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ROLE OF PLANNING REGULATIONS ON DEVELOPMENT OF URBAN SETTLEMENTS IN BANGLADESH WITH SPECIAL REFERENCE OF KHULNA CITY: ISSUES AND RECOMMENDATIONS

M.U. Ahmed *

Urban and Rural Planning Discipline, Khulna University, Khulna, Bangladesh

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Abstract: The laws that are related with the erection and development of urban and rural settlements considered as planning laws. Planning for city development, residential establishment, industrial erection, infrastructural development, provisions of utility services are always guided by some prescribed rules and regulations of the country. In Bangladesh, large number of rules and regulations are executing by different government organisations for the development of urban settlements. The present study focuses on the development and development control of urban settlements, authorities who are entitled for execution of the relevant prescribed rules and regulations and the disputes arise during or after the execution of the said rules and regulations. There are different types of residential formations in the urban premises of Bangladesh. Primarily, it may be divided into two parts - government residences (e.g. residences for government employees) and private residences. For both the types, there are different laws that are executed by different authorities. From the viewpoint of prevalent regulatory arrangements of the country, private residences may broadly be divided into four types-such as community development, high-rise residential buildings, simple private dwellings and related residential units. For the above mentioned residential developments governmental permission is necessary for the private landowners but different laws prescribed for different urban areas and different authorities of Bangladesh. It is noticed that these laws are overlapped, ambiguous and contradictory that hinder proper execution of these laws. To deal with all these issues and disputes some effective guidelines have to be formulated.

Key words: Regulations, Settlement and building, Planning law, Setback rule, Enforcement authority

INTRODUCTION

The word law and settlement is preserved different meaning, but in a situation both of them became inter-linked with each other. When we take steps to construct or reconstruct the settlement the word 'law' or 'regulation' stands with all of its necessities. In absence of regulations any type of settlement may not be constructed whether it may be pucca, semi-pucca or katcha. With this construction and development in city/town, residential/housing development, industrial establishment, infrastructural development, establishment of utility services enforcing by different regulations. Different type of public authorities is maintaining their role as the enforcement authorities of these regulations. For the development of urban settlement in Bangladesh within the regulatory framework large number of regulations and authorities are involved. Though, irregularities on the construction of urban settlements are continuing, control on construction became absurd and disputes are arises. All of these problems are the subject matters of this study.

In context of law there is no any widely used definition on settlement. From the legal views, the word settlement uses as the word 'building'. Both of the words are preserving different meaning in context of use, development and planning. The word legal-gap is concealed in such different meaning. According to the section 2(b) of the Building Construction Act 1952, definition of settlement presented as "house, out-house, hut, wall and any other structure whether of masonry, bricks, corrugated iron sheets, metal, tiles, wood, bamboo's, mud, leaves, grass, thatch or any other material whatsoever". In England settlement includes "any structure or erection and any part of a building, structure or erection, but does not include plant or machinery comprised in a building. It is a term wide enough to include many things not ordinarily regarded as such. In *Buckinghamshire County Council Vs. Callingham*, a model village was held to have involved settlement operations".¹ In another court case between *Cheshire County Council vs. Woodward*, the term 'building' defined that "nothing can be regarded as a building unless it is a structure or erection, which can be, said to form part of the reality and to change the physical characteristics of the land".²

In Bangladesh, the word 'buildings' defines with all of its ancillary services in different type of enactments. However, buildings in urban areas or rural areas confined in same definition whether the enactments are different. There is a sharp difference between Bangladesh, India and England regarding the definitions of buildings. This variation proves the social, cultural and economic variation among these countries.

*Corresponding author: Tel.: +880-41-720171-3/248; Fax: +880-41-731244; e-mail: ku@bdonline.com

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According to Calcutta Municipal Act 1951, the Calcutta Municipal Corporation is responsible for “*building schemes and the regulation of buildings, inter alia to prevent over crowding, to control the location of factories and sanitary conditions generally, and to inspect and certify new buildings*” (Ashraf A. 1966). In Bangladesh, Municipal Corporation performs a number of jobs and responsibilities imposed on them in respect of development control. However, control on building construction by the Municipal authorities performs negligible responsibilities.

Again, in the Bangladesh Abandoned Property (Land and Building) Rules 1973 stated that, ‘building’ means – i) *a dwelling house together with the land covered by it and any court-yard, tank, place of worship and burial or cremation ground at attached or appertaining to such dwelling house, and includes any outhouse and such land within well-defined limit, whether vacant or not, as treated to be appertaining thereto; and ii) a building or a structure of any kind and the land covered by it and necessary adjuncts thereto.*

In section 2(3) of Dhaka Municipal Corporation Act 1974, Dhaka City Corporation Ordinance 1983, Dhaka Municipal Corporation Ordinance 1983, Chittagong Municipal Corporation Ordinance 1982, Municipal Administration Ordinance 1960 [Section 2(4)] and Pourashava Ordinance 1977 [Section 2(2)], the word ‘building’ includes any shop, house, hut, outhouse, shed, stable or enclosure built of any material and used for any purpose, and also includes a wall, well, veranda, platform, plinth and steps. Buildings in urban and rural areas conceived different character because of the variation of urban and rural environment.

The word settlement is not includes a building only but the contemporary laws on urban settlements established and promulgated based on the buildings. Only the definition used in the Building Construction Act 1952 can be appropriate with the fundamental meaning of settlement, not for every type of settlements. Because urban settlement / residential establishment can be classified according to different meaning. This differentiate may be on the use of settlement, use of construction materials and physical appearances. The regulations are varied according to this differentiation. But the existing regulations do not precisely follow the multi-variation of the definitions. It is sure that the precise issues generate effective regulations. Generally, the urban settlement can be classified as 1. Sky scrapers building; 2. Multi-storied building; 3. Tall building; 4. Housing development; 5. High-rise building; 6. Normal residential building; 7. Settlement constructed with C.I.sheet, Wood and Thatches; 8. Settlement constructed with Mud, Leaves, Paper and Bags.

Generally, urban settlement of Bangladesh can be classified according to the contemporary regulations as – Government settlement (such as residence for government employees) and private residence. Again, private residence grouped as – community development, high-rise residential building, normal residence and secondary buildings. Government permission is foremost necessary to construct every type of settlement. Different type of public authorities is acting their role as the prescribed authority on the enforcement of building regulations. The contemporary regulations on building construction are partially overlapped, ambiguous and contradictory. As a result, complication arising in different angels, regulations is using on personal betterment, and the urban areas gradually losing their living environment in-respect of residential development and maintenance.

