



Chittagong Court Building Longing for the touch of a fairy

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Not very many buildings worldwide have aroused the passion of a citizenry, unified a cross-section of professionals or caused public opinion to be expressed above self, as has the Chittagong Court building.

Poised majestically atop Fairy's Hill for over a century, the disgraceful and condemnable demolition plan of the redbrick building during the last few years has kindled the emotion of Chittagonians and drawn concern from apprehensive populace across the country.

The building, adorned with British ingenuity and Bengal craftsmanship, is worthy of conservation by any measure of analyses it is one of the richest tales we have from the times gone by, it has been certified as structurally sound to endure many more years of usability, and it is a significant bridge between antiquity and the future. Destroying it would be no less than amputating a branch from our country's genealogy, not to mention of the economic inanity.

Despite overwhelming factors and a definite case in favour of its continued life, a sinister plot to sentence the rich inheritance to an immature demise seems to have evolved from myopic self-interest, laced with lucrative gains.

We are one unfortunate nation where citizens' campaign, street agitation, chamber-to-chamber motivation, leaflets and publications (as these) are necessary to persuade responsible politicians and the learned bureaucrats that a prized bequest in the heart of the city needs to be saved. Chittagong Court building has to be saved.

That a building, whose spatial quality, facade and fenestration is a life-size archive of our past, that is sturdy, hale and hearty to breathe long into the future has been proposed to be razed down while in its full bloom of architectural and historical glory is in itself a severe insult to the nation's values, sentiment and morality. No civil society can, nor should, withstand such unvarnished abuse to its conscience and conviction.

Given our economic circumstances and going by the sermon at every seminar that as a nation the order of the day is to be thrifty, whereby conservation is the best and the only option, egocentric quarters have not only been soliciting behind-the-door patronage in support of replacing the centurion object d'art by a cheap imitation, they are in effect proposing an absolutely needless dent in the national coffers.

The dedication and zeal of the group, Forum for Planned Chittagong

(FPC) is in one word praiseworthy. Their efforts and enthusiasm are enviable in societies, which sit and stare at destructive activities by self-seeking cronies of the powers that be. The group's sincerity, and the immediate purpose of its mission demand support of all patriotic and conscientious citizens. It is of utmost importance to note here that FPC members stand to gain nothing as individuals by saving the building, except of course the satisfaction of carrying out an obligation to posterity. Therein also lies their greatest strength, and hope.

FPC is not alone in the battle for the building. Several reports support the sustained use of the building with perhaps some additional facilities as may be necessary. For those who will decide the fate of the building it would perhaps be prudent to yield to expert advice, as well as educated public opinion, instead of getting carried away by an impulse to substitute legacy with a poorer alternative.

We hope that government officials, central to deciding the destiny of the heritage building, would soon put an end to the longstanding but unnecessary debate by giving their nod in favour of the only rational outcome in the matter. On top of the Fairy's Hill, the Chittagong Court building is longing for the touch of a fairy that is another word for a policy maker whose judgement is based on commonsense and wisdom.

Not only does this column cast its unequivocal vote for a just cause save the Chittagong Court building this is to urge each and every one of you to raise your voice alongside FPC. They who matter will listen, today or tomorrow. And fairies do listen.

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CHITTAGONG COURT BUILDING (1892-?)

To save a century-old heritage building

A REPORT PREPARED BY FORUM FOR PLANNED CHITTAGONG

OBJECTIVE
CONSERVATION OF THE CENTURY-OLD CHITTAGONG COURT BUILDING

PROFILE
Chittagong Court Building
? Location: *Pairi Pahar* (Fairy's Hill), Court Road, Chittagong
? Built by the British: 1892-98
? Site Area: approx. 10 acres
Unique Architectural Features
? Largest hill-top Building in the whole undivided Bengal
? Unique blend of Mughal and English traditions
Special Historic Features
? Trial of important historic personalities during movements leading to the Partition and Independence (1857 to 1971).

Present Functions
? Judiciary
? District Administration
? Chittagong Metropolitan Magistrate Court (CMM Court)
Floor Area
? Existing Building Total approximately, 1, 10, 000sqft
? Additional requirement (PWD assessment) 2,30,000sqft.
OPINIONS AND VIEWS
Opinions Expressed in Various Government Reports regarding Preservation of Building
Project Concept Paper by PWD
· Option 1: Can be preserved as a heritage building
· Option 2: Building needs to be demolished only for providing additional accommodation.
Report by Task Force constituted by Government 1997
· Tall buildings should not be constructed on this hilltop
· Shift some offices elsewhere
BUET Technical Team Report 2000
· Court Building can be preserved
· New building/s can be accommodated in the vicinity.

