Town Development Committee may control the height of the buildings constructed beside the architectural or historical sites as well as the areas with natural beauty, hilly area, bank of river (Paragraph 24.6). However, the Rules has not clearly mentioned about the height limit of the adjacent buildings. It may create a risk of manipulation of this article by applying political power and unfair means.

The ***Dhaka Improvement Trust (Allotment of Land) Rules, 1969 (Amended 1986)*** does not provide any clear directive regarding the quota for allocating plots for different groups of projects. As a result, the quota varies from project to project. Moreover, the Rules did not mention the criteria of having remarkable contribution to the nation, which is required for eligibility of apply for plot under special quota. This create the risks of abuse or controversial use of the rule. Apart from this, there is no specific instruction on the share of the total number of plots or flats that should be allotted to the affected people of the project. As a result, there are risks of differences in allocation plots in different projects. There are also risks of irregularities in allocation plots or flats.

In the ***Private Housing Land Development Rules, 2004 (Amended 2012, 2015)***, the required timeline for starting the construction of building after receiving a plot, is not specified. As a result, the plot recipients tend to leave the plot vacant without constructing a building with the calculation that the price of the land will rise and they will get more price, if they sell. This tendency does not help resolve the housing crisis. Moreover, the price of land increases manifold over time and as a result, the price of the flat increases.

Furthermore, RAJUK does not have its own financial manual. The table of authority is not specified. For that reason, it takes time to make and execute financial decisions. Moreover, there is no policy for using cars on pool. Therefore, one has to depend on and wait for decisions from the executive board which may take much time or may not help have the cars when required.

3.2 Institutional challenges and limitations

3.2.1 Human resources

RAJUK is suffering from lack of adequate human resources. A total of 1187 employees are posted while according to the organogram the total number of approved human resources is 1980. Therefore, 40.1%

of the approved positions remain vacant. Furthermore, some of the positions which are crucial for service related activities are remaining vacant for long; such as the positions authorized officer, assistant authorized officer, town planner, deputy town planner, assistant town planner and senior inspector are vacant. Moreover, the approved posts are also inadequate considering the actual needs. There are positions where persons with technical knowledge is required but those have been filled up with persons having no relevant technical background.

3.2.2 RAJUK's income and Expenditure

RAJUK depends on its own revenue and capital income for its management and adoption and implementation of projects. In addition to its own projects, RAJUK receives grants from the government grants in the field of government's annual development projects. According to an analysis of RAJUK's income and expenditure calculations shows that it has become a profitable institution from a service organization. Estimates from the period from financial year 2014-2015 to 2017-2018 show that RAJUK has a surplus income (from 25.3% to 60.1%) in every financial year (Table 1).

Table 1: Income and Expenditure of RAJUK (million Taka) [§]

Financial year	Revenue Income*	Capital Income [#]	Total Income	Allocated Fund in RAJUK Budget	Operational Expenditure	Investment and Other Expenses	Total Expenditure [§]	Surplus Income (% of total income)
2014-15	2381.9	12670.5	15052.4	12108.8	391.9	7723.0	8114.9	6937.5 (46.1%)
2015-16	2311.8	40793.8	43105.6	17467.1	581.1	17899.3	18480.4	24625.2 (57.1%)
2016-17	2459.3	33909.4	36368.7	22484.8	734.6	13761.4	14496.0	21872.7 (60.1%)
2017-18	4933.8	14197.8	19131.6	16553.7	772.3	13512.4	14284.7	4846.9 (25.3%)

Source: RAJUK Budget (given information in the table is not consistent with RAJUK's annual report)

[§]In the table accounts of Government grant is not included

*Revenue Income: Leasehold land income, lease per hectare, income from shop and market, service fee, rent, etc.

[#]Capital Income: New capital premium from development work

However, there is a shortage of RAJUK's ability to implement the budget plan properly. The allocated fund is not spent properly. For example, although there was allocation of fund in the revised budget to meet the demand of transport, furniture and other equipment, those were not spent. There is no allocation of fund for allowances to the inspectors, senior inspectors and surveyors. Only a few inspectors have been provided with motor cycles and fuel-cost for inspection. Although allocations were made every year of the above mentioned period, the allocated money was spent for those purposes only in the financial year 2017-18.

