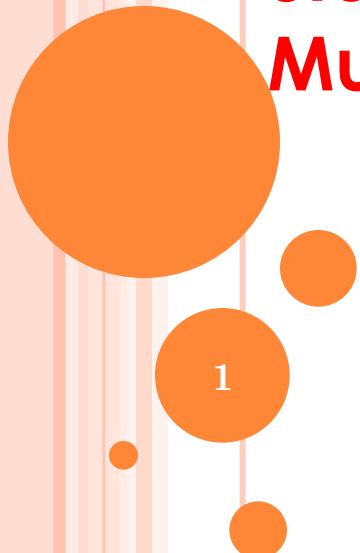


Democratic Decentralisation and Promotion of Accountability in Urban Development of Bangladesh: A Case Study on KCC, KDA and Jessore Municipality

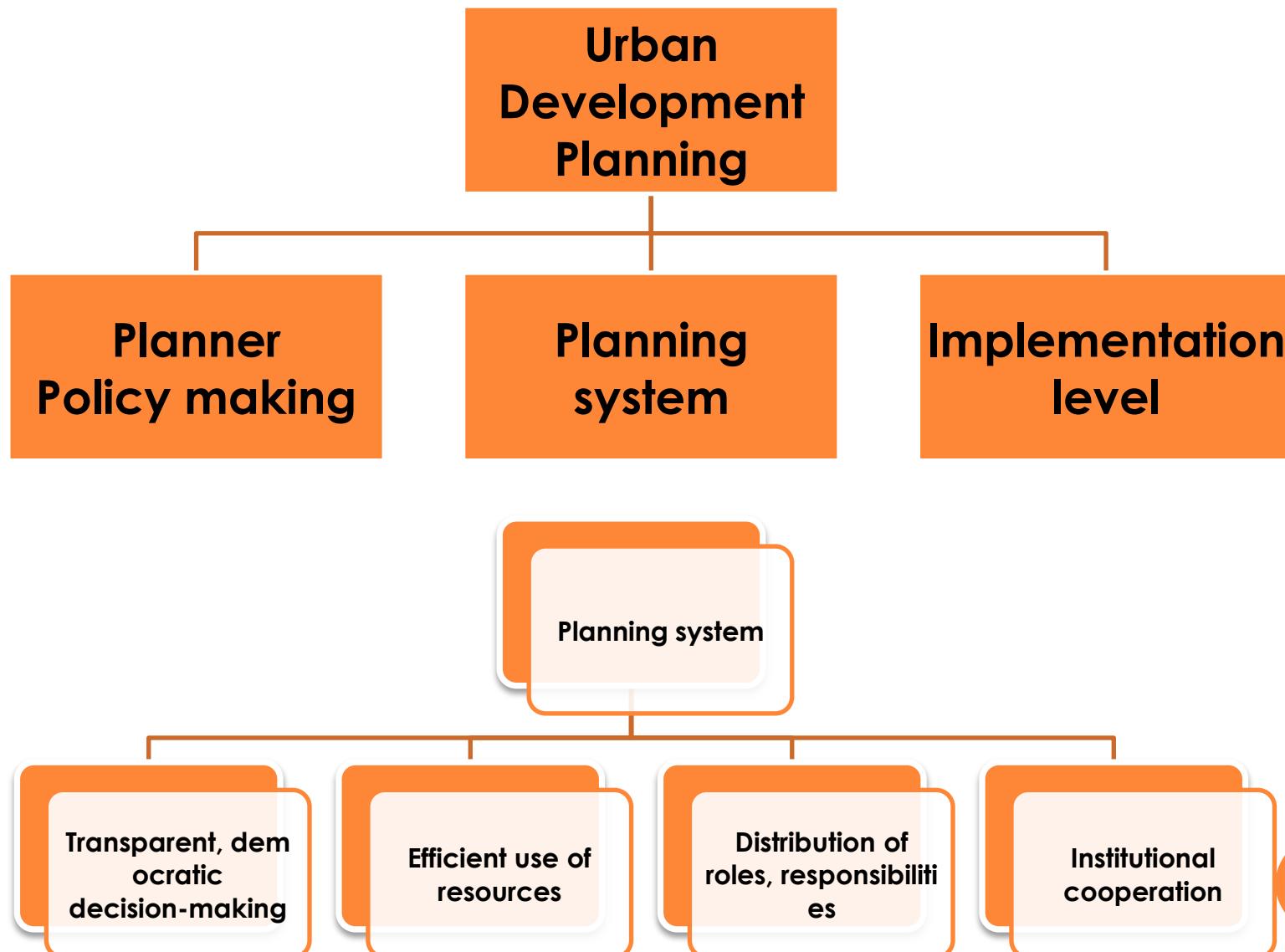


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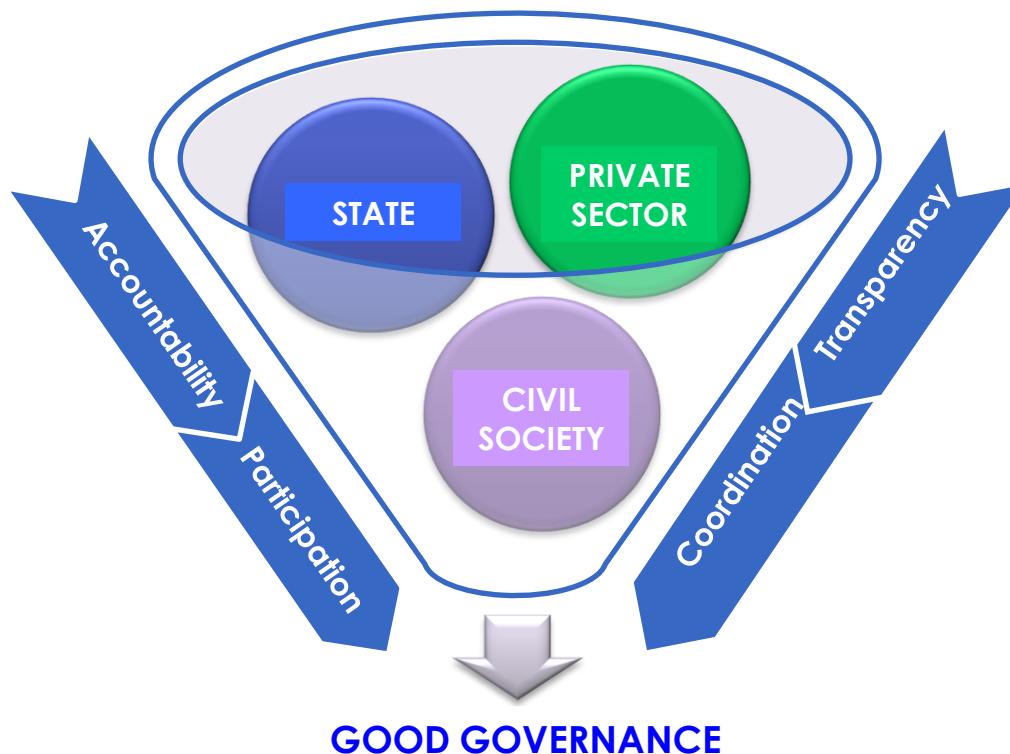
Email: tuhin_urp@yahoo.com