PWD's (government) Opinion
? Building declared unusable in 1985
Government Decision
· Demolish existing Building and build larger new building in its place to meet need for additional floor space
Citizen's Opinion And Reaction
? **Opinion:** Opinion poll in local newspaper - *The Daily Azadi*: Over 75% respondents advocated preservation and conservation, and were vehemently opposed to the demolition of the building
? **Reaction:** Formation of Human Chain Protest Meet Writings in print media ? Press Conference ? Written Appeal
Ordinary citizens joined programmes organised by the Forum to protest the demolition move by the government. It comprised of formation of human chain in the Court premises in May 2000 and in July 2001, and protest meet in September 2001 during Barrister Syed Ishtiaque's visit to the hill for laying the foundation of a tin shed. Many wrote articles in local newspapers and magazines in support of preservation and conservation.

Legal Provisions in Support of Preservation and Conservation
· **Constitution of the Peoples Republic of Bangladesh: Article no. 24:** The State shall adopt measures for the protection against disfigurement, damage or removal of all monuments, objects or places of special artistic or historic importance or interest.
· **Bangladesh Antiquities (amendment) Ordinance, 1976:** Important historic buildings of the past which are over hundred years old may be declared a building of antiquity and thus preserved.
· **Chittagong Metropolitan Master Plan CMMPP 1995,** which has been approved by the government, recommends the court building's conservation. The Structure Plan of CMMPP states: 'Conserve Buildings and Monuments of Cultural, Architectural and Historic Interest'. The Court Building in Chittagong is recommended to be included in a list of buildings under this category.

· **Building Rules:** All buildings need approval for construction from CDA as per the Building Construction Rules 1996 under the Building Construction Act 1952. If CDA accords permission to demolish the Building and construct a new one in its place, it would be violating its own recommendation to conserve it and ensuring preservation of its fabric - as the Master Plan advocates its conservation.
· **Other Declarations:** The 1996 Istanbul Declaration on Human Settlements, which is also signed by the Bangladesh Government, advocates conservation and maintenance of historical buildings. Section 11 of this declaration states: "We shall promote the conservation, rehabilitation and maintenance of buildings, monuments, open spaces, landscapes and settlements patterns of historical, cultural, architectural, natural, religious and spiritual value."
Views of the Forum
· The Chittagong Court Building is one of the most important historic buildings.
· It is the largest single building in the whole of undivided Bengal on a hill top
· It has many unique architectural features
· It is witness to many historic events
· The Chittagong Court Building should be declared an Antiquity because it is a historic and architectural heritage
· Important historical records dating back to the Mughal era will be destroyed in any demolition process.
· There are many years of life left in this Building. Structurally the original building is sound, albeit some urgent repair to some sections is needed. (Reference BUET Report)
· The awkward looking dilapidated 2nd Floor (added in 1953-54) should be demolished immediately with adequate technical backing.
· Immediate and appropriate repair and maintenance works must be undertaken.
· To undertake immediate repair of dilapidated portions, a programme of temporary relocation of offices is urgent
· Cost for preservation and renovation will be many times less than new building of same area

· Need for additional space may be met by constructing new building/s in the vicinity.
· Additional costs may be utilised for other purposes such as site and area development
· In the long term a comprehensive redevelopment plan for the area has to be undertaken
· A mechanism for identifying and listing of historic buildings/sites has to be established
· Conservation policy must be incorporated in a statutory Building Act.
· Conservation works and urban renewal will enhance the prestige of the City
· Tourism potential will generate income for the City

RECOMMENDATIONS FOR GOVERNMENT ACTION
Immediate Action
LEGISLATIVE AND ADMINISTRATIVE MEASURES
Phase 1 Make provisions to declare the Court Building as Antiquity, under the Bangladesh Antiquities (Amendment) Ordinance 1976, and preserve and conserve it.
PHYSICAL MEASURES
Phase 1 Repair Corridor and East- side entrance arch, costing approximately Tk 30 lac
Phase 2 Demolish Second Floor built in the 1950's
Undertake waterproofing of roof surface, costing approximately Tk 40 lac
Repair Selected portions of Exterior Walls