3.2.3. Infrastructural and logistic supports

The infrastructural arrangements are not sufficient to accommodate all the staff properly. This limitation also exists in the zonal offices. Two of the zonal offices do not even have own office buildings. Moreover, the zonal offices do not have adequate logistic preparation for giving all the services.

3.2.4 Digitization

RAJUK has taken a number of initiatives for its digitization to improve its management as well as services. However, because of some limitations those are not being able to ease the services. As of the *mouza* maps and the information related to plots and flats are preserved manually, the services take much time. Sometimes, some important documents are lost which create a lot of hazards. Moreover, there is no detailed guideline of online application for the clients who are to apply for land use clearance and approval of plan.

3.2.5 Coordination among the relevant institutions

RAJUK plays a pivotal role for city development. For providing clearance for land use, approval of construction plan and preparing plan for different projects, RAJUK needs to maintain coordination with other authorities such as land office (AC Land), Fire Services and Civil Defense, Dhaka WASA, Power Division, Civil Aviation Authority etc. The study found lack of coordination among the concerned offices and inadequate services for the city dwellers. Furthermore, it has to depend on ministry for some of the decisions such as recruitment, approval of project, amendment of law etc. which takes much time.

3.2.6 Transparency

In the governance of RAJUK there is a gap in transparency. As far as proactive disclosure is concerned, the citizen charter of RAJUK is not endowed with adequate information. In the citizen charter that is being showed in the premises of head-office, there is no fee-related information while in the charter of the official website of RAJUK, those are being disclosed. Moreover, the website does not provide the audit report, current annual report, the detailed budget, development project proposals, criteria for being eligible for plots and flats, nature and quota of the *allottees* etc. Moreover, there is no information about the quota of the public officials and those who are getting plot or flat on the ground of contribution to the nation. This is even worse at the zonal offices where there is no citizen charter to display in the premises.

3.2.7 Accountability

RAJUK's decision-making and executive authority is vested in the hands of RAJUK Board. Lack of delegation of executive power to the next level officials puts challenges to ensuring accountability at the subordinate levels. Moreover, there are allegations of lack of monitoring of RAJUK's activities by the relevant ministry. On the other hand, the chairman and members of the board are deputed from different ministries or departments. There are also deputed employees at other levels. It is alleged that as the service rules of RAJUK is not applicable for the deputed employees, this is creating nuisance in ensuring accountability of those employees. Furthermore, there are allegations of conflict of interests such as having construction firms of the members of the parliamentary standing committee on the Ministry of Housing and Public Works. This is completely a conflict of interest and creates risks to ensure accountability of RAJUK. Furthermore, the national integrity strategy is not being implemented properly in RAJUK. It has not yet introduced the provision of giving ethics award to the officials based on their integrity practice. On the other hand, for violation of integrity exemplary punishment is not given to the perpetrators. RAJUK is still in need of appropriate mechanism for grievance redresses. Grievances are not centrally registered. Even the remedies are not reported properly.

RAJUK holds public hearing on every Wednesday which is subject to availability of complains. After sorting and verifying the submitted complains, the complainant and the relevant employees are required to be

present. However, the hearing session is not open to the public nor to the media. Therefore, the basic element of public hearing is absent. The Anti-Corruption Commission (ACC) organized two public hearings on RAJUK in 2016. There hearings on 33 complaints were held. Among them 84.8% issues were related to disputes of allocation and possession of the plots. However, the ACC does not have updated information on the status of implementation of the decision taken in the hearings. However, information of 11 cases were collected under this study. Among those for nine cases, implementation of decisions did not take place even after two years have passed after the stipulated time. Furthermore, those who complained to ACC were treated negatively and were denied when they went to RAJUK later for services.

There is lack of effective monitoring to implement RAJUK's activities, especially the surveys for land clearance or activities related to building construction, implementation of development projects of RAJUK etc. Inadequate monitoring by the authority of RAJUK results in violation of laws and regulations by the service recipients. Moreover, when the owner of the building is influential the inspectors fail to do their inspection properly. Even there were allegations of ignoring complains by higher authority. There are both internal and external audits done as vital part of accountability. However, there are allegations of irregularities and corruption by the relevant employees.