Different Acts and Ordinances have been prescribed different regulations on the establishment of settlement and building construction. Some of them are included in the following paragraphs.

Government Buildings Act, 1899: The Act was prescribed on 3rd February 1899. Objective of the Act was to provide for the exemption from the operation of municipal building laws of certain buildings and lands, which are the property, or in the occupation, of the Government and situate the limits of a municipality. According to the Act, government can construct any building on any land and this building should be used for public purpose.

Building Construction Act, 1952: The Act was established to prevent haphazard construction of building and excavation of tanks and it was further amended and included prevention of razing hill. Section-3 of this Act is composed with the restriction on construction of building and excavation of tank. To do the such activities fresh approval from the prescribed authority should be needed. The authority may remove or demolish unauthorised construction as and when necessary. Punishment for the contravention of regulation may be ten thousand Taka fine or six months imprisonment.

Municipal Administration Ordinance, 1960: To provide for the municipal administration in the country, Municipal Administration Ordinance, 1960 was prescribed. Section 77 to 79 of the Ordinance has been prescribed regulations on building construction. According to the sections, no person shall erect or re-erect

any building without the permission of municipal authority and such authority is preserving the right to demolish unauthorised construction and removal of dangerous buildings.

Khulna Development Authority Ordinance, 1961: The Ordinance was established for the development, improvement and expansion of the town of Khulna and certain areas in its vicinity and the constitution of an authority therefore. The authority is responsible to prepare master plan and control of development activities according to the master plan. In concern of the settlement and building construction, the authority approve building plan and demolish unauthorised construction.

Thana Parishad Ordinance, 1976: The Ordinance was prescribed on the 21st May of 1976 to provide for the constitution of Thana Parishads. According to the section 7, Thana Parishad may control the building construction though the regulation in this section is not clear enough on such control.

Pourashava Ordinance 1977: The Ordinance was constituted for the constitution of Local Government Institutions in urban areas and to consolidate and amend certain laws related to the Local Government in such areas. Section 98 to 100 of such Ordinance is composed with the regulations of building construction. Through this regulations, Pourashava authority have been prescribed for the approval of building plan and removal of unauthorised construction in the Pourashava area.

Khulna City Corporation Ordinance, 1986: The Ordinance was prescribed to consolidate the law relating to the municipal administration of the City of Khulna. Section 108 of the Ordinance is prescribed the regulation of buildings. According to the section, the Corporation may remove or demolish any building, which is dangerous to any inhabitant or may be repaired to the satisfaction of the Corporation.

Building Construction (Amendment) Rules, 1996: The Rules have been constituted with the setback of building and height of the building. This is the important rule on the building construction. Various setbacks have been prescribed according to the types and use of buildings. Parking provision of some buildings is also prescribed here.

OBJECTIVE AND DATA SOURCES

The study focuses on the development / construction and development control of urban settlements, authorities who are entitled for execution of the relevant prescribed rules and regulations on the said construction and the disputes arises through the execution of rules and regulations. Also, problems on some issues related with the construction of settlement and a guideline to mitigate the problems should be prescribed. The relevant information for this study has been collected from the secondary sources. Unpublished Annual Report from the related enforcement authorities also used in this study.

STATUTES & ENFORCEMENT AUTHORITIES

According to the regulatory statement, Building Construction Act 1952 is enforcing on the building construction in all type of settlements and buildings. Except this Act, for Capital City there are two statutes named Town Improvement Act 1953 and Dhaka City Corporation Ordinance 1983, enforcement authorities are *Rajdhani Unnayan Kartipakkha (RAJUK)* and Dhaka City Corporation (DCC) respectively. Other Divisional Cities (except *Sylhet* and *Barisal* Division) named *Chittagong*, *Rajshahi* and Khulna preserving the same concept i.e. two statutes and two authorities named Development Authority and City Corporation under Development Authority Ordinance and City Corporation Ordinance. For the Pourashava area, Pourashava Authority according to the Pourashava Ordinance 1977 and Municipal area, Municipal Authority under the Municipal Administration Ordinance 1960 is maintaining role on the building construction. Local Government Ordinance 1976 and Thana Parishad Ordinance 1983 controlling building construction in Thana area enforcing by the authority named Thana Parishad.

About 31 statutes are involved with building construction of Bangladesh. Among them, eight statutes are considering as the basic statutes for the establishment of any buildings, largely on urban premises rather than rural areas. Only Building Construction Act 1952 is considering for rural housing or building construction. Section 3(1) of the said Act is the regulatory laws of rural settlements. The statutes and enactments, which are regulating the development of urban settlements and their enforcement authorities, are presented in Table-1. The enforcement authorities are maintaining their role on building construction in some particular ways that is – Sanctioning of building plan; Frame court cases in case of disputes; Control haphazard development according to the use restrictions; Control building height and density; Prevent unauthorised construction through notice and demolishing process.

Table -1: Statutes and enforcement authorities

Enforcement authorities	Name of the statutes
Ministry of Works	Bangladesh Abandoned Property (Land and Building) Rules, 1973.
	Bangladesh Abandoned Property (Buildings in urban Areas), Rules, 1972.
District Governor	District Administration Act, 1975.
Collector	Bengal Development Act, 1935.
	Constitution of Municipalities Ordinance, 1958.
	Bengal Municipal Act, 1932.
Deputy Commissioner, All development authorities and Local authorities.	Building Construction Act, 1952.
	Building Construction Rules, 1953
	Building Construction Rules, 1984.
	Building Construction (Amendment) Rules, 1996.
House Building Finance Corporation	House Building Finance Corporation Act, 1952.
	House Building Finance Corporation Ordinance, 1973.
	Bangladesh House Building Finance Corporation Order, 1973
Municipal authorities	Government Buildings Act 1899.
	Municipal Administration Ordinance, 1960.
Pourashava Authority	Pourashava Ordinance, 1977.
	Union Parishad and Pourashava (Special function) Ordinance, 1991.
Rajdhani Unnayan Kartipakkha	Town Improvement Act 1953.
Chittagong Development Authority	Chittagong Development Authority Ordinance, 1959.
Khulna Development Authority	Khulna Development Authority Ordinance, 1961.
Rajshahi Development Authority	Rajshahi Town Development Authority Ordinance, 1982.
Chittagong City Corporation	Chittagong City Corporation Ordinance, 1982.
Rajshahi City Corporation	Rajshahi City Corporation Ordinance, 1987.
Dhaka City Corporation	Dhaka City Corporation Ordinance, 1983.
	Dhaka Municipal Corporation Act, 1974.
Khulna City Corporation	Khulna City Corporation Ordinance, 1986.
	Khulna Municipal Corporation Ordinance, 1984.
Thana Parishad	Local Government Ordinance, 1976
	Thana Parishad Ordinance, 1976.
	Thana Parishad Ordinance, 1983.
	Local Government (Thana Parishad and Thana Administration Reorganisation) Ordinance, 1982.