Long-term Action
1. **PHYSICAL MEASURES**
? Construct new annex building to meet requirements for additional floor area and to provide parking space and other spaces for supporting services (photocopying/ canteens, storage spaces etc.)
? Construct shops in planned and organised manner in phases and rehabilitate existing shops at Hawkers Market
? Remove all unauthorised structures from site and surroundings
? Undertake landscaping and site development for recreational, aesthetic and employment generation purposes
? Undertake a comprehensive urban renewal and redevelopment of a wider area
2. **LEGISLATIVE AND INSTITUTIONAL MEASURES**
? Form a mechanism possibly in the form of **Heritage Conservation Committee** to identify and list Heritage Buildings and Sites in Chittagong (Recommendations from workshop in Dhaka on Architectural and Urban Conservation sponsored by the Aga Khan Trust for Culture 1989 on this issue in report)
? Formulate policies for conservation of heritage buildings/sites as a provision in a Building Act.
CONSERVATION OF THE CENTURY OLD CHITTAGONG COURT BUILDING

INTRODUCTION
The Chittagong Court Building built by the British during the years 1892-98, sits on top of the *Pairi Pahar* or the Fairy's Hill. The mainly two-storied red brick building with its balconies and arches is considered to be one of the few important historical landmarks of the past in Chittagong. A panoramic view of Karnaphuli River and beyond is seen from the hilltop, as well as the core area of Chittagong. Its spectacular view has drawn local and outside tourists for decades.

At present it houses the Districts Courts, the Divisional and Deputy Commissioners offices (administration) and the Chittagong Metropolitan Magistrate's Court (CMM). Besides the Main Court House, other important buildings of the past, located in the lower slopes are the Record Room and the Registration Office. Major buildings added later are the Judges Court in the northern foothills, the Bar Council on the East and the Mosque surrounded by shops. These later additions are of poor architectural and aesthetic quality and have been placed without any regard to the historic buildings or to the overall site. This has diminished the pleasant aesthetic setting of the area.

ARCHITECTURAL FEATURES AND HISTORICAL IMPORTANCE OF BUILDING

Architectural Features
The Court Building is the largest hilltop building in the whole of undivided Bengal. It has a unique blend of Mughal and British traditions, representing a new style Indo-British architecture. It has Roman arches, and decorated corbelled capitals. Corbelled circular arches and Gothic corbelled arches are constructed over supporting arches for lighting and ventilation. The building is embellished with cupolas, recesses, engaged turrets and window screens akin to Mughal art. Floor slabs are constructed over joists and rafters.

Two well-defined approaches have been provided, one in the south for officials and the other for general and public access in the east. A majestic stair connects the two levels of the main building. The design of the protective metal screens for windows are carved from metals resembling Mughal patterns used for partitions.

Historic Importance
Records of court cases of numerous renowned personalities (tried in this court) are preserved in the Building. These consist of cases against persons revolting against the British rule and subsequently Pakistani rule in the Indian Sepoy Mutiny in 1857, the Partition of Bengal in 1905, the Anushilan Party in 1914, the Khelafat movement in 1926, the Quit Movement in 1942, the language movement in 1952. Important persons were tried in or visited this building on various occasions.

PRESENT STATUS OF THE BUILDING
Physical Condition
The Building is in a state of neglect and inattention. Fungus growth has covered northern walls; leakages from pipes have caused dampness to the wall surfaces in some parts. The most damage has been caused in corridor floors in the north and south. Rainwater seeping through the tile joints into limestone tiles and ribs below have rusted the ribs and joists and damaged the tiles. The arch on the northeastern entrance has developed deep cracks. The main wooden staircase has been damaged with overuse and neglect and the cast iron railings are missing in many sections. Exterior walls need repair and maintenance some immediately. The original building is structurally sound and has many years of life left. (FPC and other experienced professionals have conducted physical sur-

veys to form this opinion). However, the whole building needs massive repair and routine maintenance. The second floor - (which had been added in the mid 50's) is in a dilapidated condition. The reinforcements of the roof slabs have been exposed as the plaster cover has fallen off due to dampness. The structural condition may be stated as poor and unsafe.

Floor Area
The original structure of approximately 1,15,000sqft can be used with repair and maintenance.
Surroundings
The surrounding site has been cluttered with all kinds of structures without any discipline. *Pucca*, *semi-pucca* and *kutcha* shops, canteens, police barracks and godowns have been haphazardly constructed all over the area. The mosque is surrounded by shops. Garbage and filth are thrown all over the grounds and the corridors of the building. All kinds of posters are displayed on the walls of the Shaheed Minar in front and the Building. The grounds are poorly maintained.