3.2.8 Participation and inclusiveness

While participation and inclusiveness are important indicators of governance, as an institution RAJUK is not being able to ensure adequate participation of its clients. There is very little participation of the relevant stakeholders in RAJUK's activities. It is especially true for preparation of the Detailed Area Plan (DAP). It is alleged that the development projects are not designed with sufficient consultation with local people and other stakeholders. Moreover, RAJUK does not take projects by creating database of local people. Sometimes they consult with the members or chairmen of the local government bodies or other influential people (i.e., political leaders, businessmen and so on). Although RAJUK takes projects for the lower and middle class groups, in reality it does not consider their inclusiveness properly. The income category, gender, disability etc. are not taken into account in determining the project quota and distribution of plots or flats. Project specific provisions are created for allotment of plots to the affected people. Moreover, for determining prices of flats, economic condition of the lower and the middle classes are not taken into consideration. Rather the price of the flats as fixed by RAJUK is almost equal to those of the commercial ones. Furthermore, many of the people who were affected by the projects, especially those who had less land and therefore did not get any plot. As an institution RAJUK is alleged to be less women friendly. There is no day care center for children in the RAJUK premises. The number of female toilets is not sufficient for the female employees there. For the female visitors there is no separate toilet. Moreover, there is no arrangement for the persons with disabilities such as ramp and sufficient other relevant arrangements.

4. Irregularities and corruption

4.1 Irregularities and corruption at the institutional level

In the administration of RAJUK most of the key posts are deputed from different departments of the government. Both the chairman and all the five members are posted here in deputation. This reality endures coordination gap between the higher management and other permanent employees of RAJUK. However, deputation in RAJUK is often regarded as very lucrative positions, considering the scope for financial return that may be earned through different unfair means. Therefore, to stay as deputed in RAJUK there are instances of paying bribes. According to the findings of the study, there is an allegation

of bribing Taka five million to stop transfer from RAJUK. There are also discrepancies in giving promotion to the staff.

In the recruitment of RAJUK, there are allegations of doing nepotism as well as undue influence from the government and politically influential persons. Moreover, for posting, convenient transfers and promotions, political influence, bribery and some irregularities prevail in RAJUK. It is alleged that in some cases, those who are deputed in RAJUK should have strong lobby with relevant ministry. Moreover, there are allegations of bribery for transfer and posting in convenient places. The amount of bribe depends on the position and importance of the post and also the location of posting. The amount of bribe ranges from Taka two lakhs to 2.5 lakhs. The amount of bribery for getting promotion ranges from Taka 30 thousand to one crore.

The financial audit itself is a very powerful tool for combating or at least reducing corruption. But there are allegations of corrupt practices in the audit related activities. For example, there are allegations of making unauthorized payment by the employees of the respective department to get the audit report in their favor. For entertainment especially arrangement of snacks and lunch, RAJUK has to spend from Taka 20 thousand to Taka 25 thousand every year.

4.2 Corruption and irregularities in land use clearance

4.2.1 Unauthorized payment: The citizen charter and the Greater Dhaka Building Rules specify the due amount of fees for land clearance. However, field data suggest that the service recipients had to pay extra money to get the land use clearance in almost all the cases. The amount of bribe depends on some variables such as the width of the road, the size, type and location of the plot, number and type of the service recipients (individual or real estate developer) etc. For the developers and the groups of service recipients have to pay more than an individual. The amount of unauthorized payment required for land clearance ranges from Taka 15,000 to 80,000 for the individuals and Taka 1,00,000 to 10,00,000 for the developers.

4.2.2 Delayed services: The existing size of human resources and system of land clearance which take much time to check the documents related to land, are not likely to help the RAJUK to provide land clearance within due time mentioned in the citizen charter. Sometime, they find mismatch in the location of plots in the maps. As there is no central land registration database, they need to collect some documents from land authority (AC Land Office) and if the plot is beside the highway, they need to collect some documents from relevant authority. Moreover, the relevant government authorities do not provide the documents on time. Sometimes, the land owner(s) do not remain available at the site during the survey. These limitations linger the time of providing land clearance. There are also allegations of missing documents from the submitted files.