Key Components of Urban Development



Good Governance Framework



The Debates

Ends or Means?
Democratic or not?
ORGANISATIONAL ARRANGEMENT

Organisational Arrangements: The Means

Deconcentration

-Lower levels within central government ministries and agencies

Delegation

-Specifically defined functions to organizations

Privatisation

Devolution

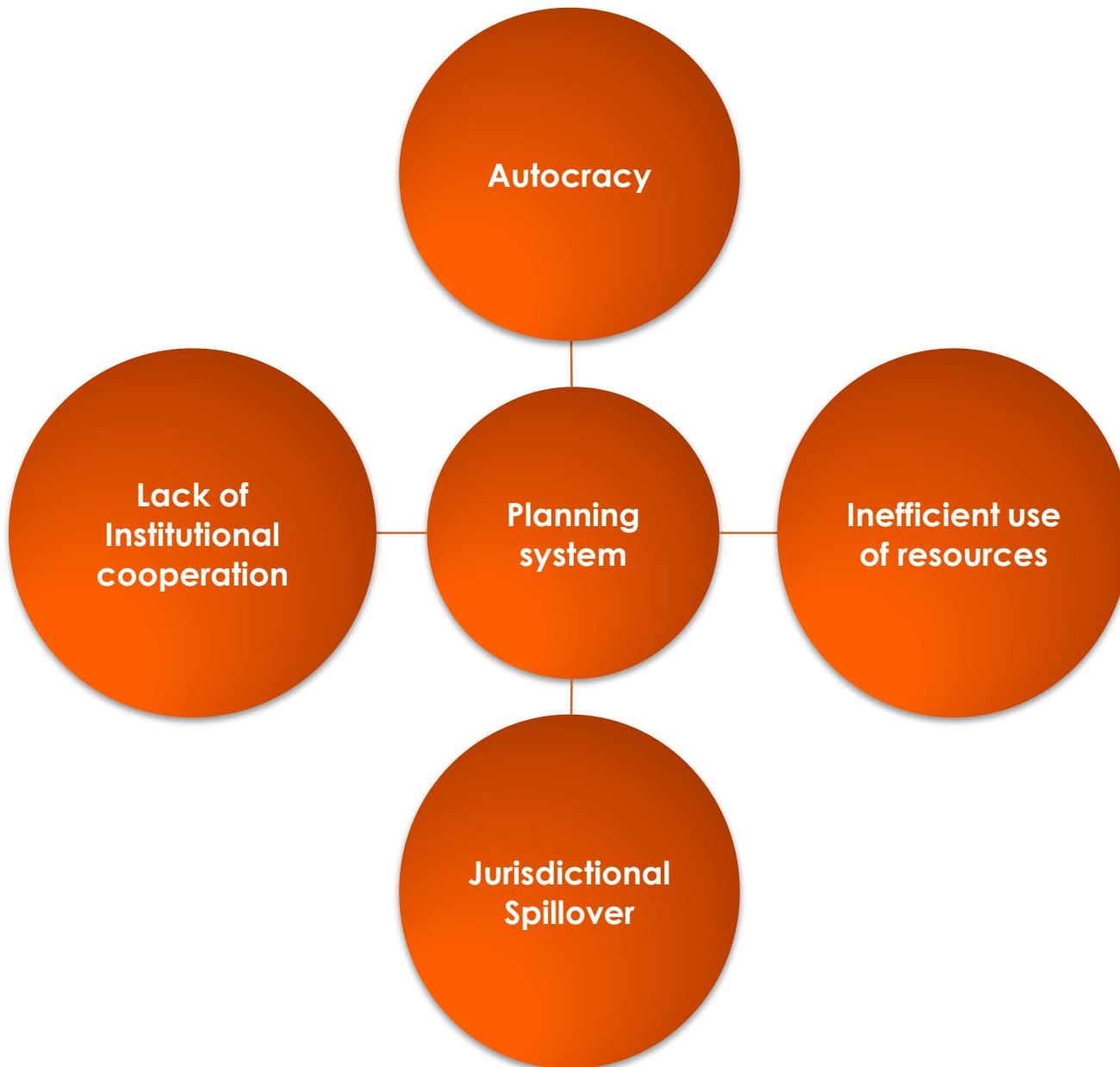
-Sub-national units of government

Objectives of Urban Good Governance

- ❑ Coordination between different policy sectors
- ❑ Coordination and cooperation between the various levels of decision-making
- ❑ The promotion of public participation

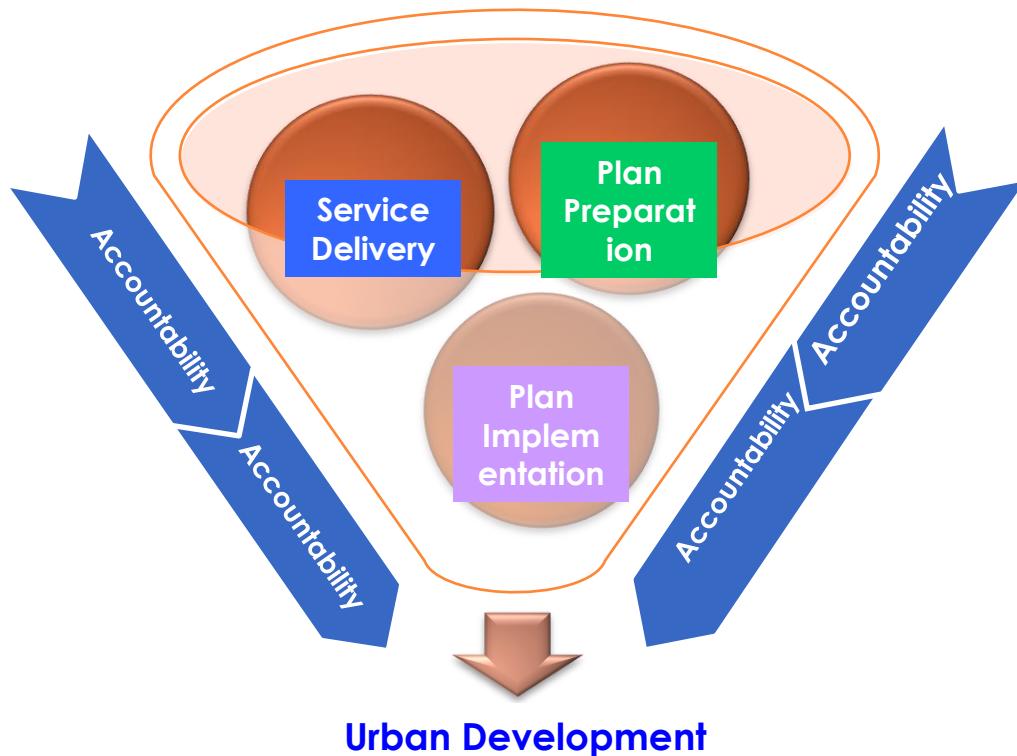
“a shared vision and consistent direction for urban development based on the efficient use of resources, good governance, public-private partnerships, and effective decision-making”

The Reality and Challenges



Objectives of this Research

- ❑ Measuring accountability of decentralised organisations in relation to urban development;
- ❑ Identifying the interrelationship between the organisational form of decentralisation and promotion of accountability measures in urban development practices.



Research Strategy

Data Collection Techniques

Data Collection Techniques	Area of Investigation
Household Questionnaire Survey	<input type="checkbox"/> To identify citizens' access to services <input type="checkbox"/> To explore citizen participation in service implementation, and maintenance <input type="checkbox"/> To identify citizens' satisfaction towards urban development activities
Grey Material Analysis	<input type="checkbox"/> To understand the organisational arrangement of decentralisation <input type="checkbox"/> To understand the scope of promoting accountability measures under the existing legal framework of each organisation
Focus Group Discussions (FGD)	<input type="checkbox"/> To understand the existing practices in relation to promotion of accountability measures. <input type="checkbox"/> To identify the deviation of such practices in relation to promotion of accountability measures.
Key Informant Interview (KII)	<input type="checkbox"/> To identify major challenges associated with decentralisation. <input type="checkbox"/> To identify major challenges associated with promotion of accountability measures.

- The study was conducted on Khulna City Corporation, Khulna Development Authority and Jessore Municipality to evaluate their performance in implementing accountability issues in their urban development activities.
- 218 households were interviewed in two municipalities. A total of 168 sample households were interviewed in Khulna city, whereas 50 households were selected as samples in Jessore city.

PERFORMANCE EVALUATION OF KHULNA CITY CORPORATION'S URBAN DEVELOPMENT PLANNING FUNCTIONS

Responsibility and Function of KCC: Section 41

Based on the available fund KCC perform the following responsibility and function:

Public Health	Water supply and drainage
Articles of food and drink	Public safety
Streets	Trees, parks, gardens and forests
Town planning and Building Control	Development
Annual administrative report of corporation: Section 43	
Publishing Citizen Charter: Section 44	
Use of advance Information Technology: Section 46	

Problems of administrative accountability

A conflict has been arisen between KCC and Khulna Development Authority (KDA) where KCC threats KDA not to implement development activities in case of those areas where KDA earns profit but KCC bears cost for maintaining development activities. KCC demands that Sonadanga bus stand , Khulna New Market must be transferred to KCC in accordance with the practice followed by other City Corporation areas of Bangladesh.KCC also says that some residential areas like Nirala or Sonadanga, there is no dustbin where the city dwellers to put their daily wastes. And, it is the fault of KDA for not consultation with KCC during the time of constructing residential areas. (The *Daily Purbanchal*, 11/07/12).

PERFORMANCE EVALUATION OF KCC's URBAN DEVELOPMENT FUNCTIONS

Community participation in the road construction services of KCC

Involvement of community to the construction or maintenance of the local road

Community involvement	Frequency	Percent
Yes	9	5.4
No	159	94.6
Total	168	100.0

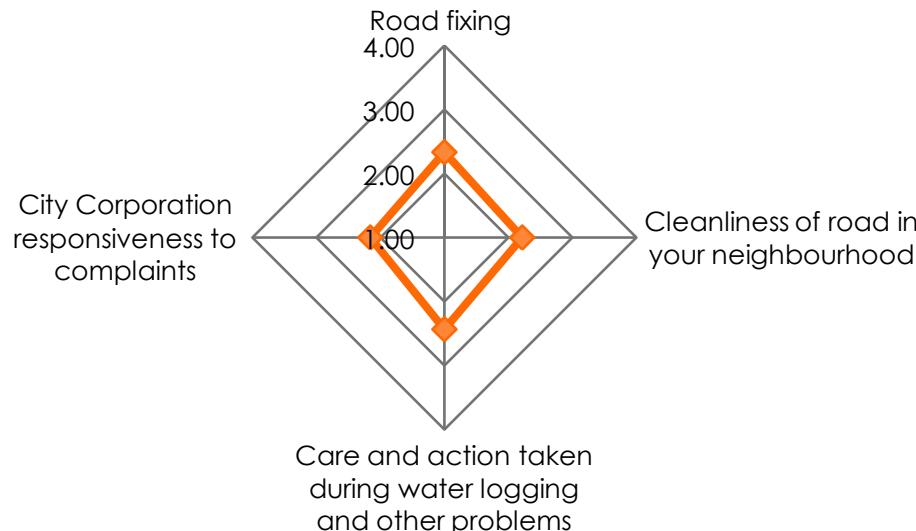
Type of the involvement to the community

Type of the involvement	Frequency	Percent
Voluntary participation	9	100

How are you selected?

Selected by whom	Frequency	Percent
Self-interest/motivation	9	100

Community satisfaction with local road services of KCC



PERFORMANCE EVALUATION OF KCC's URBAN DEVELOPMENT FUNCTIONS

Community participation in the improvement of drainage service of KCC

Have you registered any complaints regarding cleaning the drains?