Constitution of building laws was administered at first when the British government pronounced Bengal Municipal Act 1932. However, prime objective of that Act was collection of municipal taxation. From 1932 to 1952, Municipal Ordinance individually controls the private housing and building construction. Construction of government buildings is regulated by the enactment named Government Buildings Act 1899. After 1952 to 1996, about 31 statutes have been constituted and amended according to the necessity of the society regarding the building construction. Among them (except amendment), Building Construction Act 1952 is vigorously using by the authorities. In case of public building, setback rule prescribed in the Building Construction Act 1952 is not maintaining as like private building. Development authorities and Local Governments (except City Corporations) are empowered to act as the approval authority of building plan.

AN OVERVIEW OF THE KHULNA CITY

The Study Area named Khulna City comprises with an area of 45.65 sq. km. and with the population of 15 lakhs (1998). In the year of 1884 Khulna became a Pourashava with an area of 11.89 sq. km. The City is surrounded with the rivers named *Rupsha* and *Bhairab*. The Study Area is situated on the south-western part of Bangladesh. Among six divisions of Bangladesh, Khulna is acting as a Divisional Headquarter with all the public authorities. Khulna Metropolitan Area is jurisdictioned by the Khulna City Corporation with 29 Wards. According to the Census Year 1991, there were 388645 households in Khulna Zila. Household size in the Statistical Metropolitan Area was 5.31 in the year 1991. Khulna Development Authority enforcing the regulations on settlement of Khulna City.

Like other development authorities in the country, Khulna Development Authority (KDA) is also performing the same activities. Table-2 is representing the schemes executed by Khulna Development Authority (KDA) with government finance in different years.

Another authority named National Housing Authority (NHA) is also establishing organised housing areas in the Khulna City. Except these two authorities, other government authorities are also establishing settlements according to their needs with a procedural permission from KDA. This development does not make any

conformity with the contemporary regulations in the country. But, it perceived a major role on the urban development process.

Table-2: Schemes executed by KDA with government finance in different years

Name of schemes	Cost In million Tk.	Year of completion
KDA staff quarter.	45.889	1978-79
KDA office building.	16.325	1965-66
Extension of KDA office building.	4.976	1976-77
Development of residential zone at Sonadanga (Phase-1).	53.397	1978-79
Development of residential zone at Mujgunni (Phase-1).	149.572	1981-82
Development of rehabilitation zone at Gallamari (Nirala).	141.073	1980-81

Source: Khulna Development Authority, 1998.

There is no any regulation on the real-estate development in Bangladesh. There are 11 planned housing areas developed by KDA and NHA in Khulna City. Table- 3 & 4 is showing the major planned housing areas developed by KDA and NHA. Table-3 presents partial information on five residential neighbourhoods prepared by the KDA in different years. All the projects need different phases in different years. Number of plots and buildings may be changed throughout the years.

Table-3: Residential neighbourhood developed by KDA in different years

Project name	Area in hectare	Plot Size (in katha)	No. of plots	No. of buildings constructed
Sonadanga (Phase-1)	11.71	2.5 to 10	208	140
Muzgunni (Phase-1)	21.18	2.5 to 10	298	66
Muzgunni (Phase-2)	6.01	3 to 7.5	215	07
Nirala	27.24	3 to 7.5	542	125
Daulatpur	2.24	2.53 to 5.33	81	-
Total	68.38		1344	338

Source: Khulna Development Authority, 1998.

KDA is the only public sector, which is still

continuing with its housing program since its inception. Currently KDA is going ahead with a low-income sites and services housing project at *Mirerdanga*. It has also formulated 5 other sites and services projects that are at various stages of approval. The 29.64 acre *Mirerdanga* low-income housing project will generate about 778 plots. Table-4 presents the planned-housing areas developed by KDA and NHA upto the year 1997. During the year of 2000, KDA have been prepared three low cost housing areas in different part of the city. About 1400 plots in three low cost housing areas have been prepared and delivered to the purchasers.

National Housing Authority (NHA) have been prepared only two projects but alone *Khalishpur* housing project may be counted as nearly 50% of all the projects prepared by the KDA. The standard of population does not maintained by the authority during the preparation of the project. Table-4 and 5 are presents information on the low-income housing in Khulna City.

Table-4: Planned-housing areas developed by KDA and NHA, 1998

Project name	Area in acre	No. of plots
KDA		
Shiromoni Low cost housing	40.00	234
Mirerdanga Low cost residential area	43.91	784
Fulbari Low cost housing area	19.65	369
Mujgunni residential area	67.00	670
Sonadanga residential area (2 nd Phase)	34.84	445
Sonadanga rehabilitation zone	28.94	205
Daulatpur residential area	5.53	82
Nirala residential area	67.00	487
Sonadanga Low cost housing area	5.00	107
NHA		
Khalishpur housing area	402.62	1789
Boira housing area	29.59	458

Source: Khulna Development Authority & National Housing Authority, 1998.

KDA has already developed two housing projects at *Sonadanga* – one for low income and other for higher income people. Another project for high-income people is underway in *Sonadanga* area known as *Sonadanga Phase 3*. This project will generate about 1366 plots of various sizes. Apart from housing and ancillary facilities, the area will have ample land earmarked as waterfront open spaces. The cost of the project will be Tk.5790.21 million and is expected to be clear up soon by the Planning Commission of Bangladesh. Low-income housing project near *Fulbarigate* is waiting for government approval. This project

will cover an area of 20 acres. Under this project single story housing units will be built on 369 small plots for sale to the industrial workers and low-income people.

Table-5: Current and Future Housing Projects of KDA.

Project name	Estimated cost (Tk. In million)	Area In acre	No. of plots
Residential area for low income people at Mirerdanga	410.42	29.64	778
Industrial workers and Low income housing project near Fulbarigate	327.00	20.00	369
Sonadanga residential area (3 rd Phase)	5790.21	122.66	1366
Rupsha satellite town	1956.25	99.99	321
Ahsanabad residential area	N.A	540.00	1500
Sundarban residential area	5181.00	145.00	1140

Source: Khulna Development Authority, 1998.

