

Children may be wiser than their elders

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"SOME children are wiser than adults", so said Lama Thubten Yeshe. Today's presentation by the final year students of the Department of Architecture, BUET is yet another testimony to that adage.

There are rules the Building Construction Rules, 1996 for constructing and using buildings as enacted under the Building Construction Act, 1952. In the Capital RAJUK is entrusted with the task of enforcing the Act and the Rules. The Authorised Officer has been given all-encompassing powers, along with indemnity, to approve plan and design, inspect construction, stop works, and order discontinuation of unauthorised use of premises by owner or tenant.

There is rampant violation of rules particularly with regard to setback both over and underground, construction of non-residential buildings adjacent to residential, encroachment of mandatory open space with veranda and extensions, using the public footpath as parking and often cordoned-off garden, number of permissible stories, parking, type of building allowed, change in building use, etc.

Understandably there are qualified people working for RAJUK. They seem to be unable to handle the situation, perhaps because of shortage of manpower; the critique will insist on lack of will power.

According to the Rules, buildings four-storied and higher have to be designed by an Architect. The concerned civil, mechanical and electrical engineers are also abetting in the misdeed. Unfortunately, the examples on this page speak volumes about the lack of commitment of some in the profession, especially during the construction phase. Other adults involved in the transgression are the building owners, and the developers.

RAJUK officials and design professionals have apparently failed in delegating their responsibilities, as this City of four hundred years is gradually but surely being transformed into a multi-storied slum. The wise people, educated as they are, seem to be practising the ideal of William James, who once blurted out that "The art of being wise is the

art of knowing what to overlook."

In contrast, university students, unpolluted by commerce, have picked up without much effort dozens of instances of unconcealed violation. These are only samples from thousands of breaches. RAJUK as well as the building owners may have an explanation and we would like to be corrected.

The children are genuinely concerned. This is not what they want at the beginning of their career. They expect and deserve an uncut-minated launching pad.

The violations are obvious. Some can be remedied by demolishing. The Authorised Officer has been given the mandate in the Rules. Future violations should definitely be stopped.

This is an appeal to all concerned officials, professionals, developers and owners to help save YOUR City from further ruin by sincerely adhering to the rules, minimal though they are, as set by the government. Let us not resort to evasive gab. These buildings are for real. The future will hand us penalties for messing up the present.

A Kenyan proverb may be contextual. 'The Earth does not belong to us. It is a loan to us from our children.'

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These are a few samples from the findings of the final year students of the Department of Architecture, BUET. In the coming weeks we hope to publish some more findings by other students of the class.

Project: Adel's Corner, Plot 8A, Road 14 (New), Dhanmandi

This 9-storied building has setback of less than 1m (3 feet) on the side and the front. Because the access road is approximately 20 feet, the building should have been maximum 5 storied. As can be seen the distance between the two adjacent buildings is about 4 feet, lesser towards the back, whereas the distance should have been 8 feet. Violation of Rules 12 and 18.



Project: Darul Ihsan University, Satmasjid Road

The building has been constructed without almost keeping any distance from the front and side boundary wall. Rules of setback have been severely violated on all sides. There is no fire alarm or fire extinguishers. There is no space for parking. The building has also been extended beyond the 6 stories permissible in Dhanmandi. A residential building is being used as a university. The ground floor also has a laundry. Violation of Rules 8, 13, 17 and 18.



Property Triad, Lake Circus, Kalabagan

The access road is 6.1m (20 feet) wide. Because the sum of the road width (6m) and mandatory 1.5m (5 feet) setback from the front boundary wall is 7.6m, i.e. between 7.60-10.59m (25-35ft), then the maximum allowable height should have been 9.50m (31ft) or a three-storied building. This is true for all other buildings with similar road width parameters. With nine stories the building is about 31m (100 feet) high. Violation of Rules 12.



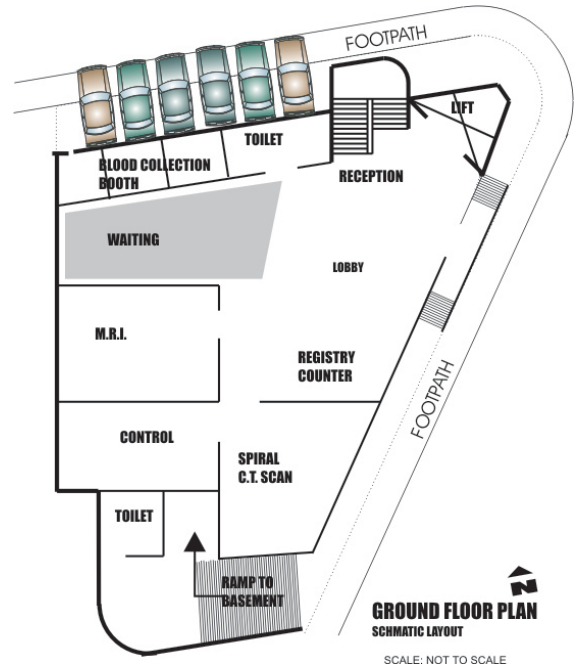
Project: Residential building in Sector 6, Uttara

The building is being extended by encroaching on the mandatory open space. According to the rules, nothing below or above ground can be built on the mandatory open space. One of the columns (about 30 feet high now, may go higher as rods are sticking out) has been constructed by piercing the boundary wall. Violation of Rules 16 and 18.