Registered complaints regarding cleaning the drains	Frequency	Percent
Yes	30	17.9
No	138	82.1
Total	168	100.0

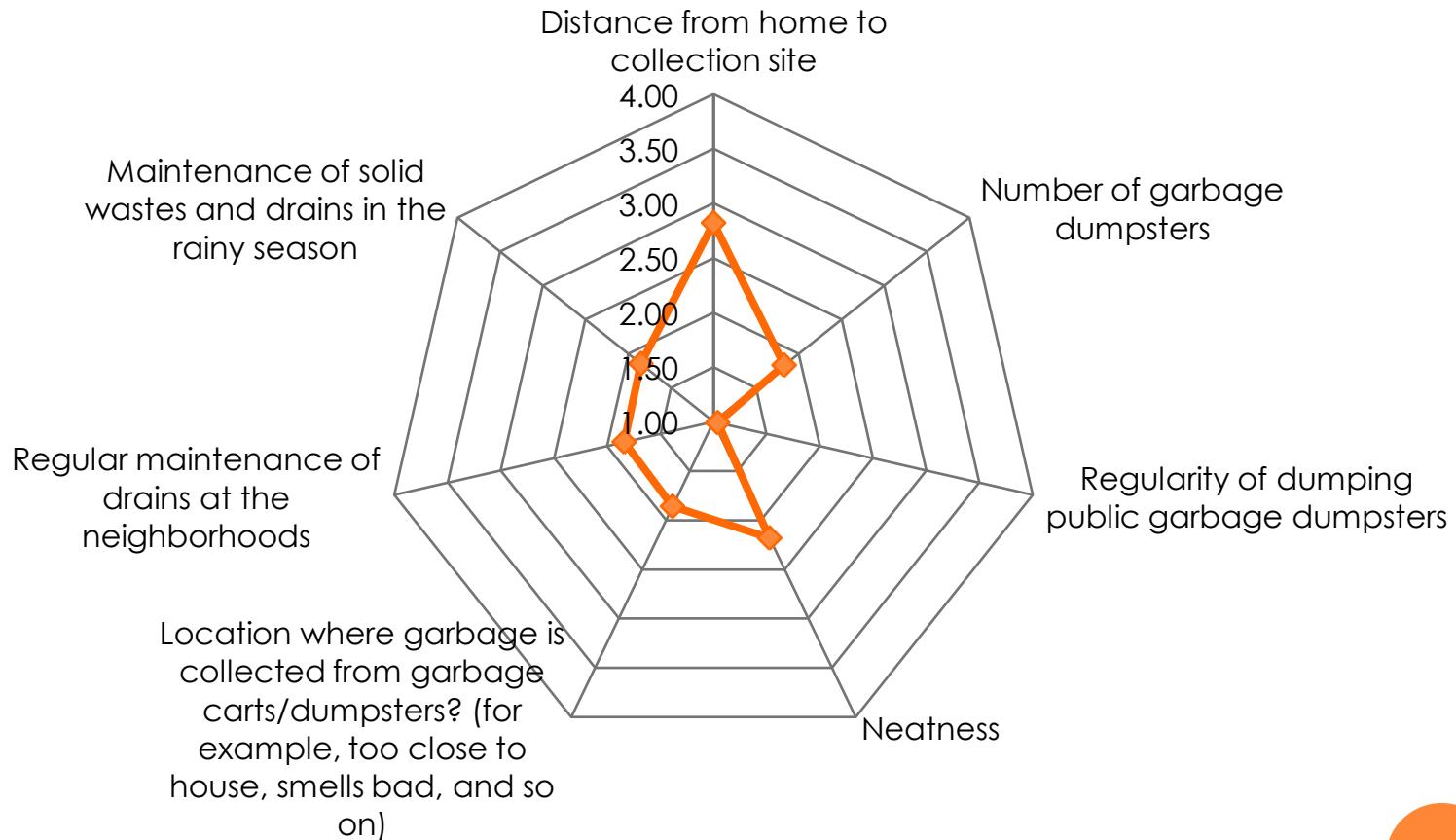
If yes, where did you register formal complaints?

Place of the register complaints	Frequency	Percent
Local Councilor Office	28	16.7
City Corporation Office	2	1.2
No formal complaints made	138	82.1
Total	168	100

Reason behind informal complaints	Frequency	Percent
Informal process is more effective than formal one	91	54.2
No formal complaint registration process existed	13	7.7
Local ruling party leader takes action in this matter	10	6.0
Commission always takes actions in this matter	17	10.1
Our house owner association inform this to KCC/ward councilor	11	6.5
No answer	26	15.5
Total	168	100

PERFORMANCE EVALUATION OF KCC's URBAN DEVELOPMENT FUNCTIONS

Community satisfaction with solid waste and drainage services of KCC

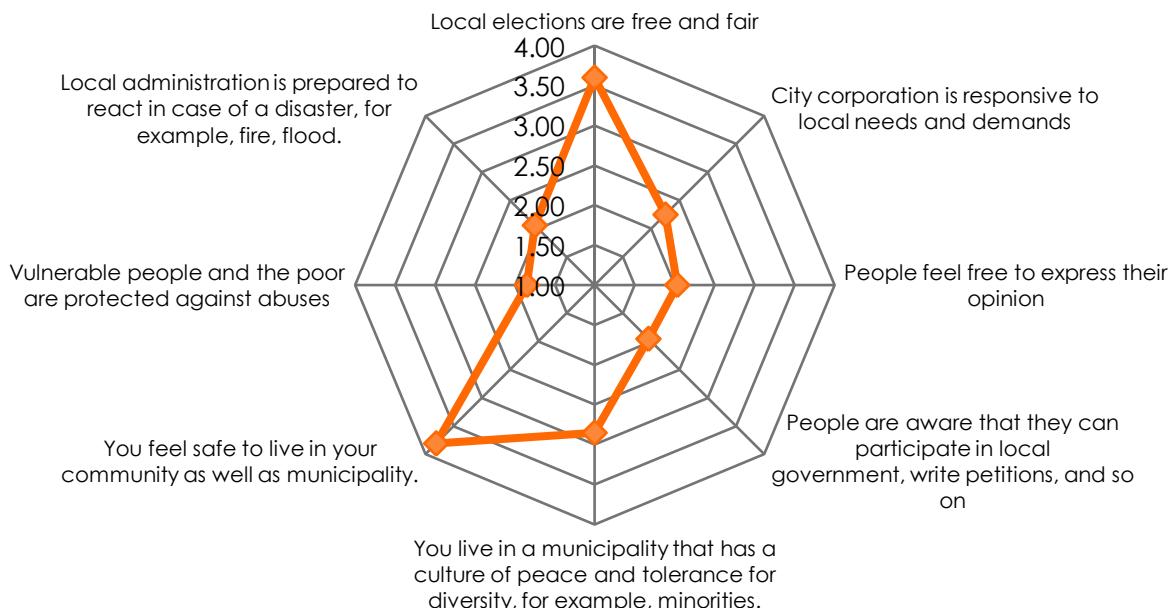


PERFORMANCE EVALUATION OF KCC's URBAN DEVELOPMENT FUNCTIONS

Community experience about local government events

Local government events	Participation		Very useful		Useful to some extent		Not useful		Don't know	
	No	%	No	%	No	%	No	%	No	%
Public meetings of the municipal budget	17	10.12	0	0	15	8.93	2	1.19	151	89.88
Public hearing other than municipal budget	3	1.79	0	0	1	0.60	2	1.19	165	98.21
Local council sessions	2	1.19	1	0.60	2	1.19	0	0	166	98.81
Ward level coordination meetings	29	17	19	11.3	8	4.76	2	1.19	139	82.74
Town level coordination meeting	1	0.60	0	0	1	0.6	0	0	167	99.0
Municipal assembly	1	0.6	0	0	1	0.6	0	0	167	99.0