PROBLEMS WITH LEGAL ENDORSEMENT

A large number of statutes are regulating the development of urban settlements of Bangladesh. Different type of these statutes are not involved with different type of settlements, most of them are on the buildings only. High rise building, tall building, housing development, normal residential building, settlement with C.I.sheet, wood, thatch, leaves, paper, mud, jute bag, etc. are establishing with the enforcement of same regulations.

Building Construction Rules 1996, Municipal Administration Ordinance 1960 and Pourashava Ordinance 1977 is enforcing regulations on the construction of building, not on the use of buildings. In another way, Town Improvement Act 1953, Chittagong Development Authority Ordinance 1959, Rajshahi Town Development Authority Ordinance 1976 and Khulna Development Authority Ordinance 1961 is controlling the use of buildings through their prescribed regulations. According to the contemporary regulations on urban settlements, residential urban settlements can be categorised as - tall building flats (upto 20 storied), flat buildings (atleast six storied), normal buildings (one to four storied), semi-pucca buildings (floor and wall made with brick but roof with C.I.sheet) and temporary structures. But the regulations framed in the Ordinances of Development Organisations are on the flat buildings and normal buildings only.³ Building Construction Act 1952 is framed regulations on semi-pucca and temporary structures and both the authorities are also responsible to control such structures. So a conflict always arises between the Development Authorities and Deputy Commissioners that who will enforce the regulations on semi-pucca and katcha structures, as a result, semi-pucca and temporary structures in the urban areas (mainly in Divisional Cities) are constructed without approved plan. Same scenarios are prevailing in Pourashava and Municipal areas.

Obsolete regulations: It is evident from the Building Construction Rules 1996 that the definition of some objects and subjects does not included, it will be followed according to the Building Construction Act 1952. It means that fundamental articles of the regulations are as same as 47 years before. Section 3(1) of the Building Construction Act 1952 is stated that, "*no person shall, without the previous sanction of an Authorised Officer, construct or re-construct or make addition or alteration to any building, or excavate or re-excavate any tank or cut raze any hill within the area to which this Act applies; and such sanction shall be subject to such terms and conditions as the Authorised Officer may think fit to impose.*" This statement is same as the Building Construction Rules 1996. Section 3 of the Government Buildings Act 1899 is pronounced that, "*nothing contained in any law or enactment for the time being in force to regulate the erection, re-erection, construction, alteration or maintenance of buildings within the limits of any municipality shall apply to any building used or required for the public service or for any public purpose, which is the property, or in the occupation, of the government, or which is to be erected on land which is the property, or in the occupation, of the government*". On the basis of this statement, all the government authorities collect an approval of the plan which, may not be the conformity to the Master Plan or any other plan, or may not be appropriate with the setback rule prescribed in the Building Construction Act 1952. An example may be produced here that, a staff quarter with ten four-storied building will be constructed on one-acre land. What will be the setback rule? Recreational facilities like stadium will be constructed by the public authority, but what will be the setback rule? Section 98(1) of the Pourashava Ordinance 1977 is framed regulations on the approval of the building plan. In the section it was stated that, "*no person shall erect or re-erect a building or commence to erect or re-erect a building unless the site has been approved, and the building plan has been sanctioned by the Pourashava.*" Municipal Administration Ordinance 1960 is also same as Pourashava Ordinance.

All of the above statement proves that, they are obsolete regulations in a sense that the construction type, procedures, material used and building types is rapidly changed after the year of 1980. This changing form of construction could not be coincided the regulations framed 20 to 40 or 100 years before. The regulations are amending day by day on the setback rule. But, the amendment could not be coincided with the modern objectives of the building construction.

Intervention of regulations: It is evident from the above discussions that control over building construction in urban areas followed the Building Construction Act 1952 executed by the Deputy Commissioner or any prescribed authority. However, conflict arises when Deputy Commissioner, Development Authority, City Corporation is tried to execute their statute on a city area. Because all of this three authorities preserve the right to execute building regulations prescribed in their statute. Again, Deputy Commissioner is empowered to control building construction in Pourashava and Municipal areas, at the sametime Pourashava authority and Municipal authority is entitled to execute their Ordinance. Therefore, a conflict always arises on the executional responsibilities of the regulations. Though, in the section 77(1) of the Town Improvement Act 1953 is further stated that, *"all plans for the erection of buildings approved under the provisions of the [Pourashava Ordinance 1977] and [Dhaka Municipal Corporation Act 1974] shall be submitted to the Chairman for sanction"*. Except Dhaka City, different authorities in all other divisional cities may enforce building construction regulations.

Deputy Commissioner is performing the jurisdictional right to enforce the regulations on unauthorised construction. But, in a general picture it is known to all that Deputy Commissioner enforce his power on the unauthorised temporary constructions in and outside the city premises. Except Deputy Commissioner, City Corporation, Pourashava, Municipality and Union Parishad are also entitled for this type of control. It may be viewed in the section 99(3) of the Pourashava Ordinance 1977 that, *"if a building is required to be demolished under the provisions of sub-section (2), and such requirement is not complied with within the specified period, the Pourashava may have the building demolished through its own agency, and the cost incurred thereon by the Pourashava shall be deemed to be a tax levied on the owner or occupier of the building under this Ordinance."* It is same for the City Corporation, Municipality, Thana Parishads and Zila Parishad. So, two or more authorities may enforce regulations on unauthorised construction in every urban centre of Bangladesh.

Approval of the building plan: Sanction of building plans for the private owners of land also the duties of development authorities which is followed the set-back rules stated in the Building Construction Rules 1996. Except four development authorities, Pourashava authority and Municipal authority is also perform these jobs (sanction of building plans) according to the regulations stated in their statutes. The duties empowered on them according to the section 98 to 100 of Pourashava Ordinance 1977 and section 77 to 79 of Municipal Administration Ordinance 1960. According to the section 7 of the Building Construction Rules 1996 the authority should approve the plan within 30 days and 45 days in case of semi-pucca / katcha structures and pucca structures respectively. In an another Ordinance, it is stated that *"all building applications presented shall be disposed of as early as possible, but not later than sixty days from the date of the registration of the application, and if no order is passed on an application within sixty days of its registration, it shall be deemed to have been sanctioned to the extent to which it does not contravene the provisions of the building bylaws, or of the Master Plan or Site Development Scheme, if any"*.⁴

Use restrictions: Problems of the building construction is primarily involved within the regulations prescribed by the government. Type of land use is controlled through the master plan. Where master plan is absent, use restriction may not be followed in a planning manner and it is happening in all the urban areas of Bangladesh. Use restriction on urban land is the pre-requisite for planned urban development. Preparation of master plan is always followed the use of land. Use restriction is controlled by the setback rules prescribed by the authority. This restriction is mainly followed two directions - use restriction and height restriction. A comparison of setback rules on the residential use of land according to the Building Construction Rules 1984 and Building Construction Rules 1996 are presented here. The comparison (in Table-6) is representing a homogenous picture on the building construction in the urban areas. Upto the year 1995 the setback of the building was more than the setback prescribed in the year 1996.