4.3. Challenges in the approval of building-plan

4.3.1 Unauthorized payment: Despite there are specific amount of fees for approval of plans, field data suggest that the service recipients have to make unauthorized payments. Field data further suggest that the planning permission may not be given without unauthorized payment. The service recipients interviewed got their plans passed by making extra payments other than the required fees (Table 2).

Table 2: Unauthorized payment for approval of plans

Nature of service	Fee for services (Taka)	Amount of unauthorized payment (Taka)	
		Personal level	Real estate developer
Approval of plan (Up to 10 stories)	(175 - 83,000) +15% VAT	50,000- 4,50,000	2,00,000- 10,00,000
Approval of plan (Above 10 stories)	(83,000 - 3,65,000) +15% VAT	Information not available	15,00,000 – 40,00,000
Large or special project	No fee required	Information not available	15,00,000 – 2,00,00,000

The amount of unauthorized payment depends on some factors such as the size of land, location of land, height of the building, number of stories (levels), number of owners, the nature of the use of land, type of the broker, level of violation etc.

4.3.2 Delayed services: According to the citizen charter and the rules the approval of the plans for building should be given within 20 or 45 days. However, field data suggest that none of the respondents got their plans signed on due time. Field data further suggest that the minimum time of getting approval of building plan was four months. In some cases, it took two to three years. The service recipients complained that the delays are obvious if there is no strong influence from the service recipients. Genuine papers are kept idle if there is no influence.

4.3.3 Deception and harassment: It has also been observed that the brokers are present everywhere. There are allegations of harassment by brokers. It is asserted by several service recipients that one should find and fix a broker to get any service from RAJUK.

4.3.4 Irregularities at the inspection level: According to the Building Construction Rules, 2008, building inspection is required to examine the construction of building vis-a-vis the approved plans, compliance of building with the set-back rules etc. The field data suggest that building inspection is even handled by the brokers in most of the cases. Therefore, in most of the cases the land owners do not know about whether the inspection is conducted by the authority. However, the contracting firms or persons argued that they have to pay 'kickbacks' for having positive report from the inspectors. But this stage also generates another opportunity for making unauthorized payments. The amount of unauthorized payment made to the inspectors ranges from Tk. 5,000 to Tk. 1,00,000.

4.3.5 Violation of rules and laws: Because of lack of monitoring by the RAJUK authority, violations of rules and laws take place. Field data suggest that after the plan is approved from the authority, the developer or individual deviates from the approved plan. In some cases, the set-back rules are violated. The mandatory rule for maintaining open space is not kept properly by the owners of the building or the developers. Moreover, height restrictions are also violated which is done to have more extra floor-spaces. At least 15% of floor area is extended in every cases. There are allegations of violating the approved plans during the construction of buildings such as FR tower, Awal Centre, Ahmed Tower, WestInn, Jobbar Tower etc. There are examples of doing commercial activities such as restaurant, coaching centre, office etc. in the residential buildings without approval from the RAJUK authority. But on the other hand rules are being purposively abused to harass few non-government organizations. On the other hand, the fire safety requirements are not kept properly. In most cases RAJUK's role remains limited to giving notices and recommending the clients to file cases against RAJUK. The mandatory rule of submitting occupancy

certificate is not implemented. Therefore, only 418 buildings took occupancy certificates from RAJUK in last four years.

4.4 Irregularities and corruption in development projects

4.4.1 Violation of Dhaka Metropolitan Development Plan: According to Dhaka Metropolitan Development Plan (DMDP), agricultural land to residential use in designated sub-flood flow or flood-flow zones should not be converted into different category. Moreover, the DAP Review Committee recommended not to restrict the flow of water in flood-flow and sub-flood flow areas. But RAJUK itself occupied many flood flow zones and did housing projects there such as Jhilmil Residential project, Compact Township Development project near Turag River, Purbachal New Town project etc.

4.4.2 Planning projects without feasibility study: In some cases, the project plan is prepared without a feasibility study. Sometimes, they do not make soil test, Environmental Impact Assessment (EIA), etc. which are essential for project development. In many instances, it is alleged that the report of feasibility study is prepared without going to the field.