Community satisfaction with local governance

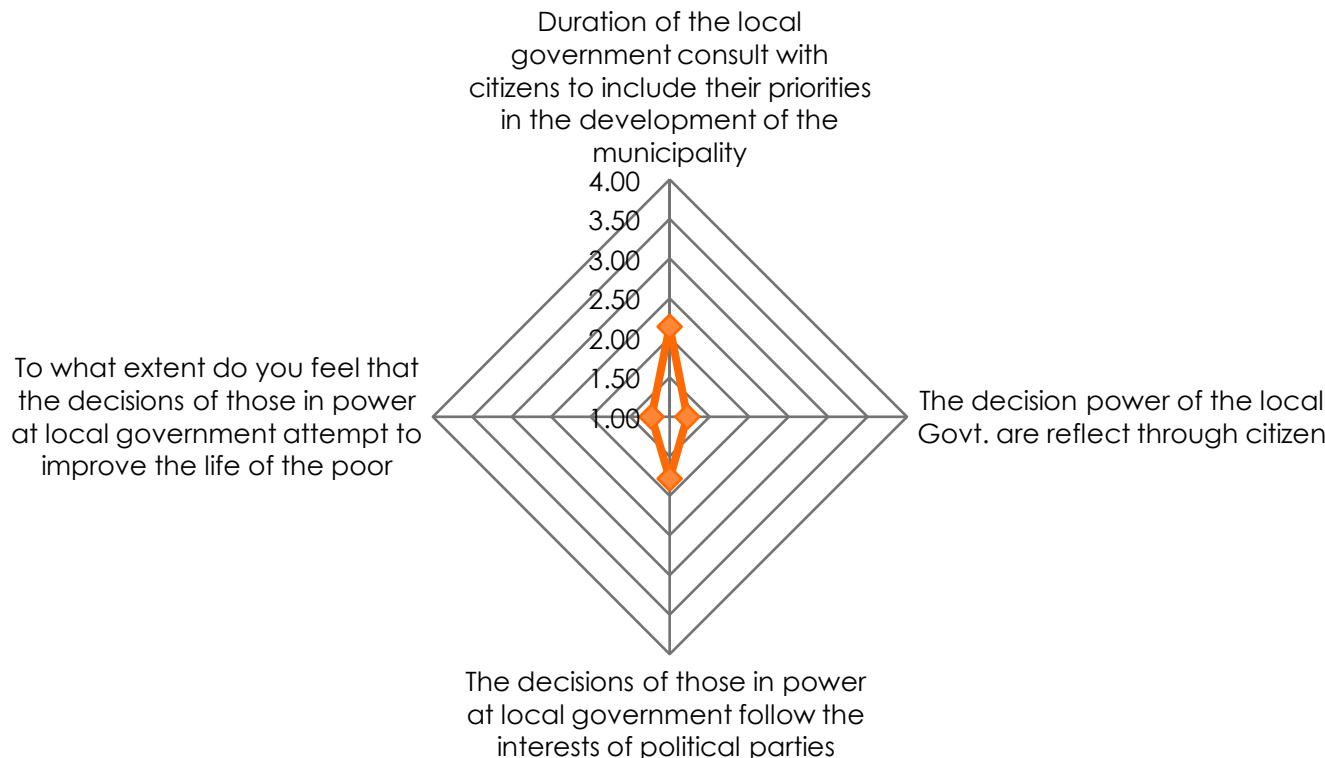


PERFORMANCE EVALUATION OF KCC's URBAN DEVELOPMENT FUNCTIONS

Recognition of any people's perception while designing the project

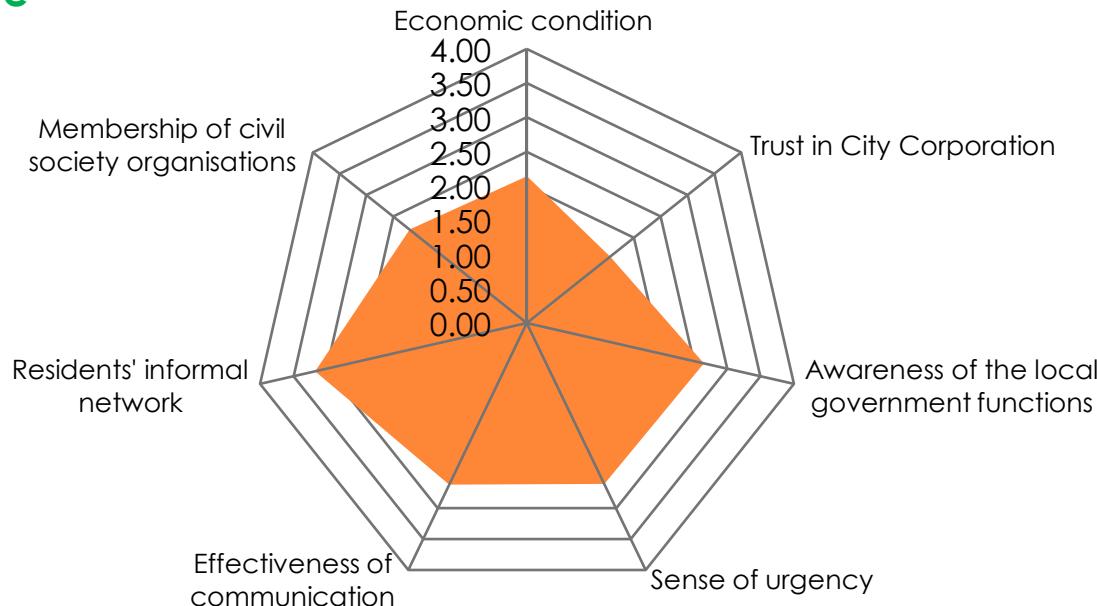
In KCC people's perception are taken via Councilor. As Councilor is the representative of the community/ward people, his decision became granted in KCC from project design to implementation and evaluation. He generally performs meeting in Ward Councilor Office with different stakeholders and identify the sectors for example which road is to constructed urgently etc. means assessment the needs of the ward people. For a large project KCC centrally arrange meeting with the different departmental head and project consultant e.g. CRDP, CDIA, UPHHDP etc. (Key Informant Interview, 14/07/16).

Citizen's Participation in local government decision making process

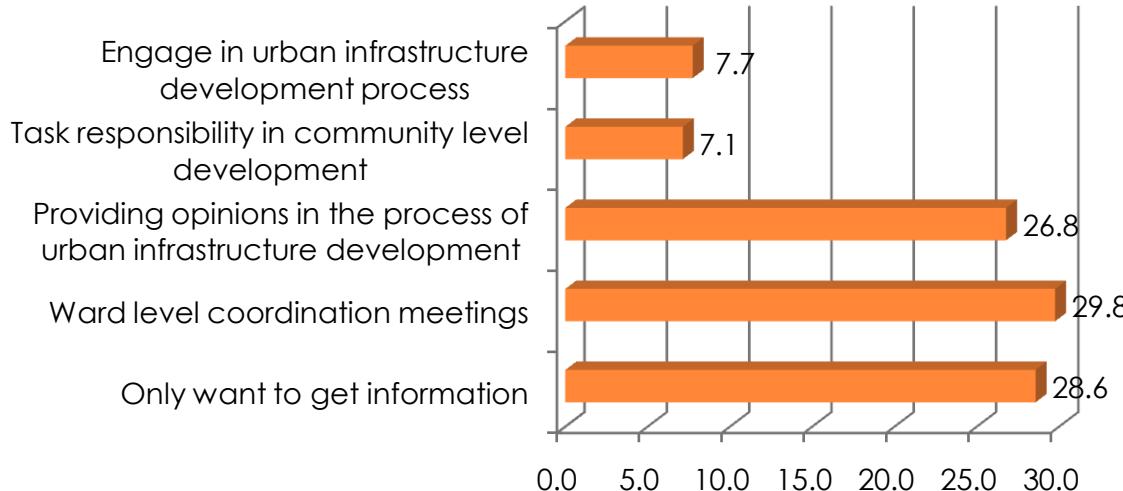


PERFORMANCE EVALUATION OF KCC's URBAN DEVELOPMENT FUNCTIONS

Socio-cultural factors affecting citizen's tendency to participate in local governance



Citizen's aspire to participate in local governance



PERFORMANCE EVALUATION OF KHULNA DEVELOPMENT AUTHORITY'S URBAN DEVELOPMENT PLANNING FUNCTIONS

Responsibility and Urban Development Function of Khulna Development Authority According to Chapter IV of Khulna Development Authority Ordinance, 1961

Preparation of Master Plan (Section 22)

Publication of Master Plan (Section 23)

Permission for use of land contrary to the Master Plan (Section 24)

Controlled Area (Section 26)

Declaration of use area and location thereof (Section 27)

Preparation of Development Programmes (Section 28)

Preparation and submission of specific schemes to Government (Section 29)

Matters to be provided for improvement scheme (Section 30)

Discontinuance of use of land and alteration or removal of building (Section 31)

Re-housing of persons displaced by improvement schemes (Section 32)

Preparation, publications and transmission of notice as to improvement scheme and supply of documents to applicants (Section 33)

Transmission to Authority of representation by Corporation (Section 34)

Furnishing list of persons and copy of, or extract from assessment list (Section 35)

Abandonment of improvement scheme, or application to Government to sanction it (Section 36)

Power to sanction or reject improvement scheme (Section 37)

Notification of sanction to improvement scheme (Section 38)

Transfer to Authority for purposes of improvement schemes of building or land vested (Section 41)

Taking over of laid out or altered streets by Corporation (Section 42)

Transfer of any schemes or property of Government or local authority to the Authority (Section 43)

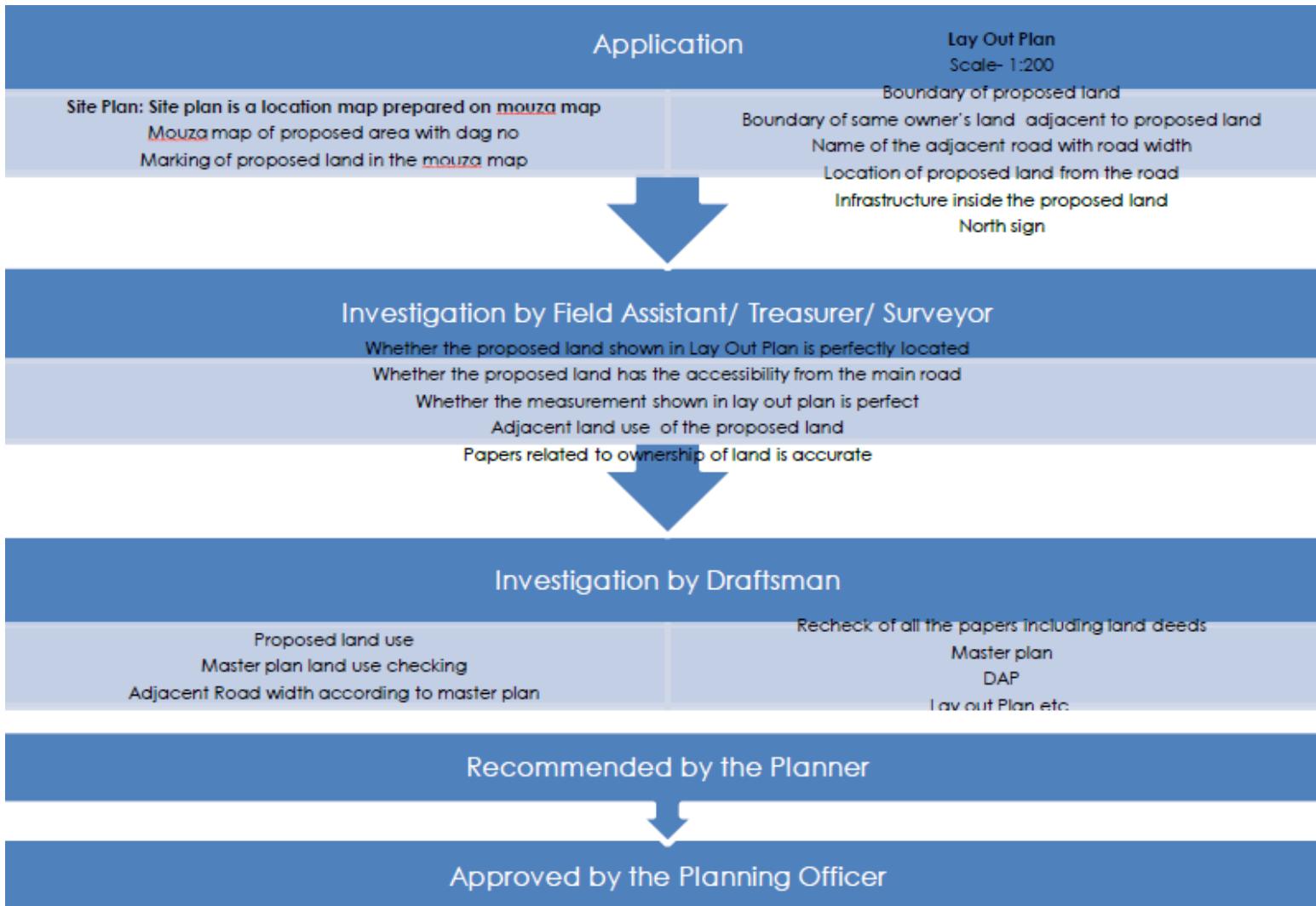
Power to make survey or contribute towards their cost (Section 44)

PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

Process of People's Participation in the Plan Preparation Stage of KDA

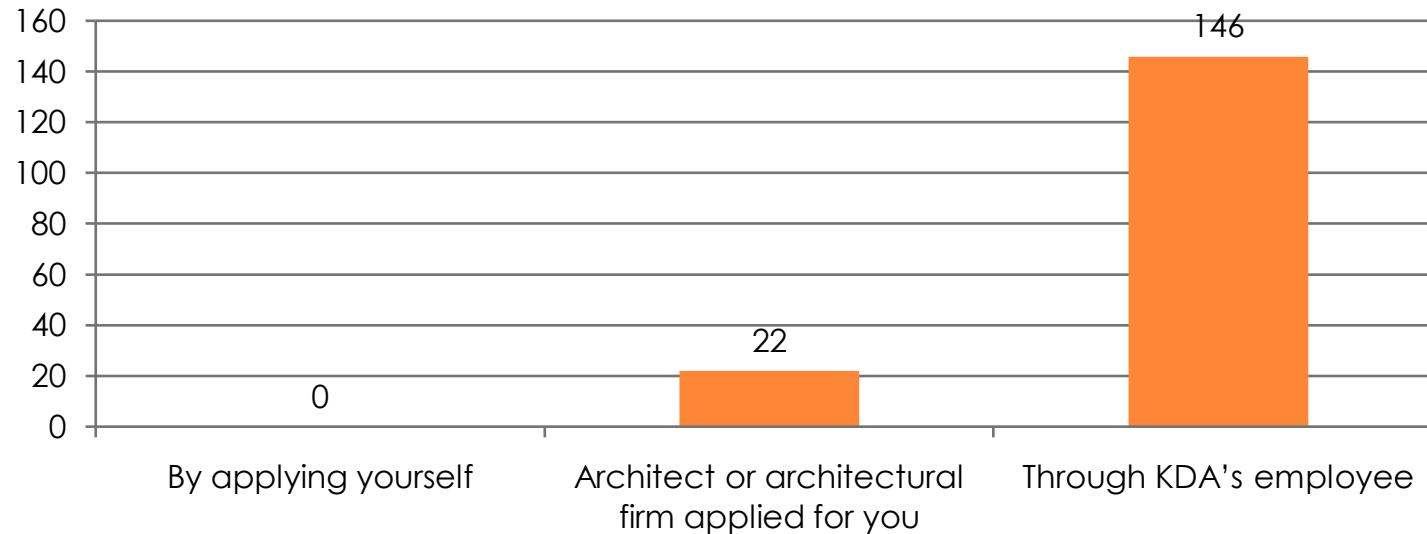
The people's perceptions are taken from plan preparation to implementation stages. People's perceptions are taken during the preparation of database through the initial survey in the area that to be planned. During the preparation of the final plan KDA arrange a meeting with the community people and inform about the plan. If the community people have any opposition against the prepared plan KDA try to solve this problem. But problem is that, the people who attend in this meeting actually don't have adequate knowledge about the planning. After preparing final plan the plan is presented to the civil society, journalist and representative from KCC and if they give any comment for alteration of the plan, it is considered. Finally, before gazetting the plan there is a provision for public hearing (Key Informant Interview, 21/07/16).

NOC for Land Use Clearance

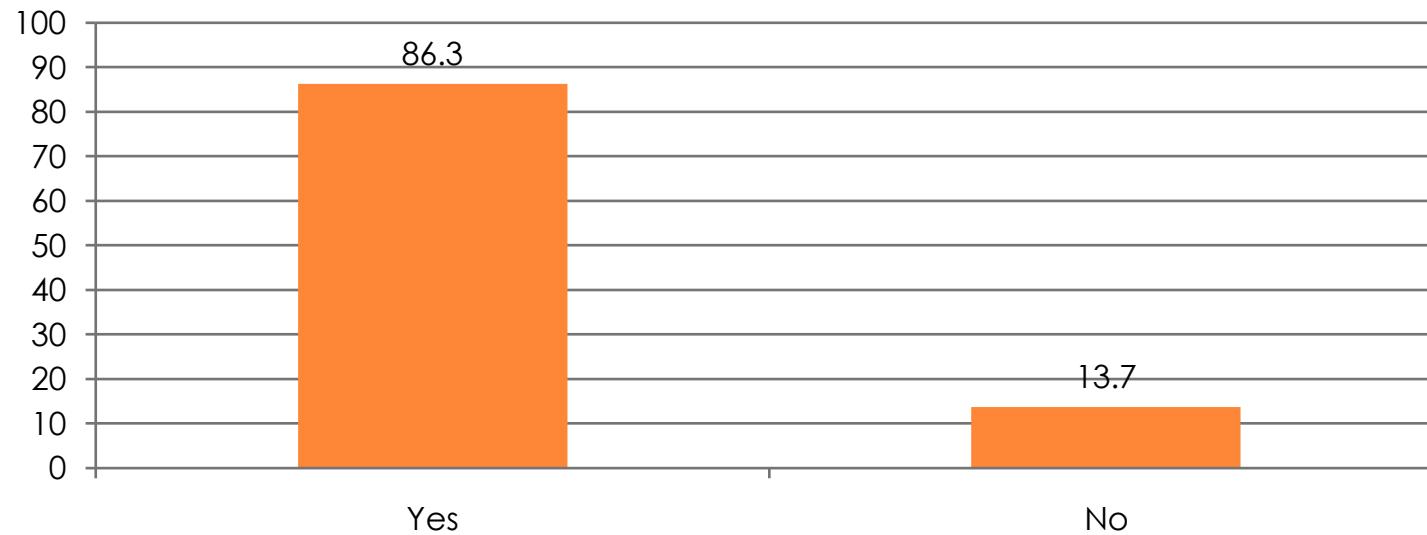


PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

Process of planning permission



Payment of speed money for getting planning permission

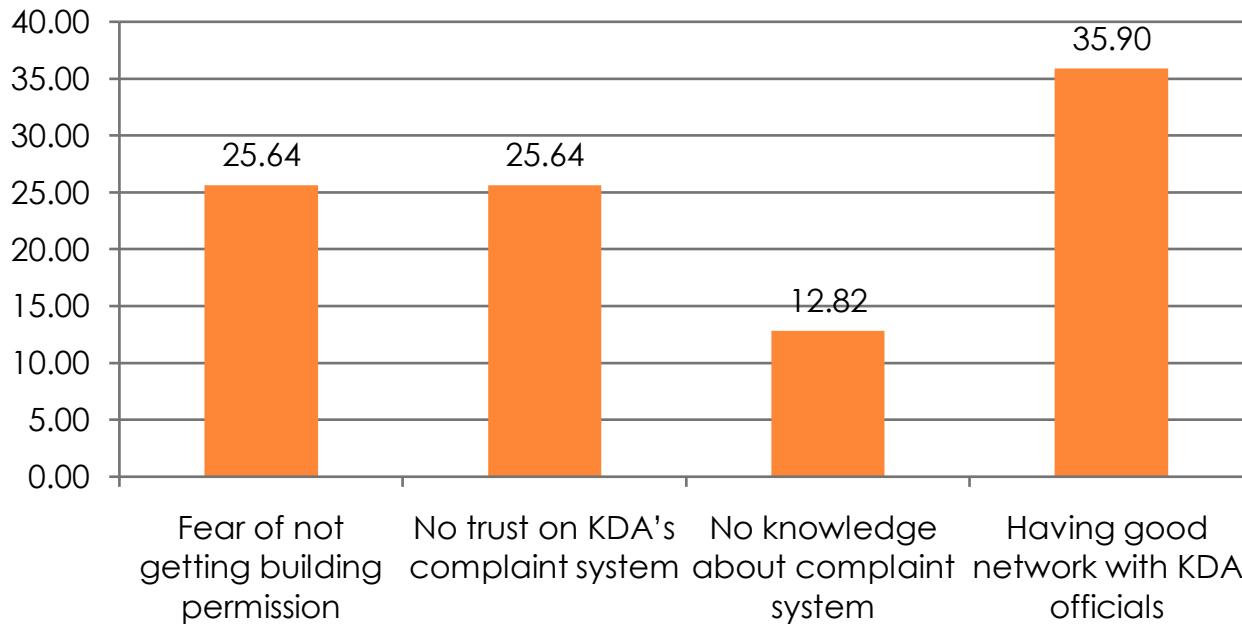


PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

Payment of speed money for getting planning permission

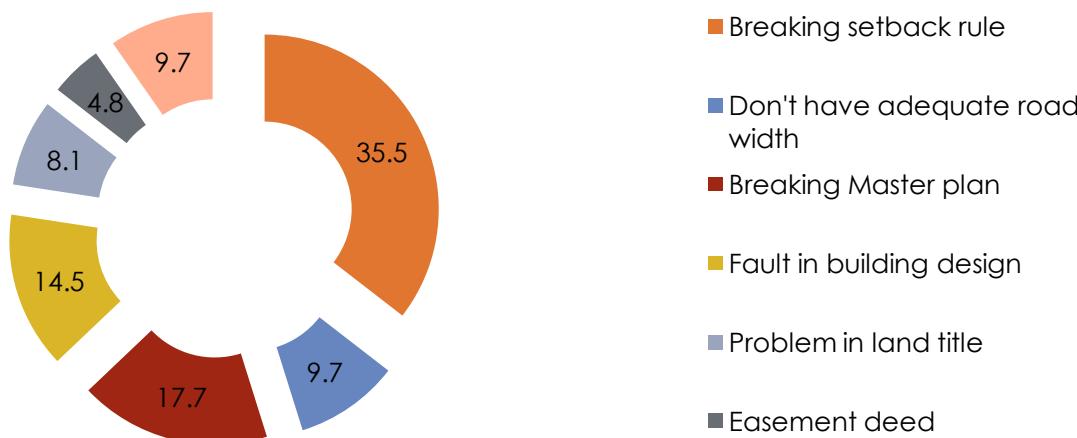
I am planning to construct my building since 2014 but I had no idea whom to consult for getting plan approval of my building. I was assisted by my architect for getting permission from KDA to get No Objection Certification (NOC) of land use clearance and the approval of the building plans. He charged me additional 5000 tk for such approval. Question him about this additional charge he told me that he had to pay KDA officials for getting the permission and getting it in a shorter period of time. I asked him about any probable remedy from this problem and he told me it will just make the process longer and uncertain (Focus Group Discussion, 22/07/16).