It is proving that development activities will more congested after 1996 with the increasing of bulk density. As the setback rules on residential establishments, setback rules on other establishments are also changed in the year of 1996 than 1984. This changing picture is quite satisfactory rather than the changes of residential setback rules.

Table-6: Setback rules on the residential buildings

Plot size (in Sq. m.)	From rear boundary (in m.)		From either side (in m.)	
	1984	1996	1984	1996
Upto 134 (2 katha)	1.50	1.00	Nil	0.80
Upto 200 (3 katha)	1.50	1.00	1.25	1.00
Upto 268 (4 katha)	1.75	1.50	1.25	1.00
Upto 335 (5 katha)	2.50	2.00	1.25	1.25
Above 335	3.00	Nil	1.25	Nil

Source: Building Construction (Amendment) Rules, 1996.

Height restrictions: Building height is restricted due to the different causes such as presence of airport, governmental security and betterment of the existing road. Contemporary regulations of Bangladesh on height restriction are considered existence of airport only. Table- 7 and Table- 8 is presenting the height of the building prescribed in the Building Construction Rules 1996. Again, in the Civil Aviation Authority Ordinance 1956, regulations on the building height adjacent to the *Zia International Airport* of Dhaka, prescribed that -

1. Any construction work should not be performed within 500 feet radius of the center of airport runway.
2. Construction work may be permitted from 500 feet radius to 13000 feet radius of the airport runway center, but the ratio of development height should be followed 7:1 and maximum 150 feet height.
3. From 13000 feet radius to 20000 feet radius of the airport runway center, maximum height of the construction work should be 500 feet, but the ratio should be followed 20:1.
4. The height should be restricted upto 500 feet from 20000 to 50000 feet radius of the airport runway center.
5. Construction work should not be performed from the end of runway to 500 feet radius.
6. From 500 to 13000 feet radius of the end of runway, the ratio of height should be maintained 50:1.
7. From the end of runway to 20000 feet radius, height of the construction work should be restricted according to the ratio of 40:1.
8. Construction work may be permitted upto 500 feet height, from the outskirts of 20000 feet radius.
9. If 150 feet construction work is performed within the 13000 feet radius of the airport runway center, a red light always be visible on the top of the construction work according to the regulations of Civil Aviation Authority Ordinance 1982.

Table-7 presents setback from nearby road edge to the building line according to the building height. But in the rehabilitation zone like *Mohammadpur* and *Shajahanpur* in Dhaka height is not restricted. For other areas setback rule generally restrict the height. So it may be said that the prescribed height regulations is only for the surrounding areas of airport.

Table-7: Height restriction of the building according to the Rule of 1996

Height = 2 X (road width + setback space from road edge to building line)	
Building height (in metre)	Permissible building height (in metre)
7.6 to 10.59	9.5
10.6 to 13.59	12.5
13.6 to 16.59	15.5
16.6 to 19.59	18.5
19.6 to 22.59	21.5
22.6 to 25.59	24.5

Source: Building Construction (Amendment) Rules, 1996.

According to the Table-8, building height may be controlled on the presence of existing width of road. When road width is about 5 to 8 metre, 3-storied building may be constructed. But in urban areas of Bangladesh, there are multi-storied buildings on the 8 metre width roads. The development authorities are also permitting these constructions. The table is also producing that, in case of height restriction there are two alternatives one is general and other is special. But, question is raised that, who will be the controlling authority to restrict the building height, Civil Aviation Authority or Development Authority, or both?

Table-8: Building height according to the road width

Existing road width (in metre)	Permissible building height (in metre)
4.55 to 7.59	18.50
7.60 to 10.66	27.50
10.67 to 15.24	42.50
15.25 to 22.99	60.50

When road width exceed 23.0 metre the above restriction will not be applicable.

Source: Building Construction (Amendment) Rules, 1996.

Change of building plan & repair works: Any repair works of building is controlled according to the section 3(4) of the Building Construction Act 1952. The section is prescribed that *'the provisions of sub-section 3(1) shall not apply to normal repairs to existing building'*. It means that throughout the year a sanctioned plan may be changed with the continuation of the normal repairs. The Building Construction Act 1952 does not define the normal repairs. In a Court Case it is stated that *"the phraseology 'normal repairs' means the kind of repairs which the owner of a building is called upon to undertake in order to repair damages caused by normal wear and tear. It does not include abnormal repairs. Generally speaking, it would not be difficult to realise the connotation of the expression 'normal repairs' although it is difficult to define its precise limits,"* Nur Jahan Begum Vs. Authorised Officer, Chittagong Development Authority.⁵

There are some natural practices by the building owners that internal arrangement of a plan be changed according to the wishes of the owner. But this non-conformity with the sanctioned plan may not be punishable or cancellation of the plan due to the actual documents supplied by the authority, Pariman Hashi Grosser Vs. Authorised Officer, Chittagong Development Authority.⁶ The contemporary regulations could not controlling the changing character of internal arrangements of a building and housing lot prepared according to the sanctioned plan by the development authority. In the Town and Country Planning Act of England, the concern authority should approve any internal arrangement or repairing work of a building. The scenario is same in the India. In a court case *"where permission was given to the plaintiff under section 237 of the Bengal Municipal Act 1884, to repair the roof and certain walls of his house, and in order to effect such repairs he found it necessary to renew some of the walls or parts of the walls of the upper storey and also to renew some of the woodwork of a balcony which he was thus obliged to pull down and put up again; held that there was neither an erection nor a reerection of a house within the meaning of section 240 of the Act, nor was there any material alteration of the house within the meaning of the same section."* Chairman of Gaya Municipality Vs. Shamlal Gupta⁷

Control on private housing estates: It is absolutely abnormal that dwelling unit and flat building are in same meaning and in same regulations. Because meaning of this two are different. Dwelling house does not include a building containing one or more flats, or a flat contained within such a building. *The term 'flat' means a separate and self-contained set of premises constructed or adopted for use for the purpose of a dwelling and forming part of a building from some other part of which it is divided horizontally.*⁸ In Bangladesh, private real estate developers are constructing flat buildings through the approval of dwelling house regulations.