4.4.3 Deception and harassment: There are allegations of deception before taking development projects. With the information in hand some government officers or their acquainted people or relatives of officers of DC office, business person resided beside the project areas create rumor of having less money during land acquisition by RAJUK. Then by purchasing land they keep them enlisted as affected land owners to get related facilities. Sometimes the genuinely affected people are given small plots. It is alleged that the genuine locations and plans are changed to make new plots. There are also allegations of missing files and documents of the plot owners. Sometimes the files are recovered in exchange of money. A number of 700 files of plot owners were alleged to be missing in 2019.

4.4.4 Unauthorized payment: There is allegation of unauthorized payment for allotment of plots from RAJUK, for transfer of plots or keys of flats or various services related to land such as lease deed, mutation, heba, sale permission etc. (Table 3)

Table 3: Unauthorized payment in getting services related to project of RAJUK

Purpose	Govt. Fee of Service (Taka)	Unauthorized payment (Taka)
Lease deed	31,000 - 60,000	50,000 - 1,00,000
Mutation (per plot)	10,000 - 25,000	10,000 - 50,000
Heba (per flat)	7,000 - 15,000	50,000 - 75,000
Sale permission (per flat)	200 - 300 (per sq feet)	18,000 - 75,000
Sale permission (per plot)	50,000 - 2,20,000 (per katha)	50,000 - 1,00,000

In lieu of unauthorized payments or with unfair influences the contractors manage to get the information related to procurement which help them to get the tender. The contractors also have to make unauthorized payment to withdraw the money from the office which is alleged to cut off a portion (2%) of the bill.

4.4.5 Delayed services: Like other services from RAJUK, the services related to project are also delayed unless the unauthorized payment or interference of the influential people are made.

4.5 Implementation of DAP and the challenges

Planning is the core function of RAJUK which is 'to guide the future growth' of the capital city. The overall objective of Detailed Area Plan (DAP) was to implement the recommendations proposed by the Structure Plan and the Urban Area Plan. The DAP was supposed to be prepared on the basis of detailed surveys and analyses and was to be implemented through community participation. The DAP was aimed at developing a local level plan with land-use zoning, infrastructure and utility. One of its objective was to protect flood flow zone from encroachment.

4.5.1 Repetitive amendments and dilemma in finalizing DAP: It took a long time to have an approved DAP. Again finalization of DAP is yet to achieve. By this time continuous amendments have been made which are alleged 'to serve the interests of the vested quarters'. After the approval of DAP through gazette notification issued in 2010, DAP has been revised for 158 times till April 2018. Among the amendments, a number of 34 were done to permit for filling up the water bodies while 14 others were done for filling up flood-flow areas. A number of 20 amendments were made to cancel agricultural and rural settlements and 13 others were made to alter the land-use category of overlay zones (Ahmed, 2018).

4.5.2 Violating DMDP Structure Plan: The DMDP was prepared for twenty years and has been effective from 1996. It is alleged that in preparing DAP, the DMDP recommendations have been ignored. Whereas it is the responsibility of RAJUK to monitor other entities so that they refrain from violating DMDP, in reality RAJUK itself is alleged to have violated DMDP. It has developed housing projects in agricultural areas, flood-flow and semi-flood flow zones; such as 'Jhilmil', Uttara (3rd phase), Jalshiri, Bashundhara, Eastern Housing etc.

4.5.3 Conflict of interest: There are questions raised due to assigning a real estate company to review DAP. There are risks of 'conflict of interests'. Those who are given responsibility to save the city are alleged to destroy it for their mere business interests.

4.5.4 Lack of inclusiveness and participation: There are criticism of not allowing the experts to participate freely, fairly and effectively during consultation. Although it is claimed that the peoples' participation had been ensured in formulating the revised DAP.

5. Conclusion

The research endeavored to identify the governance deficits, corruption and irregularities in RAJUK, to identify legal, institutional and other challenges. The irregularities and corruption faced by the service recipients of RAJUK have become institutionalized. Unauthorized payment is regarded as a part of the procedure unofficially. The institutional and legal limitations and challenges of implementation of law, lack of transparency, accountability, participation, abuse of entrusted power etc. are working behind the challenges of governance.