Project: Lab Aid Clinic, House 1, Road 4, Dhanmandi

As a building used for clinic, at least half of the site should have been kept vacant and there should have been minimum 3m (10 feet) open space on the two sides and the rear. The building occupies almost the entire land, and has severely violated the setback rule. On the upper floor the building has at places extended on the negligible open space maintained on the ground floor. There is no parking space. The public footpath is used as parking. The road and the footpath are used for drop-off, even for the ambulance, which creates traffic congestion on Green Road. The basement is not used for parking, but for X-ray, etc. The building has also extended beyond the 6 stories permissible in Dhanmandi. Violation of Rules 12, 13, 18 and 24.



Project: Suvastu Homes, Bara Moghbazaar

This around 120 feet high building is accessed from an about 6.1m (20 feet) wide road. Instead of being around three to four stories, considering adequate setback, the building is 12 storied. Being more than 10 stories, even if road width is ignored, an open space of at least 2.5m (8 feet) on the sides and at least 3m (10 feet) on the rear should have been kept. The plot is more than 268 sqm, but the building has not even kept the minimum 2m (6.5 feet) at the rear, mandatory for residential buildings. There is about 0.76m (2.5 feet) distance between the building and the rear boundary wall, the mandatory open space being encroached by veranda. In the front side the distance between the veranda and the site line on the north-east corner is only about 0.76m (2.5 feet). Violation of Rules 12, 18

Extracts from what is popularly known as RAJUK law, but these written rules are applicable also in Chittagong, Khulna, Rajshahi, Barisal, Sylhet, and elsewhere, except cantonments, which are controlled by rules framed under the Cantonment Act, 1924.

The following clauses of the Building Construction Rules, 1996 (*original in Bangla*) framed under the Building Construction Act, 1952, applicable all over Bangladesh, are relevant to today's expose of some sample buildings in Dhaka City:

Rule 6. Persons qualified to sign and submit drawing:

(1) Residential building up to four stories -- Degree Architect/Engineer, certified designer, diploma Architect/Engineer, certified designer

Residential building above five stories & all other buildings, Building along VIP roads --- Degree architect

Rule 8. Rules regarding adjacent road

(1) Public road -- minimum width 3.65m (12ft)

Private road -- minimum width 3.0m (10ft)

(2) If a road ends at a plot, the width of that road will be considered

(4) If two adjacent roads meet at corner of plot --- 1m x 1m space at corner to be left for simplifying the corner

(5) Minimum distance of building from adjacent road -- 4.5 m (14ft-9inches) from

centre of road, or 1.5m (5ft) from wall adjacent to road, whichever is more

Rule 9. Land-use policy

2) In a residential area, the following building use will be permitted ONLY at the meeting point of two roads, only if one of the roads is minimum 6m (20ft) wide, and all rules of residential buildings shall apply: maximum 10-bed clinic, doctor's chamber, chemists, bank, temporary stand for newspaper, library, fast food restaurant, grocery, hair dresser, laundry and tailoring shop, florist, video club, nursery school

3) Residential-cum-commercial areas can be used for both or mixed purposes BUT mandatory open space and other rules for residential areas shall apply

7) A non-residential building abutting a residential plot shall be constructed at a minimum distance of 2.5m (8ft) from the residential plot and there shall be no veranda facing the residential building.

8) Within 50m (164ft) of the meeting point of two roads, shopping centre, cinema hall, theatre and similar buildings will NOT be allowed. BUT, if road is +23m (75ft) wide, shopping centre may be allowed if the total floor area of all the floors is less than 500m² (5380sf).

9) Shopping centres more than 300m² (3228sf) must have 6m (20ft) wide area for entry-exit and drop-off, which will be in addition to the necessary parking area for the building

Rule 10.

7) A non-residential building abutting a residential plot shall be minimum 2.5m (8') from the boundary of the residential plot.

8) Within 50m (164') of the meeting point of two roads, shopping centre, cinema hall, theatre and similar buildings will NOT be allowed. But, if both the roads are +23m (75') wide, shopping not more than 500m² (5380sf) of area of all floors may be allowed.

Rule 11. Boundary wall: If solid, wall can be maximum 1.75m (5.75ft) high; if grille, net or railing, wall can be maximum 2.75m (9ft) high; if combined the solid part must not be more than 1.75m (5.75ft) high.

Rule 12. Height of building

(1) Maximum allowable height of building shall be twice the sum of the width of the adjacent road and distance of building from the boundary wall

Under condition that if the sum is

7.60-10.59m (25-35ft), then max height = 9.50m (31ft)

10.60-13.59m (35-45ft), then max height = 12.50m (41ft)

13.60-16.59m (45-55ft), then max height = 15.50m, (51ft) and so on.

If building is taller beyond the condition, the road width will be considered.