Lengthy process of legal action on unauthorised construction: All unauthorised construction may not be demolished and the question of conviction may not be raised due to the legal gaps of the contemporary regulations of Bangladesh. It is evident from a Court Case that *"removal / demolition of unauthorised construction without sanction of building plan may not be demolished all time due to the question of natural justice,* Habibullah Chowdhury (Md) Vs. Rajdhani Unnayan Kartipakkha and another."⁹ Moreover, for the prevention of haphazard development and building construction the legal actions is too lengthy.

RECOMMENDATIONS

From the outlined problems it is clearly viewed that, problems are inherent in the contemporary regulations and their execution procedures. Absence of some necessary regulations is also the cause of problems. The disputes arises among the private building construction is mostly followed two ways i.e. unauthorised construction or construction of building without formal approval of a plan and construction with encroachment of the plot. In a court case it is clearly stated that, *"the Authorised Officer is empowered to vacate any building constructed by the owner without sanction."* Anwar Ali (Md) Vs. Chairman, RAJUK.¹⁰ It is obvious, from this point of view that, after the approval of any plan, except the approved setback all other arrangements can be changed by the landowner without prior approval of the authority. This is a legal gap, because, if we make a question that, what is the objective of Building Construction Act, to generate open space only or buildings in a planned manner? In consideration of the above problems, following recommendations are prescribing primarily:

- It can be observed on the amendment of the Building Construction Rule from 1984 to 1996 that, an improved and more detailed amendment has been furnished gradually. But, the latest (1996) amendment is not covered all the objectives of the construction of building and control on it. The objectives of the preparation of Building Construction Act 1952 was as follows:

"Improvement of certain areas in the Province in a planned manner is under the consideration of Government, and schemes relating to Dhaka and Chittagong and their adjoining areas are already in hand.

Since the provisions in the existing laws relating to control over construction of buildings, etc. are not adequate or sufficient for the purpose and immediate steps were urgently necessary. In the public interest, to prevent haphazard construction of buildings and excavation of tanks, etc. which were likely to interfere with planning, an Ordinance namely, the East Bengal Building Construction Ordinance 1951. It is providing for the required powers promulgated some time back when the Provincial Legislature was not in session, pending enactment of an Act to that effect. As the planning work will require considerable time, it is considered necessary to continue in force the provisions of the said Ordinance, which will cease to operate on the 31st October 1952.”¹¹

The above objective is pointed out the rules on building construction for planned development. In one sense (i. e. ensure planned development) it is correct. But, at present, objective of the building construction regulations is not only for the planned development of urban areas, also for the restriction of height, control on building and population density, maximum use of land, control on land value, availability of infrastructural facilities and creation of better living environment. All these objectives should be reflected in the amendment furnished by the government on the regulations of building construction.

- Different enforcement authorities and statutes are generating conflicts on the enforcement procedures of building construction regulations. Importance of the places, development trend of the urban areas, existing development of the public services (including administration) are establishing different type of settlements, but, there are large number of regulatory interventions on the establishment and control of these settlements. It should be in mind that, objective of the preparation of Building Construction Act was based on the city named Dhaka and Chittagong and their vicinity, but importance of all other cities in Bangladesh are not like Dhaka and Chittagong. All cities in Bangladesh will not be developed as like Dhaka. Urban development activities are not the criminal offences (except in certain cases) that the regulations will be same for all cities like crime. So, regulations should be different for different cities of Bangladesh.

In another way, commercial establishment and maintenance are enforcing by the Local Government through Shops and Establishments Act 1965, East Bengal Shops and Establishments Act 1951 (E.B. Act I of 1952) and Development Authority through Building Construction Rules 1996. There are three types of commercial establishment in the urban premises i.e. administrative and official building, departmental store and retail shop. Setback rules on the commercial building is stated in the Building Construction Rules 1996 that, *1.5 meter space will remain vacant on the front and back side of the building*. This is not sufficient for the control of three types commercial establishment. Three types of regulations should be provided in consideration with the importance of places i.e. Central Business District, Other Urban Areas and Urban Fringe Areas.

In the regulations of industrial building, Building Construction Rules 1996 is prescribed setback rule that, *two third of the site may be used for construction and 2.5 meter should be vacant on the either side and back side of the building*. This is not appropriate for all type of industries. In another way, there are confusions on the enforcement authorities. In the section 8(2) of the Factories Act 1965 it is stated that, *“if, in accordance with the provisions of section 8(1)¹² an application for permission accompanied by the plans and specifications is sent to the Chief Inspector and no order is communicated to the applicant within two months from the date of its receipt by the Chief Inspector, the permission applied for in the said application shall be deemed to have been granted”*. It is proving that, Chief Inspector is sole authority for the sanctioning of approval of a factory / industry not the Authorised Officer of a Development Authority nor the Local Government of an urban area (except the divisional towns). The scenario is almost same for the establishment of small and cottage industries. To remove these problems, an independent Minor Act should be framed on the establishment and maintenance of all type of industries in the country.

- Except residential building, let us study on other structures of urban areas. In Dhaka, Chittagong, Rajshahi and Khulna where Development Authorities are present, dual approval system are continuing regarding the construction of commercial activities and hotel / restaurant. Development Authority is enforcing setback rule according to the Building Construction Rules 1996 and Deputy Commissioner are enforcing Bangladesh Hotels and Restaurants Ordinance 1982 (No. LII of 1982). Setback rule on the hotel and restaurant is stated in the section 23 of the Building Construction Rules 1996 that, *two-third of the site may be covered by the construction and 2.5 meter on back side, 1.25 meter on either side should be vacant*. Development Authority approves permission on the plan according to the setback rule prescribed in the Rules of 1996. Deputy Commissioner is also approve a permission according to the section 2(c) of the

Bangladesh Hotels and Restaurants Ordinance 1982 where stated that, *"no hotel or restaurant shall be registered unless - the building is structurally safe and adequately protected against fire or an accident arising out of electricity or gas and safety of the guests or customers is ensured."* Other than divisional cities, Local Government named Municipality and Pourashava are entitled for the execution of these regulations; their approval procedure is too weak due to the absence of necessary manpower.