RAJUK is the major body responsible for development, planning, control and monitoring of the development of the city. The study identified specific legal, institutional as well as political challenges in the governance of RAJUK. It has also endeavored the political economy of the corruption and irregularities persistent in the governance of RAJUK. It seems that the role of RAJUK has been transferred from monitoring entity to a business entity. Conversely, the business entities are grabbing the role of public entities such as preparing DAP. All these are giving opportunities to preserve their business interests at the cost of public interests. An unholy nexus among a portion of the RAJUK officials, developer companies and politically influential persons the purpose of establishing RAJUK is being perished. On the other hand, the citizenry is being disempowered. The monopolistic position of service providers' bloc and absence of

any point to challenge, let their power remain unchallenged. In this reality major initiatives taken so far have done very little to overcome its challenges. The initiatives taken for protection of the city dwellers from flood and water logging are less likely to endure effective results. Therefore, the livability of Dhaka is being hampered.

6. Recommendations

In these circumstances the following initiatives may be useful to overcome the limitations of the governance of RAJUK.

Acts, Rules and Guidelines related recommendations

1. Necessary changes should be made in the acts and rules; Basic rules and guidelines should be made as follows.

a. The Town Improvement Act, 1953, should be amended to define criteria for the selection of chairman and members to appoint in RAJUK. Provisions should be made to appoint persons who have relevant skills and competences. Provisions should be made to make the executive board more inclusive to include representatives from the civil society.

b. Under the Building Construction Act, 1952, the penalty for violating rules for the approval and implementation of the plan should be increased. Penalties should be imposed for not taking the Occupancy Certificate before use of the building.

c. Under the Greater Dhaka Building (Construction, Development, Conservation and Demolition) Rules, 2008-

- Along with the architectural plans which is submitted, the structural plan and fire safety plan of the building should be made mandatory to submit for approval of plans.
- The rule should be revised to make it consistent with Fire Prevention and Extinction Act which considers multistoried buildings having more than six stories.
- Legal provisions should be introduced so that RAJUK officials should have the responsibility of ensuring adequacy and suitability of all designs along with the concerned architects or engineers.
- The height limit of the buildings near the places of historical, architectural or environmental significance, should be mentioned specifically.

d. Under the Dhaka Improvement Trust, 1969

- Necessary provisions should be made on 'quota' and criteria for being eligible for plots on the basis of "contribution at the national level".
- The rules should include provision for ensuring plot or flat for affected people based on equity; In the short and/or long term, they should be provided with a portion of the income generated from the project on their land.

e. The Private Housing Land Development Rules, 2004, should be amended to include the specific timeline for starting construction of building after allotment.

Recommendations to enhance institutional capacity

2. To ensure transparency and accountability in RAJUK, a separate, unbiased, empowered, and free from influence authority should be established through proper reformation of law.
3. Financial manual should be developed mentioning the distribution of authority; policy should be developed for using vehicles in pool.
4. All the documents including the approved plans of RAJUK should be digitized and preserved; detailed guideline should be made mentioning the process of online application for land use clearance and approval of plan for building.
5. Review activities of the cabinet committee on DAP should be stopped; DAP should be finalized immediately after doing necessary revisions consistent with DMDP with the recommendations from relevant experts.
6. Human resources should be recruited according to revised organogram based on current necessary needs; RAJUK's permanent employees should be promoted to higher positions on the basis of qualification and competence.
7. Along with the architectural plans, the structural plan, the fire safety plan and the utility-related plans of the building should be examined properly; if required RAJUK may recruit area based technical consultants for examining the documents.

Recommendations to enhance transparency

8. The RAJUK website should be made more informative with providing updated reports (such as audit report, budget, information related to plot allocation and compensation, criteria for determining quota etc.); the information of the website should be updated on a regular basis.
9. The citizen charter should be displayed along-with the amount of fees for the services.

Recommendations to enhance accountability

10. RAJUK should enhance monitoring on its services and related activities; strong monitoring system should be established to stop harassment by the brokers.
11. A separate cell of grievance redress should be established at the central level; to document all the complaints should be made mandatory; a hotline may be introduced to allow complaints.
12. The parliamentary standing committee on the Ministry of Housing and Public Works should be reconstituted to avoid conflict of interest and ensure accountability of RAJUK.

Recommendations to enhance integrity

13. RAJUK should take initiatives for proactive disclosures of the income related information of the employees and it should be updated regularly.
14. Effective measures should be taken to implement national integrity strategy; Punitive measures should be taken for those who are engaged with any kind of irregularities and corruption.