

# Rajuk empowered to try offenders under its own roof

## CITY CORRESPONDENT

Government has finally delegated magistracy to Rajdhani Unnayan Kartripakkha (Rajuk) with the power of a metropolitan magistrate to try and punish violators of building construction laws and rules.

Rajuk is now going to run mobile courts and set up its own magistrate's court on its premises to expeditiously try the violators of building construction laws and rules.

Rajuk Chairman KAM Haroon said the magistracy authority delegated to Rajuk would greatly facilitate swift punishment of offenders under Building Construction Act of 1952.

"Now it will be easy to instantly punish any offender for major deviation of building laws and rules including the offender within Rajuk," he said.

The court will try cases initiated by Rajuk under

the building laws as well as complaints filed by aggrieved individuals.

It used to take a very long time to settle the building law violation litigations concerning Rajuk, said the Rajuk chairman.

Offences committed a long time ago will also come under the purview of this court, he added.

Building Construction Act of 1952 (amended act 15 of 2006) provides imprisonment upto seven years or a minimum fine of Tk 50,000 or both for the offenders of the act, provisions of Metropolitan Building Construction Rules - 2006 and Bangladesh National Building Code (BNBC).

Without having any magistracy power, Rajuk had not been able to take action against the deviators of building construction laws.

The Rajuk magistrate, with a first class status, needed to be empowered as a metropolitan magis-

trate to hand down imprisonments over five years.

Rajuk Magistrate ASM Emdadud Dastagir said an authorised Rajuk officer or a police officer not below the rank of assistant sub-inspector would be able to initiate a prosecution as per the building law.

Aggrieved individuals will also be able to lodge complaints with the court. After taking the complaint into cognisance, the court will direct an authorised officer to initiate prosecution.

The convicted will have the scope to file an appeal with the district judge court within 30 days of verdict by the Rajuk court. As per the law, no civil court shall entertain appeals against the verdict of the Rajuk court.

"We are taking instructions from higher judicial officers for proper functioning of the court," said Dastagir.

Even after demolishing

parts of buildings with deviated designs, the building owners and the occupants have so far invariably rebuilt the illegal portions and reoccupied car parking and public spaces as they could not be punished with any fine or imprisonment, said government officials concerned.

Errant builders and real estate developers in the capital have so far gone unpunished though the building construction act clearly provides penalty for the violators of building laws. Despite rampant violations of the building rules in the capital city, there is hardly any example that authorities have penalised the violators under the law.

It does not matter whether a building was constructed before or after the penal provisions were enacted, the original Building Construction Act provides punishment to those who violated the

law at various stages of construction, said a top government engineer preferring not to be named.

The Rajuk has so far identified good many building plans submitted with fake documents and many others passed without complying with building rules but it has not yet punished any one involved, said Rajuk sources.

The Building Construction Act of 1952 provides that whoever commits an offence by contravening the provision of section 3 of the act or by failing to comply with any directions given by an authorised officer or a committee under relevant sections shall be punishable under this section.

Those who commit any offence by designing or approving or implementing a building construction plan in contravention of any provisions of the Bangladesh National Building Code (BNBC)



Rajuk Bhaban

and building rules shall also be punishable.

Errant builders as well as members of the building construction (BC) committee, authorised officers and those involved with clearance certificates scrutiny committee of Rajuk will be punishable under the law for taking part in the approval of any faulty, fake and incomplete building plan.

The Public Works ministry a couple of months back decided to empower the Rajuk magistrate as a metropolitan magistrate to hand down fines and imprisonments to the building owners with deviated plans. Accordingly, Rajuk made a proposal for the power delegation.

Public Works ministry sent the proposal to establishment

ministry, which forward it to the home affairs ministry that finally delegated the power.

Setting up of the courtroom is going on in full swing at Rajuk premises. Hopefully, the court will start functioning by next week, said Dastagir.

The Rajuk court will act in association with the Chief Metropolitan Magistrate's Court (CMM).



STAR PHOTO

**Pitiful sight of a traffic policeman in the rain: A traffic policeman is working in the middle of busy road barefoot, as the department is unable to provide him with gumboots and raincoat. The umbrella over his head is donated by an organisation. Traffic policemen are too poorly paid to lead a decent life. There are also reports of many traffic policemen suffering from various ailments due to long exposure to the extreme conditions on city roads.**

## A street theatre

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rights and concerns of children with disability. Following the performance, the children lead a discussion with the audience to see whether their message has come across.

Contact with the NGO has changed his life, according to Ibrahim.

CSID bought him a wheelchair and his leadership qualities earned him a steady job as their official liaison with the advocacy group. He works at the CSID office as a counselor to disabled working children, and earns Tk 5,000 a month. "Now, I go to deposit cheques to the bank in front of which I once used to beg," Ibrahim proudly stated.

Rubel, another member of the street theatre group, agrees that working with CSID has helped him rise above the dire circumstances that encumber his daily life.

Financial difficulties had forced him to drop out of school and work in a rickshaw workshop with his father, before CSID gave him support to open

a small tea stall. Now that the family has a steady source of income, Rubel is able to go to school, where he is now a student of class eight.

He even went to the United Nations (UN) headquarters in New York, with five other children of various nationalities, to speak at a convention on behalf of disabled children from poor families from around the world. His fondest memory is of the moment when he learnt that he was only the third person ever to deliver a speech in Bengali at the UN.

However, even after the media publicity that embraced him after his New York trip, his troubles did not end. His friends and neighbours continued to harass him for being lame. Rubel's disability prevents the shy young man from participating in games and sports with the same vigour as other children have, and consequently he is often subjected to cruel taunts and jokes.

"Before I joined the CSID theatre troupe, I used to feel

very lonely because of my handicap. I was always very conscious of the fact that I was not like the other children around me...I could not do everything they did. But now I have come to know a lot of children with similar woes, and we work to support each other," Rubel said.

"When children report to us that they are being teased or tortured because they are handicapped, we go to their schools or the slums where they live and put on a play that shows how difficult our lives are, so that people will perhaps be kinder to that child and all other disabled kids there," said Ibrahim.

The plays have no formal script. The children meet up and assign dialogues and roles in a rehearsal before the performance.

When asked whether this did not sometimes lead to people forgetting their lines, Rubel replied poignantly, "These are the stories of our own lives that we are acting out, how can we forget anything?"

## Advertising, Bank & market timing

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Isha Khan Shopping Complex-Friday.  
Rajlaxmi Complex-Friday  
Stadium Market-Friday  
Bangabazar Market-Friday  
National Museum-Thursday  
Ahsan Manzil--Thursday.  
New Market-Tuesday  
Gausia Market-Tuesday  
Mouchak Market-Sunday  
Dhanmondi Hawkers Market-Tuesday  
Dhanmondi Hawkers Market-Tuesday  
Eastern Plaza-Sunday  
Farmview Super Market-Sunday  
Muktijuddha Jadughar-Sunday  
Dhaka Zoo-Sunday  
Shishu Jadughar-Sunday