For a suitable planning permission a set of regulations on the application procedure should be prescribed in the statute on building construction. The procedure may be followed as the section 2 of the Town and Country Planning (applications) Regulations 1988. It was stated in the regulation that, *every establishment should be followed an outline planning permission. The outline planning permission means, planning permission for the erection of a building, subject to a condition requiring the subsequent approval of the local planning authority with respect to one or more reserved matters, that is to say - siting, design, external appearance, means of access and the landscaping of the site.*

- There are two statutes and two authorities on height restriction of the building. Building height within a certain area around the airport (only where airport is existing) is controlling by the Civil Aviation Authority and rest of the urban area is controlling by the Development Authority and Local Government. Height of the commercial and industrial development as stated in the Building Construction Rules 1996 is not sufficient. Regulations of the height on the residential building in the Central Business District (CBD) area should be different rather than other urban areas.

There should be specific regulations on the use of land as like height restriction. The contemporary regulation is stated that, *in case of landuse, published Master Plan of the area should be followed.* This is a veggie term through which disputes may be arrised. In another sense, where there is no any Master Plan what will be the procedure of land use control? The contemporary regulations make answer that, all the local government bodies are empowered for the preparation of Master / Development Plan, but actually it is not preparing. So, haphazard developments of landuses are prevailing all over the urban areas in the country. It is necessary to incorporate the regulations on landuse restrictions primarily in the Building Construction Act, as like height restrictions, as early as possible. It is mentioning that, setback rule is a part of the use restriction, it does not confirm the locational use of the land, which is urgently needed for the planned development of urban areas.

- It is stated in the Building Construction Rules 1996 that, *when the government is satisfied that the existing use of any land or building does not conform to the scheme of land utilisation indicated in the Master Plan to remove or dismantle such building.*¹³ This is the only regulation on the control of unauthorised construction. Process on this control conceived too much times and steps. Explanation of the section 3A of Building Construction Act is clearly a time consuming evidence that, *"the owner, occupier or the person in charge of the land or building shall be given six months time before effect is given to the order of discontinuance of such use and twelve months time before effect is given to the order of removal or dismantlement of the building"*. Further explanation of the same section is stated that, *"no existing or future use of any land or building for combined residential and commercial purpose shall be discontinued or prohibited unless, in any particular case, such use militates against the dominant character of the scheme of land utilisation as indicated in the Master Plan and constitutes a nuisance generally to the zone and particularly to the neighbourhood in which the land or building is situated"*. This explanation generating problems on the documentary evidence necessary for a Court Case within short time.

Process of the control is followed by the Authorised Officer with some particular steps, i.e. i) direction given through notice by the Authorised Officer within a particular time by written statement to the owner, ii) Authorised Officer write to the Chairman or concern authority for further steps when the owner fails to comply with the direction given by the Authorised Officer. So, it is clear that, the Authorised Officer is empowered only to serve direction to the owner. This is producing lose control over the unauthorised construction. For strict control on unplanned and unauthorised construction the Authorised Officer should be empowered with more regulatory establishments.

- Section 12 of the Building Construction (Amendment) Rules 1987 is prescribed that, *"whoever commits an offence by contravening the provision of section 3 or section 3B or section 4 shall on conviction before a court of competent jurisdiction, be punishable with imprisonment for a term which may extend to two years, or with fine, or with both."* The above regulations for all the private developments, which may be residential development, commercial and industrial establishment, what so ever, not for any public development.

In the section 187 (1) and (2) of the Town Improvement (amendment) Act 1991, it is prescribed that, "*the Court, convicting any person under section 185 or section 186, shall order the removal of the unauthorised construction, if any, by such person within a time to be fixed by the Court*" and "*if such person fails to remove the unauthorised construction within the time fixed, it shall be lawful for the Kartipakkha to cause such construction to be removed, and the cost of such removal shall be recoverable from that person as a public demand*" respectively. The said regulations are emphasising that, for the unauthorised construction Court Case must be framed. Without Court Case decision will not be arrived and the said Court will be judged the penalties. If the prescribed authority (RAJUK) enforce the judgement, it will take further delaying process by a Court Case under the Public Demand Recovery Act. And, this is only for residential construction, because there is no any example (emphasized on Court Case) on the commercial and industrial establishment. Again, in the section 140 of the Pourashava (Amendment) Ordinance 1988, it is stated that, "*an offence under this Ordinance shall be punished with fine which may extend to five hundred taka, and if the offence is a continuing one, with a further fine which may extend to twenty taka for every day after the date of the first commission during which period the offender has persisted in the offence*". The said offence is not directly with the unauthorised construction, generally construction of building without approval.¹⁴

The above statement is proving that there are legal gaps among the penalties stated in the statutes. For unauthorised construction, penalties stated in the Building Construction (Amendment) Act 1987 may be sufficient for residential establishment, but, not sufficient for commercial and industrial establishment, or any other development. The word 'unauthorised' includes covered area, restricted height and material used in the construction of the building. But, the contemporary regulations are only enforcing the covered area used by the construction. Except these, a wide range of lacking is existing in the unauthorised construction of recreational facilities, socio-cultural and educational establishment. So, penalties should be incorporated with the specification of all type of unauthorised development activities and it should be varied.

CONCLUDING REMARKS

It is obviously true that, all sorts of development is guided better with better regulations and enforcement procedures. The regulations, which are better today, should be backdated tomorrow. In consideration with this reason, procedure of amendment is following by the government. But this amendment must be viewed with the present objectives of the society and nation. In Bangladesh, all physical development activities including physical planning objectives are controlling with the regulations established before 30 to 100 years before. Within this time amendment is also prescribed by the Government, but, these amendments are not consistent with the modern development activities. As a result, development control falls flat on one's face.

Better regulations do not confirm the better development. Confirmation of better development depends on the efficient execution of the regulations. And, these efficiencies depend on the well known about the duties and responsibilities and faithful employees. This is also a drawback of efficient execution of regulations in Bangladesh. So it is needed to arrange training of the employees on the duties and responsibilities including prescribed regulations. The regulations on residential establishment in Bangladesh are sufficient, but regulations on commercial, industrial, recreational and socio-cultural development is too poor. This legal gaps are encouraging to establish the unauthorised construction both urban and rural premises. So, complete and individual regulations on the construction of commercial, industrial, recreational and socio-cultural establishment is urgently needed.

Notes

¹ Little (1977), Enforcement of Planning Control, P.59.

² Ibid.