Status of Building as advocated by PWD
The PWD had declared the Building unfit for use in 1985. In February 2002, it posted a few sign boards with the warning that the Building is unusable, that its use is dangerous and that the authority would not be held responsible for any accidents caused by its use. Other than applying a coat of red oxide or lime wash the building has not been maintained over the years, though it has always been used extensively. Thousands of people visit the courthouse everyday for various reasons. Ever since it was declared unfit for use, it is in a state of neglect.

Description of Area	Existing Area (sqft)	Proposed Area (sqft)
Additional space for parking	75,000	75,000

Forum's Opinion on the Need for Additional Space
The floor space requirement estimated by PWD may have 16.0% be re-evaluated, as it seems to be very high. The requirement given for the district administration is over 1,00,000sqft. Added to this is circulation and ancillary space of another 1,10,000sqft. Whether this space allocation is in line with national standards for government office spaces needs to be reviewed. With changes in attitudes in office planning, economy in use and utilisation of office space can be achieved. Far from creating shortage of space this may turn out to be more efficient. Numerous examples exist where important personalities and offices carry out important meaningful work in extremely small spaces, and that too in some of the rich economies of the world.

GOVERNMENT DECISION AND ACTION
In spite of Project Concept Paper prepared by PWD, Report by Task Force (Government 1997) and the BUET Technical Team Report (2000), the government decided to demolish the Court Building and construct a taller one (five to six floors) in the same location. The project design had been prepared by PWD in 1991. This was approved by the government and tenders for demolition of the building was finalised. Letters to vacate the building in phases was circulated to the users in early 2001. The Minister of Housing and Public Works laid the foundation stone of the new building in July 2001. The requisite offices were not vacated and all physical action in preparation of demolition was stopped due to a court injunction. In September 2001, Barrister Syed Ishtiaque Ahmed, minister of the Care-taker Government, came to lay the foundation stone of a tin shed on top of the hill. Some offices would be shifted to the shed, so that demolition of the existing building could take place. This move also met with vehement protest from the citizens.

Why should we conserve?
A question often raised is why we should conserve buildings of the past. Why conserve this Building? There are a number of reasons:
· Historical buildings and sites are our link with the past; this link should flow into the future, for generations to come.
· There is a tremendous psychological need for permanence and continuity
· Political will to conserve buildings/monuments/sites of the past has been accepted worldwide
· Old buildings often perform better than new ones
Why should we conserve this Building?
(SEE ABOVE FOR VIEWS OF THE FORUM)

FPC'S EFFORTS IN FAVOUR OF PRESERVATION AND CONSERVATION
FPC has repeatedly appealed to the government to declare the Chittagong Court building a heritage building and undertake preservation and immediate maintenance. A Joint Conservation Committee (JCC) was formed with the Chittagong Bar Association in October 1999. Later the JCC was extended to include the Bangladesh Legal Aids Trust (BLAST). Press conferences were held on many occasions to explain the need for conservation and the economic feasibility of retaining the existing Building. FPC made written appeals to the President, Prime Minister and other concerned ministers, secretaries and departments. Meetings were held with the secretary Works, journalists and academicians to justify the cause for preservation.

In March 2002, the Forum along with lawyers, met the Honourable Minister for Commerce Amir Khosru Mahmud Chowdhury to impress upon the government to give the building heritage status and preserve it, and to build new buildings in the vicinity.
Legal
A Representational Show Cause Notice was filed by JCC in July 2002, in the Chittagong District Court against relevant departments of the government, to stop demolition of the building and urge them to undertake immediate

maintenance work. A Writ Petition was filed in the High Court Division of the Supreme Court for injunction against demolition of the Court Building. Barrister Dr. Kamal Hossain moved the Writ on behalf of JCC. A Legal Notice for mandatory maintenance has been filed recently.

FORUM'S PROPOSALS
The existing Court Building should be preserved and conserved, in its original size. The later addition has to be demolished. New building/buildings have to be constructed to meet demand for additional space. Proposals may be categorised into:

Physical aspects which consists of:
· Immediate action Phase 1 and Phase 2
· Long-term action.
Legislative and Institutional aspects which consists of:
· Immediate Action
· Long term Action

Physical Aspect: IMMEDIATE ACTION
This has been divided into two Phases.
Phase 1 - two items of work will include:
· Reconstruction and repair of portions of the corridors, where floors, ribs and joists have been damaged
· Repair of the entrance arch on the eastern side

An area of about 14,800sqft is in need of immediate and urgent repair (about 6000sqft on the Ground Floor and 8700sqft. on the 1st. floor). A sum of approximately Tk. Thirty lac will be required for repair and re construction of the corridor, applying the existing techniques. If however the existing techniques is replaced by RCC slab in situ casting, the cost for the same will be around Tk 15, 000 lac.