Reasons behind no complaints registration



PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

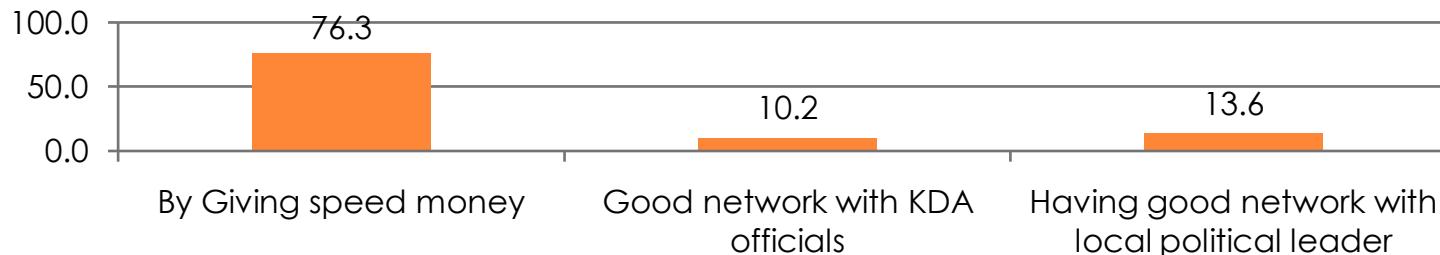
Feedback from KDA in the case of planning permission



Existence of independent complaints office within KDA

In ground floor there is a box for putting complaints. Besides this, in desk pass complaints are taken in written form. Then it is passed to the chairman, after that it goes to the relevant department. Then it can be verified by the respective department. Finally the claimant gets the solution from the chairman. In addition, there is a signboard in the ground floor about how public can make complaints to the KDA. There is no program outside KDA to disseminate these issues among the residents. Sometimes they are not aware of the master plan rules. So some claims are not appropriate and quite impossible for giving solutions in those cases (Key Informant Interview, 21/07/16).

Ways of managing the feedback from KDA regarding building permission



PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

Satisfaction of the residents regarding building permission

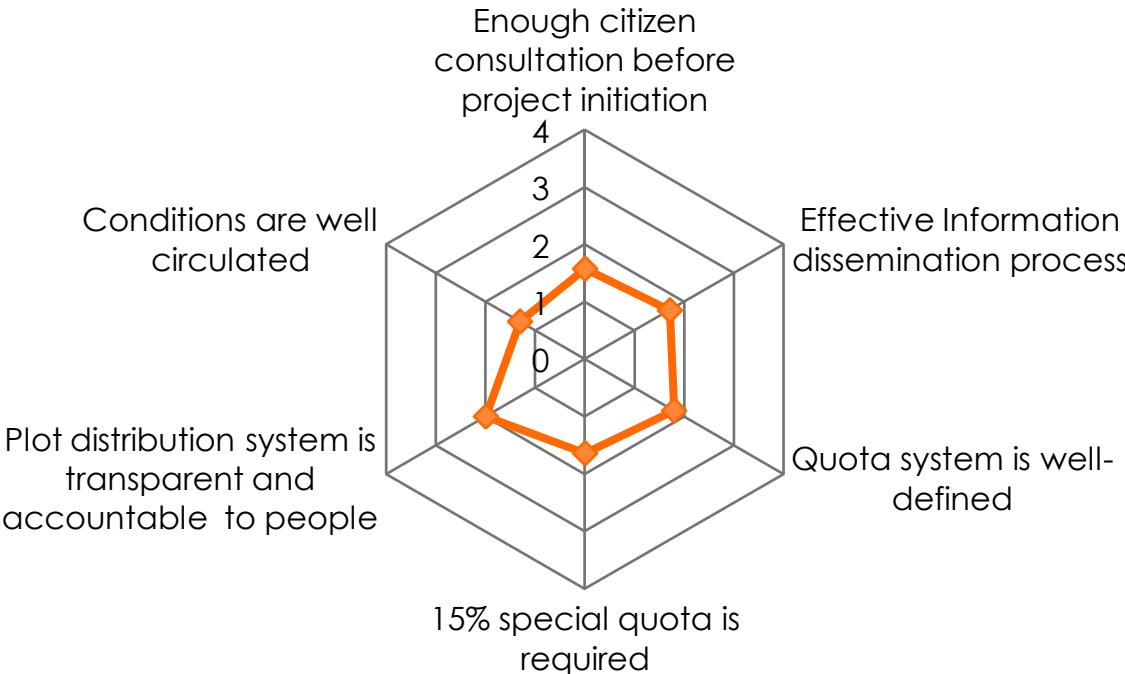


Violation of setback

Plot size (in square feet)	Frequency of buildings	Percentages of the violated buildings		
		Front side setback rules	Back side setback rules	Rear side of the building
Less than 656	20	100%	100%	98%
657- 986	95	95%	85%	82%
987-1640	28	71%	73%	77%
1641 and above	25	72%	78%	79%
Total	168	88%	84%	83%

PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

Residents satisfaction with KDA's plot distribution services

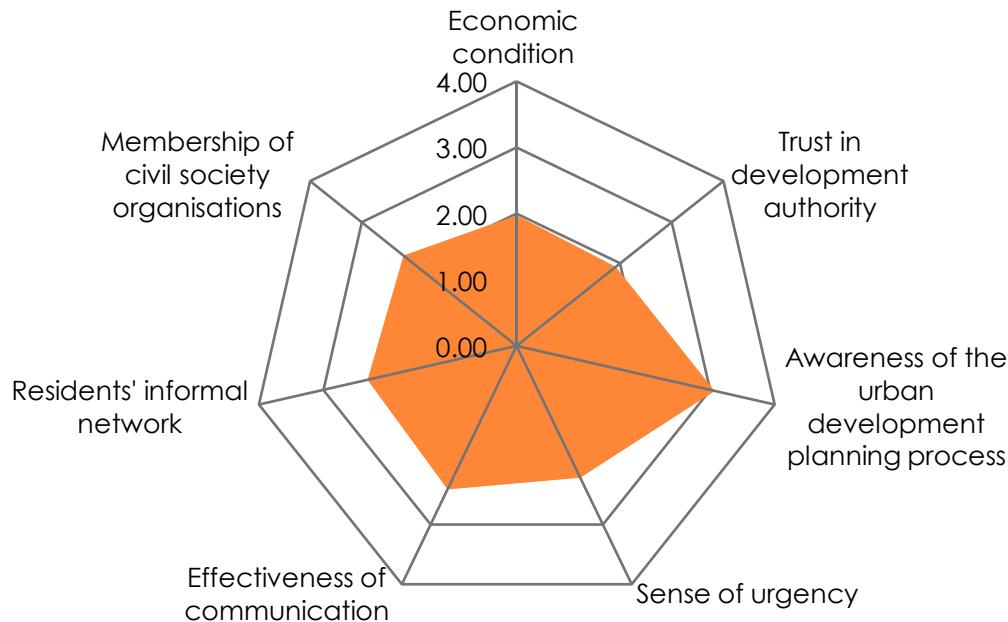


Lack of accountability in KDA's plot distribution services

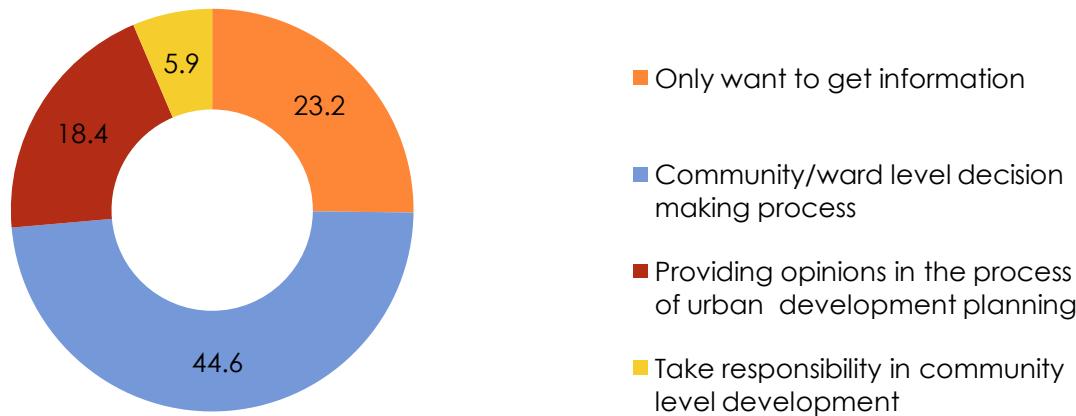
KDA has recently launched the plot distribution process in Mayuri residential area project. The project was designed for 653 plots. However among these 15% were reserved for the Minister, who will distribute these plots by his own without any accountable measure. Therefore it creates frustration among the citizens who are really in need of these plots. In addition to that we have not seen any single land development projects by KDA for housing the urban poor. Therefore we sometime feel that KDA is acting as a real estate developer using the public money and working for the social (Focus Group Discussion, 22/07/16).