Rule 13. Car parking space plot must have 23m² (247sf) of car parking area for every 300m² (3228sf) of residential use

for every 200m² (2152sf) of commercial use

for every 100m² (1076sf) of shopping use

for every 300m² (3228sf) of hospital/clinic use

for every 200m² (2152sf) of educational use

for every 200m² (2152sf) of hotel use

for every 100m² (1076sf) of restaurant use

for every 20 users in a cinema/auditorium

Rule 16. Roof, cornice and sunshade

(1) roof must not discharge water onto roads, and other land or building.

(2) roof and cornice may be extended up to 0.50m (20 inches) in mandatory open space.

3) sunshade over door/window may be constructed up to 0.50m (20 inches) wide in mandatory open space.

Rule 17. Emergency exit and other necessary arrangements

1) Emergency exit, separate from stair and lift lobby, must exist within 25m (82ft) from any point on a floor. Note: Elevator/escalator will not be considered as emergency exit.

2) Fire extinguisher or alternate arrangement, written instruction for their use or operation, and fire alarm system for instructing users to quickly evacuate a building must exist.

Rule 18. Special rules for residential buildings

3) In mandatory open space, no construction of building, but one garage only and a guardhouse adjacent to the gate shall be allowed. Servant quarter above garage is permissible but NOT in mandatory open space.

4) Mandatory open space

Rule 20. Special rules for commercial buildings and warehouses (private

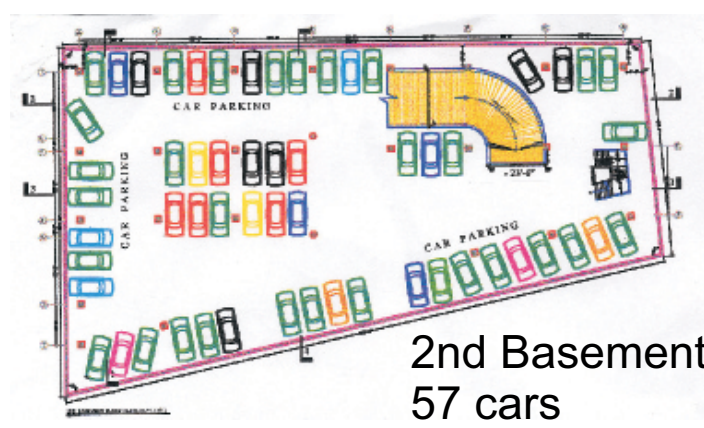
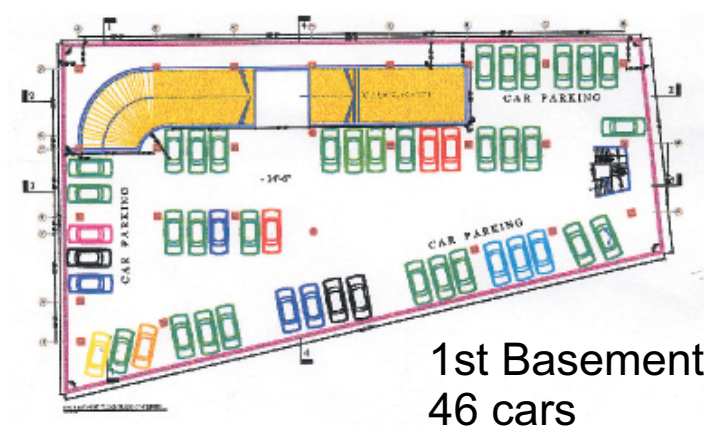
ownership)

Open space in rear -- 1.5m (5ft); open space in front -- 4.5m (14ft-9inches) from road centre and 1.5m (5ft) from boundary wall

Rule 24. Special rules for hospital, educational institutions and similar buildings -- maximum half of the land may be used for construction. Minimum 3.00m (10ft) open space must be kept on the rear and sides.

Rule 25. Special rules for 7-storied buildings and higher

(3) For buildings 10-storied or higher, an open space of at least 2.5m (8 feet) on the sides and at least 3m (10 feet) on the rear must be kept.



Project: Metro Shopping Mall, Dhanmandi

The total floor area of the building is 22323 sqm excluding the two basement floors. As such, being used for shopping, the building should have 223 parking spaces. It only has arrangement for 103 parking spaces on the two basement floors, 46 on the first and 57 on the second. It has been wrongly constructed within 50m (165 feet) of the meeting points of two roads, one of which is less than 23m wide. Even if that is ignored, the maximum area of all floors should have been 500sqm. Being a non-residential building, it has not maintained a gap of 2.5m (8 feet) from the boundary wall of the abutting residential building. Nor has it maintained 2m (6.5 feet) on the rear, a rule for residential buildings. An unauthorised staircase has been constructed on the mandatory open space for going to the fast food shop. There is only one staircase for vertical circulation in the building. It is about 46m (150 feet) from the farthest location on a floor of the building, whereas there should have been an emergency Means of Escape with 25m (82 feet) from any point. Elevator/escalator can not be considered as emergency exit. Violation of Rules 10, 13, 17 and 18.