Phase 2 - three items of work will include
· Demolition of top floor
· Water proofing of whole roof (1,10,000sqft) requiring approximately Tk. 44 lac
· Repair of selected portions of exterior wall
This has been divided into two Phases.
Phase 1 - two items of work will include:
· Reconstruction and repair of portions of the corridors, where floors, ribs and joists have been damaged
· Repair of the entrance arch on the eastern side

An area of about 14,800sqft is in need of immediate and urgent repair (about 6000sqft on the Ground Floor and 8700sqft. on the 1st. floor). A sum of approximately Tk. Thirty lac will be required for repair and re construction of the corridor, applying the existing techniques. If however the existing techniques is replaced by RCC slab in situ casting, the cost for the same will be around Tk 15, 000 lac.

Phase 2 - three items of work will include
· Demolition of top floor
· Water proofing of whole roof (1,10,000sqft) requiring approximately Tk. 44 lac
· Repair of selected portions of exterior wall
This has been divided into two Phases.
Phase 1 - two items of work will include:
· Reconstruction and repair of portions of the corridors, where floors, ribs and joists have been damaged
· Repair of the entrance arch on the eastern side

An area of about 14,800sqft is in need of immediate and urgent repair (about 6000sqft on the Ground Floor and 8700sqft. on the 1st. floor). A sum of approximately Tk. Thirty lac will be required for repair and re construction of the corridor, applying the existing techniques. If however the existing techniques is replaced by RCC slab in situ casting, the cost for the same will be around Tk 15, 000 lac.

LONG TERM ACTION:
PROPOSAL FOR COMPREHENSIVE REDEVELOPMENT
In the long term besides renovating the Court Building and constructing a new building, a comprehensive plan for redevelopment of the site needs to be considered. This will include schemes in and around the court premises and redevelopment of the Zohur Market area on the northern foothill. This will also promote recreational opportunities, tourism and small-scale informal employment opportunities.

Schemes in and around the hill will consist of:
· Comprehensive renovation and repair of the existing Court Building
· Renovation/repair of other two important Buildings - The Record Room and Registration Office
· Aesthetic improvement of the Bar association building / the Mosque and other buildings
· Site development, which will include removal of all haphazardly, placed structures in the hill and along the approach roads
· Landscaping of the area
· Creating opportunities for recreational use (visiting, sight seeing, snack kiosks)

Schemes in the northern foothills will include:
· Phase-wise removal of around 80 shops of the Zohur Hawkers Market and planned relocation in the area
· Construction of a new Annex Building (partly in the northern lower area, partly in the site vacated by shops)
· Making provisions for parking, entry/ exit, loading/unloading, dropping/picking for court building users and shoppers both for vehicular and pedestrian traffic
· Making provision in the new building for supporting services and facilities (photocopying/ communications/ canteens / toilets etc), presently occupying haphazardly constructed shops all over the hill.
· Making provisions for designed open spaces for shoppers, visitors and tourists.

CONCEPTUAL PLAN
A conceptual plan of the site has been developed. The Court building will be renovated to accommodate the judiciary only. The existing building of about 1,00, 000sqft will meet space requirements.

New Building
A new building will be constructed to accommodate the District Commissioners Office and the CMM Court. It will be located on the lower slopes on the north. Part of it will be adjacent to the Judge's Court (annex) and part of it will be in the area now occupied by the Zohur Hawkers Market. The new building will be designed to accommodate:
· Divisional/District Commissioners Office
· CMM Court
· Parking
· Spaces for supporting services (photocopying canteen toilets storage PWD Office etc). The design of different floors will ensure segregation and privacy of the designated offices.
All scattered shops/ structures will be removed and relocated, in phases.

Floor area
Depending on the need for office accommodation the new building may be designed to be of seven to eight floors with around 35,000sqft. per floor. This will give a total area of around 3,00,000sqft.

Circulation
The new building can be approached from the hill (present Judges Court annex) for court users. Cars can enter the parking floor. Exit will be into the KC Dey Road. Additional entries for pedestrians will be from the ground level, with entrance arrangements from the KC Dey Road.

CONTINUED ON PAGE 5