PERFORMANCE EVALUATION OF KDA's URBAN DEVELOPMENT FUNCTIONS

Socio-cultural factors affecting tendency to participate in planning process



Residents' aspirations for participating in the planning process



PERFORMANCE EVALUATION OF JESSORE MUNICIPALITY'S URBAN DEVELOPMENT PLANNING FUNCTIONS

Community participation in the road construction services of Jessore municipality

Involvement of community to the construction or maintenance of the local road

Community involvement	Frequency	Percent
Yes	37	74.0
No	13	26.0
Total	50	100.0

Type of the involvement to the community

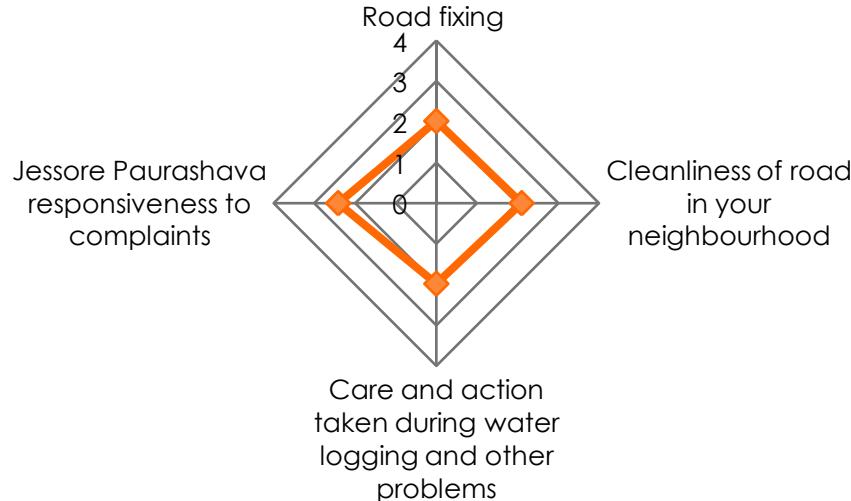
Type of the involvement	Frequency	Percent
Road implementation committee	8	21.6
Road construction monitoring	7	18.9
Evaluation committee	7	18.9
Voluntary participation to oversee community activities	15	40.5
Total	37	100.0

How are you selected?

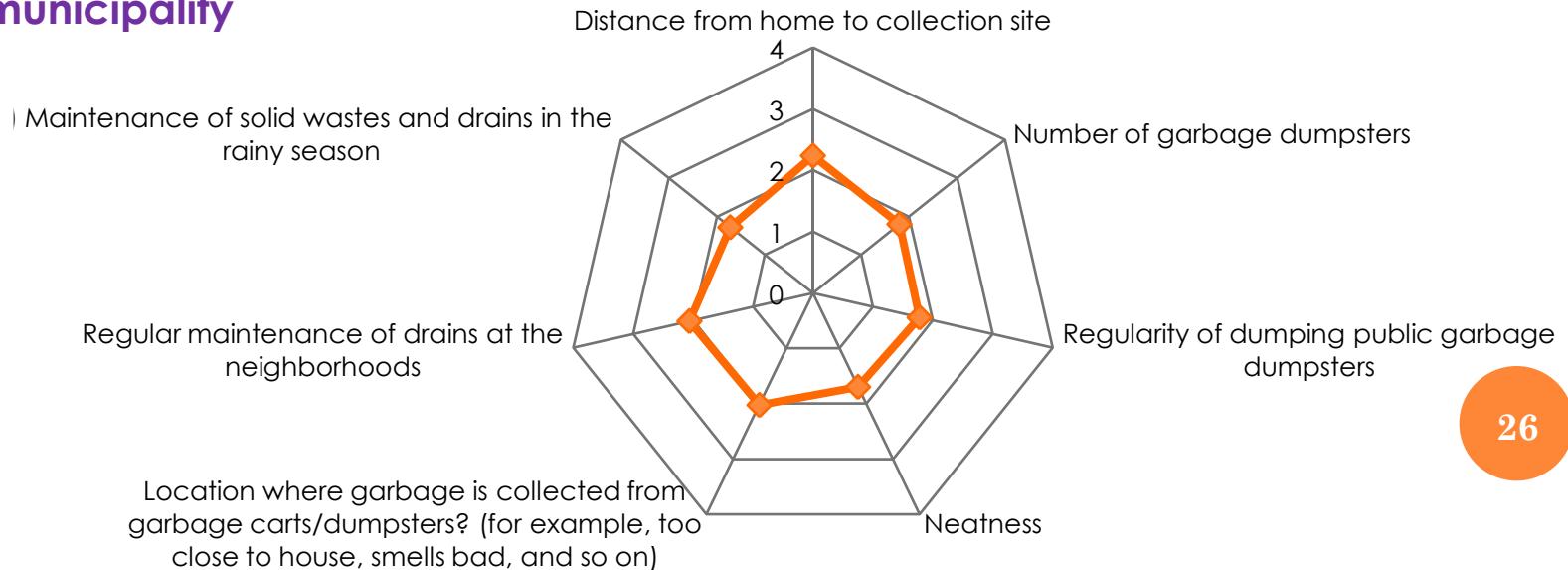
Selected by whom	Frequency	Percent
Self-interest/Self-motivation	10	27.0
Selected by community	15	40.5
Good relation with Ward Councilor	12	32.4
Total	37	100.0

PERFORMANCE EVALUATION OF JESSORE MUNICIPALITY's URBAN DEVELOPMENT FUNCTIONS

Community satisfaction with local road services of Jessore municipality



Community satisfaction with solid waste and drainage services of Jessore municipality



PERFORMANCE EVALUATION OF JESSORE MUNICIPALITY's URBAN DEVELOPMENT FUNCTIONS

Community experience about local government events

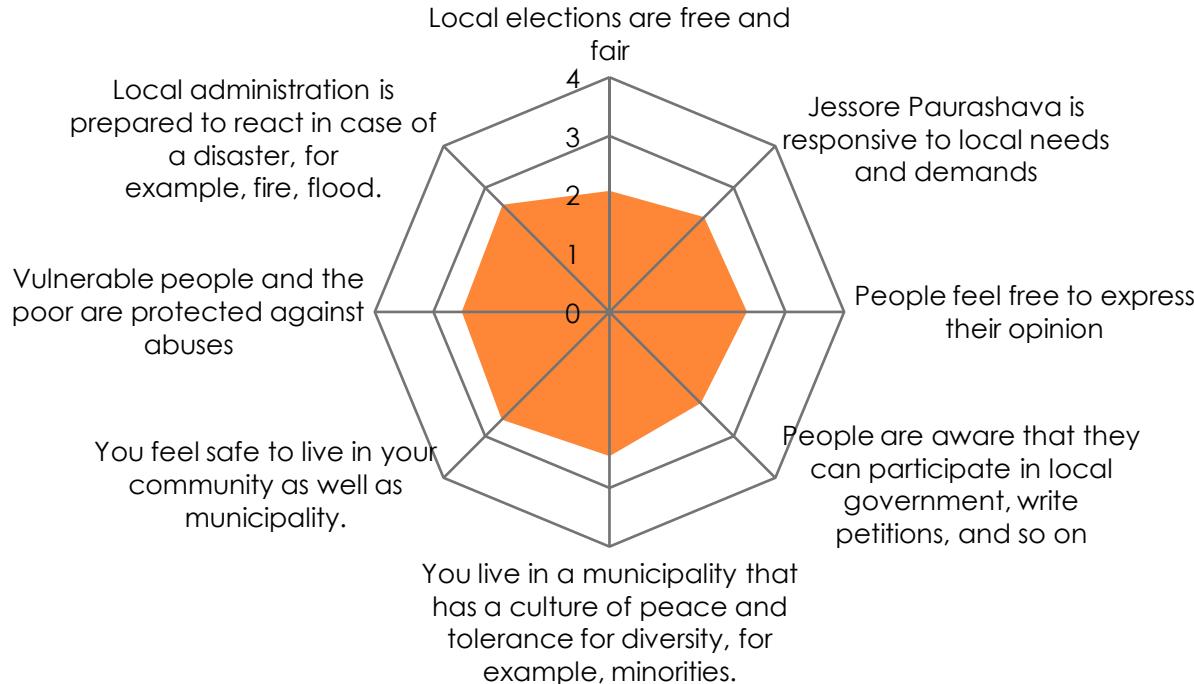
Local government events	Participation		Very useful		Useful to some extent		Not useful		Don't know	
	No	%	No	%	No	%	No	%	No	%
Public meetings of the municipal budget	24	48.0	5	10.0	16	32.0	4	8.0	1	2.0
Public hearing other than municipal budget	5	10.0	20	40.0	4	8.0	15	30.0	1	2.0
Local council sessions	12	24.0	12	24.0	4	8.0	13	26.0	1	2.0
Ward level coordination meetings	5	10.0	18	36.0	3	6.0	14	28.0	2	4.0
Town level coordination meeting	9	18.0	10	20.0	16	32.0	7	14.0		
Municipal assembly	4	8.0	19	38.0	3	6.0	13	26.0	1	2.0
Any unpaid communal activity	6	12.0	17	34.0	5	10.0	11	22.0	2	4.0

Budgeting process of Jessore Municipality

The budgeting process of Jessore pourashava actually comes from the bottom. The ward councilor arrange meeting with the ward people and assess the need of his own ward. The needs of all the wards are merged and based on the available fund the authority make budget. For budgeting municipality arrange a programme in a hotel and all committees are invited to join this programme (Key Informant Interview, 23/08/16).