³ For more detail, Town Improvement (amendment) Act, 1991 or Khulna Development Authority Ordinance, 1961 or Chittagong Development Authority Ordinance, 1953.

⁴ Section 77 (3) of the Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960).

⁵ 17 DLR, 1965, P.393.

⁶ 42 DLR, 1990, P.463.

⁷ Patna Law Journal, Vol.III, 1917, P.33.

⁸ Section 1(2), Town and Country Planning (General Permitted Development) Order 1995.

⁹ 43 DLR, 1991, P.187.

¹⁰ 44 DLR, 1992.

¹¹ The Dhaka Gazette, Extraordinary, 3rd October 1952, Part IVA, P.1740.

¹² Factories Act, 1965, section 8(1), The Government may – a) require that previous permission in writing be obtained in the prescribed manner from the Chief Inspector for the construction or extension of any factory or class or description of factories; b) require registration and licensing of factories or any class or description of factories and payment of fees for such registration and licensing or for the renewal of licences, in the prescribed manner.

¹³ For more detail, section 3A of the Building Construction Act, 1996.

- ¹⁴ Third Schedule, Sl. No. 4 of the Dhaka City Corporation (Amendment) Ordinance, 1994, 'erection or re-erection of a building without the sanction required under this Ordinance'. Same as Second Schedule, Sl. No. 4 of the Pourashava (Amendment) Ordinance, 1988 and Municipal Administration Ordinance, 1960.

References

- Little, A.J (1977), *The Enforcement of Planning Control*, Shaw & Sons Ltd. London.
- Government of United Kingdom (1997), *Town and Country Planning (General Permitted Development) Order 1995*, *Halsbury's Statutory Instruments*, Vol. 20.
- Government of the People's Republic of Bangladesh (1996), Ministry of Law and Parliamentary Affairs, Building Construction (Amendment) Rules, 1996 (Notification No. S. R. O. No. 112-L/96), *Dhaka Gazette*, Extraordinary, Dhaka, 18th July 1996.
- Government of the People's Republic of Bangladesh (1986), Ministry of Law and Parliamentary Affairs, Khulna City Corporation Ordinance, 1986 (Ordinance No. LV of 1986), *Dhaka Gazette*, Extraordinary, Dhaka, 9th July 1986.
- Government of the People's Republic of Bangladesh (1983), Ministry of Law and Parliamentary Affairs, Dhaka City Corporation Ordinance, 1983 (Ordinance No. XL of 1983), *Dhaka Gazette*, Extraordinary, Dhaka, 24th August 1983.
- Government of the People's Republic of Bangladesh (1982), Ministry of Law and Justice, Bangladesh Hotels and Restaurants Ordinance, 1982 (No. LII of 1982), *Dhaka Gazette*, Extraordinary, Dhaka, 12th December 1982.
- Government of the People's Republic of Bangladesh (1977), Ministry of Law and Justice, Pourashava Ordinance, 1977 (Ordinance No. XXVI of 1977), *Dhaka Gazette*, Extraordinary, 27th June 1977.
- Government of the People's Republic of Bangladesh (1976), Ministry of Law and Justice, Rajshahi Town Development Authority Ordinance, 1982 (Ordinance No. LXXVIII of 1982), *Dhaka Gazette*, Extraordinary, Dhaka, 19th October 1976.
- Government of the People's Republic of Bangladesh (1976), Ministry of Law and Justice, Thana Parishad Ordinance, 1976 (Ordinance No. XXXII of 1976), *Dhaka Gazette*, Extraordinary, Dhaka.
- Government of the People's Republic of Bangladesh (1973), Ministry of Law and Justice, Bangladesh Abandoned Property (Land and Building) Rules, 1973, *Dhaka Gazette*, Extraordinary, Dhaka, 21st June 1973.
- Government of the People's Republic of Bangladesh (1972), Ministry of Law and Justice, Bangladesh Abandoned Property (Buildings in the Urban Areas), Rules, 1972, *Dhaka Gazette*, Extraordinary, Dhaka, 23rd May 1972.
- Ashraf A. (1966), *The City Government of Calcutta: a study of inertia*, Asia Publishing House, Newyork.
- Government of East Pakistan (1965), Law Division, Factories Act, 1965 (Act No. IV of 1965), *Dhaka Gazette*, Extraordinary, Dhaka, 1965.
- Government of East Pakistan (1965), Law Division, Shops and Establishments Act, 1965 (Act No. VII of 1965), *Dhaka Gazette*, Extraordinary, Dhaka, 1965.
- Government of East Pakistan (1961), Law Division, Khulna Development Authority Ordinance, 1961 (Ordinance No. II of 1961), *Dhaka Gazette*, Extraordinary, Dhaka, 21st January 1961.
- Government of East Pakistan (1960), Law Division, Municipal Administration Ordinance, 1960 (Ordinance No. X of 1960), *Dhaka Gazette*, Extraordinary, Dhaka, 11th April 1960.
- Government of East Pakistan (1959), Law Division, Chittagong Development Authority Ordinance, 1959 (Ordinance No. LI of 1959), *Dhaka Gazette*, Extraordinary, Dhaka, 27th July 1959.
- Government of East Pakistan (1953), Law Division, Building Construction Act, 1952 (East Bengal Act No. II of 1952), *Dhaka Gazette*, Extraordinary, Dhaka, 21st March 1953.
- Government of East Pakistan (1953), Law Division, Town Improvement Act, 1953 (Act No. XIII of 1953), *Dhaka Gazette*, Extraordinary, Dhaka, 15th May 1953.
- Government of East Pakistan (1952), Law Division, East Bengal Shops and Establishments Act, 1951 (E.B. Act I of 1952), *Dhaka Gazette*, Extraordinary, Dhaka, 16th January 1952.
- Government of India (1899), Law Department, Government Buildings Act, 1899 (Act No. IV of 1899), *Calcutta Gazette*, 3rd February 1899.
- Government of East Pakistan, *The Dhaka Gazette*, Extraordinary, Part IVA, 3rd October 1952.
- Government of Bangladesh, High Court Division, *The Dhaka Law Reports*, Vol.17, January - December 1965.
- Government of Bangladesh, High Court Division, *The Dhaka Law Reports*, Vol.42, January - December 1990.
- Government of Bangladesh, High Court Division, *The Dhaka Law Reports*, Vol. 43, January - December 1991.
- Government of Bangladesh, High Court Division, *The Dhaka Law Reports*, Vol. 44, January - December 1992.
- Government of India, *Patna Law Journal*, Vol. III, 1917.