PERFORMANCE EVALUATION OF JESSORE MUNICIPALITY's URBAN DEVELOPMENT FUNCTIONS

Community satisfaction with local governance



Influence of political parties on local decision making

Response	Frequency	Percent
Never	10	20.0
Almost never	3	6.0
Only in some areas	11	22.0
To a large extent	4	8.0
Completely	10	20.0
Don't know	12	24.0
Total	50	100.0

PERFORMANCE EVALUATION OF JESSORE MUNICIPALITY's URBAN DEVELOPMENT FUNCTIONS

Planning Permission for Buildings

Response	Frequency	Percent
By applying yourself	44	88.0
Architect or architectural firm applied for you	1	2.0
Through Paurshava's employee	4	8.0
Local political leader	1	2.0
Total	50	100.0

Feedback from Jessore municipality in the case of planning permission

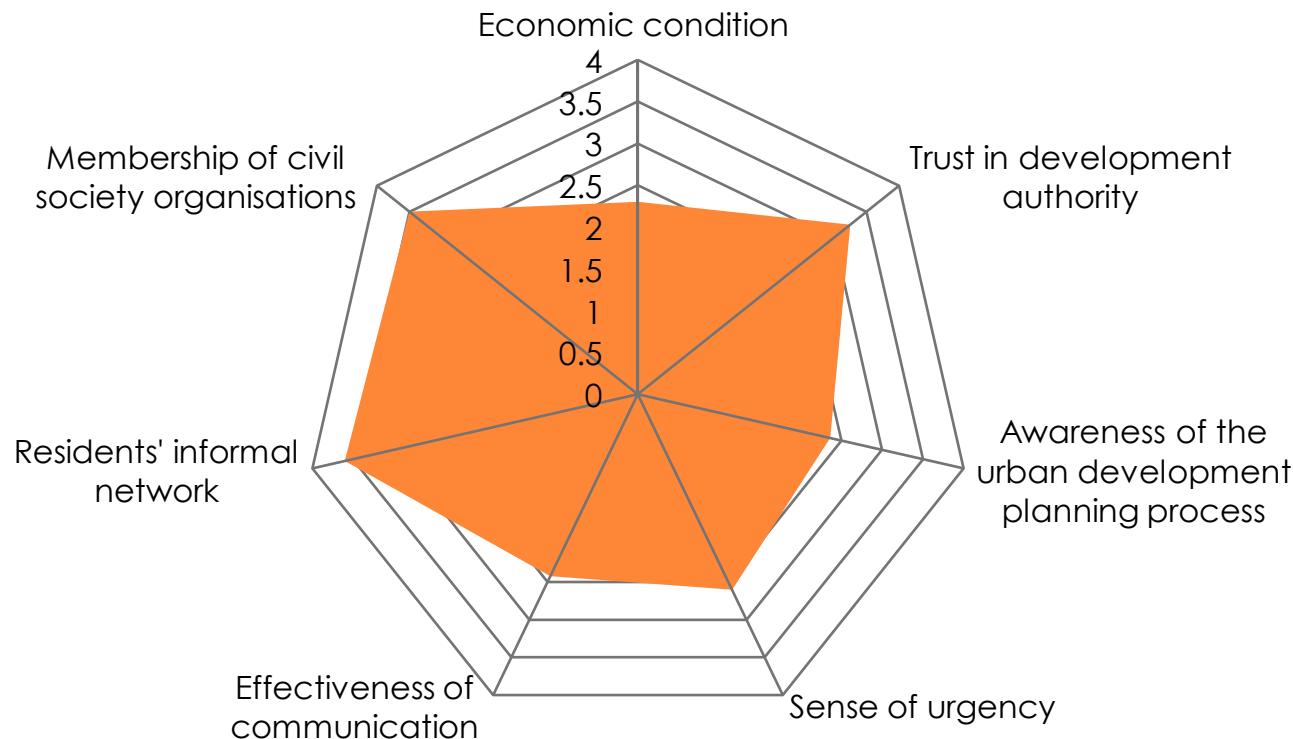
Feedback	Frequency	Percent
Breaking setback rule	18	36.0
Fault in building design	14	28.0
Problem in land title	10	20.0
Other problem	8	16.0
Total	50	100.0

Existence of independent complaints office within Jessore municipality

The municipal authority has independent complaints cell (Committee) within the local government. People can complain in written form to the GRC cell. In the last three months there were 151 complaints and the authority solved 98 complains by oral means and some other complains were solved through written document and some were solved directly in the field observation (Key Informant Interview, 23/08/16).

PERFORMANCE EVALUATION OF JESSORE MUNICIPALITY's URBAN DEVELOPMENT FUNCTIONS

Socio-cultural factors affecting tendency to participate in local governance



Transparent and democratic decision-making

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C
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- ❑ Local residents did not have any influence in decision making process of budget preparation and planning of infrastructure, they were reluctant to attend in public hearings of City Corporation.
- ❑ There is no platform to raise the voice of the citizen rather than communicating their agendas through elected ward councilors only.

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- ❑ Only selected representatives from relevant public departments, professional groups, civil society organizations, business groups, media, political leaders and academics were consulted to determine the preliminary design of plan preparation process.
- ❑ 98% of the respondents have the willingness to participate in planning process.

J
M

- ❑ Citizens are participating in decision making process through Ward Level Coordination Committee and Town Level Coordination Committee.
- ❑ This participation would ultimately be ineffective in helping them influence local decision making which is highly influenced by political factors.

Recommendations for ensuring transparent and democratic decision-making process

- Organizations could develop communication strategies and iterative processes to: (i) inform citizens about local government policies, programs, services, and initiatives; (ii) more effectively listen to the public; and (iii) respond to citizens' needs and incorporate their opinions into local government actions.
- Municipal authorities, and in particular municipal councilors, could find ways to educate citizens on local governance issues and to better motivate them to participate in the work of local government.
- Planning officers need to hold meetings with citizens and pay field visits to communities more frequently and on a more regular basis. These meetings need to be productive, and citizens need feedback to motivate their participation.
- It has been observed that the Local Government (Paurashava) Act, 2009 has specific recommendations for TLCC and WLCC but the Local Government (City Corporation) Act, 2009 lacks this provision. Therefore this study recommends for the amendment of the Local Government (City Corporation) Act, 2009 to patronize TLCC and WLCC for ensuring democratic decision making in KCC.
- There should be an institutionalized audit mechanism to evaluate organizational performance and the quality of public service provision.

Distribution of roles and responsibilities

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- ❑ In the case of KCC most of the respondents confirm that they did not register any formal complaints, but they informed ward councilors and city corporation officials informally for solving any issues reading urban development.
- ❑ KCC lacks the capacity to ensure accountability as there is no initiative to implement grievance redress mechanism.

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- ❑ KDA has limited procedural justice; that the information seekers of KDA do not have the access to use the form for any services.
- ❑ No provision for grievance redress mechanism to inform the community as to whether or not their objections or suggestions were incorporated in the activities of KDA.

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- ❑ In Jessore Municipality, it has been observed that the grievance redress mechanism is functional.

Recommendations for grievance redress mechanism

- Separated Nodal Section should be institutionalized for receiving the grievances/ complains from the citizens in general and from the service recipients in particular deploying with a senior official as nodal/focal person who will facilitate the development and implementation of the grievance mechanism.
- Measures should be taken to include grievance redress mechanism in the Citizen Charter with time frame, address and contact number of the nodal/focal person.
- Local need based and culturally appropriate grievance resolution mechanism should be designed where both the citizen and the service provider can find effective solutions together. The design and operation of the grievance mechanism should consider cultural differences, such as citizens expectations and preferences for direct or indirect negotiation.
- Adequate publicity measure is required to make the citizens aware of CC. and citizens' right to complain; if services not delivered properly.

Institutional cooperation

Problems of institutional cooperation in Khulna city

Sometimes we face boundary problems with KDA and other government organizations while implementing projects. For example, the truck terminal establishment project would be implemented by KDA in words. But they did not do that for a long time. Then KCC implemented the project within 4-5 years. Another example is a road of 'Sarak and Janapath' e.g. Khan Jahan Ali road or Power House More to Zero Point has to be divided by a divider. This responsibility is vested on KDA but people come to KCC- these are some examples of conflict. The main reason of conflict is we are under the LGRD ministry but KDA is under another ministry- Public Works. KDA holds the income generating projects (e.g. Bus Terminal, New Market etc.). According to law after development it should be handover to the KCC, but they don't. Only those are handed over where there are no income generating options. When KDA calls for a tender; there is no chance of KCC to involve in their project. So KCC has no need to coordinate with other organizations while implementing projects (Key Informant Interview, 14/07/16).

KCC's role to ensure coordination among public authorities

KCC can play a vital role to ensure coordination among public authorities in Khulna city. As local government, KCC has the accountability to the local people. So, all public authorities in Khulna city should coordinate with KCC so that better service can be ensured for city dwellers. In case of physical development in Khulna city, KCC can play a pioneer role to ensure coordination among public authorities in Khulna city. For this, the government should authorize KCC to maintain coordination among public authorities in Khulna city without evaluating the political identity of Mayor of KCC (Key Informant Interview, 11/12/16).

Recommendations for institutional cooperation

- A coordination board that will be represented with different governments, civil society, private and community organizations.
- Sharing the goals, objectives and interest of different organizations, through recognizing stakeholders and mainstreaming their role in decision making and project designing.
- Developing MSIP (multi sectoral investment plan) for implementing large scale projects. Central government will not allow any large scale project without this provision of MSIP that will clearly explain the roles, responsibilities and contributions of KCC and KDA together.
- Active participation of people, civil society, elected political representative (KCC) in the decision making process of KDA.

DEMOCRATIC DECENTRALIZATION AND PROMOTION OF ACCOUNTABILITY IN URBAN DEVELOPMENT OF BANGLADESH

- Pro-accountability arrangements cannot be expected to arise spontaneously from devolution, but need to be intentionally structured.
- Therefore it can be concluded that where a single form of decentralized organization exist there is no problem of upward accountability.
- In terms of downward accountability which relates to the ability of the organization to be accountable to citizens; there is still some room for maneuver to ensure active citizen participation.

Question and Answer