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GOVERNMENT OF THE PEOPLE'S REPUBLIC OF BANGLADESH

MINISTRY OF LABOUR AND INDUSTRIAL WELFARE

Section VII

ORDER

Dacca, the 14th January 1981

No. S.R.O. 11-L/81/20(1)/81.—Whereas the workmen of the Bayazid Industries and Chittagong Aluminium Works have gone on strike with effect from the 15th December, 1980;

And whereas the said strike has lasted for more than thirty days;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 32 of the Industrial Relations Ordinance, 1969 (XXIII of 1969), the Government is pleased to prohibit the said strike of the workmen of the Bayazid Industries and Chittagong Aluminium Works and to refer their dispute with the management to the Labour Court, Chittagong, for adjudication in pursuance of the provisions of sub-section (3) of that section.

By order of the President

A. H. M. NOORUDDIN

Deputy Secretary.

Section IV

NOTIFICATION

Dacca, the 13th January 1981

No. S.R.O. 12-L/81/SIV/Fund-7/80/20.—In exercise of the powers conferred by sub-section (1) of section 12 of the Plantation Employees' Provident Fund Ordinance, 1959 (E.P.Ord. XXXI of 1959), the Government is pleased to reconstitute the Board of Trustees for the Plantation Employees' Provident Fund with the following persons, namely:—

- (1) Director of Labour, Bangladesh—*Chairman.*

Employers' representatives

- (2) Mr. Syed Abid Hossain,
Managing Director,
National Tea Company Ltd.,
Ullah Mansion, 17, Kakrail Road, Dacca.

- (3) Mr. S. A. Matin,
Superintendent,
Surmah Valley Tea Co. Ltd.,
Luskerpore Tea Estate,
P. O. Chandpur Bagan, Sylhet.

Employees' representatives

- (4) Mr M. A. Matin,
President,
Bangladesh Tea Estate Staff Association, (C.B.A.) Sreemangal,
Sylhet.
- (5) Mr. Rajendra Proshad Bonarjee,
General Advisor,
Bangladesh Cha Sramik Union, (C.B.A.)
Sreemangal, Sylhet and Vice-President,
Bangladesh Federation of Labour.

Independent persons

- (6) Mr. Ali Emdad Khan,
Professor and Chairman,
Department of Accounting and
Dean Faculty of Commerce,
Chittagong University, Chittagong.
- (7) Dr. A. N. M. Azizur Rahman,
Professor and Head of the
Department of Theoretical Economics,
University of Dacca.

By order of the President

M. M. ZAMAN

Deputy Secretary.

MINISTRY OF PUBLIC WORKS AND URBAN DEVELOPMENT

NOTIFICATION

Dacca, the 14th January 1981

No. S.R.O. 13-L/81.—In exercise of the powers conferred by section 59 of the Rajshahi Town Development Authority Ordinance, 1976 (No. LXXVIII of 1976), the Government is pleased to make the following rules, namely:—

THE RAJSHAHI TOWN DEVELOPMENT AUTHORITY
(CONSTRUCTION AND EXCAVATION) RULES, 1980.

1. **Short title.**—These rules may be called the Rajshahi Town Development Authority (Construction and Excavation) Rules, 1980.

2. **Definitions.**—In these rules, unless there is anything repugnant in the subject or context,—

- (a) “building” includes a house, out-house, hut, wall, garage, latrine and any other structure whether of masonry, bricks, corrugated iron sheets, metal, tiles, wood, bamboos, mud, leaves, grass, thatch or any other material whatsoever, and also an oven constructed for the manufacture of bricks;
- (b) “construction”, with reference to the construction of a building, includes construction of any part thereof;
- (c) “ordinance” means the Rajshahi Town Development Authority Ordinance, 1976 (Ord. No. LXXVIII of 1976);
- (d) “owner”, in relation to a building or tank, means the person at whose expenses such building or tank is constructed or excavated and who has the right to transfer the same, and includes his heirs, assigns and legal representatives;
- (e) “schedule” means a Schedule annexed to these rules;
- (f) “section” means a section of the Ordinance; and
- (g) “tank” includes ditch, drain, well and channel.

3. **Application for sanction of the Authority.**—(1) Every application for sanction of the Authority for construction of a building, or excavation of a tank or the filling up of any low land or raising of any land under section 23 or, as the case may be, under section 29 shall be made in the form specified in Schedule I, and such form shall be made available from the office of the Authority and such Scheduled Banks of the Rajshahi Town as may be selected by the Authority for the purpose upon the cash payment of Taka Ten.

(2) An application under sub-rule (1) shall be accompanied by six copies of each of the following documents, which shall, collectively, constitute a complete plan, namely—

- (a) a site plan at the scale of 1" : 16' showing—
 - (i) the boundaries of the site and of any contiguous land belonging to the owner thereof; and

- (ii) the location of the site of the construction, excavation or filling up in relation to the area surrounding it to a distance of 40 feet;
- (b) a layout plan at the scale of 1" : 16' showing—
 - (i) the proposed site of the construction, excavation or filling up in relation to the total area of the relevant parcel of land owned by the applicant;
 - (ii) the measurement, in feet, of the front, back and side lines of the proposed construction, excavation or filling up, together with the space to be preserved vacant between such front, back and side lines and the boundaries of the parcel; and
 - (iii) the arrangement of the proposed rooms, staircases and sanitary facilities;
- (c) a building plan at the scale of 1" : 8' showing—
 - (i) details of the proposed construction, excavation or filling up including the purpose for which it is undertaken; and
 - (ii) additional details, if any, including—
 - (a) a plan of the structure above the plinth level showing the arrangement and proposed use of different rooms, windows and staircases together with their respective dimensions;
 - (b) the front elevation and height of the proposed building;
 - (c) a section through the staircases;
 - (d) a section and plan of the septic tank and soak well;
 - (e) the proposed method of disposing of drainage, both on the surface and underground; and
 - (f) the structural details of the foundation, roof, beams, pillars and stairs for multistoried buildings; and
 - (d) a mouza map, preferable that of cadastral survey or State Acquisition showing the location of the site designated by coloured lines.

(3) The complete plan mentioned in sub-rule (2) without erasures or attachments of any kind, duly signed by the owner of the land, together with one attested copy of his ownership deed and the requisite fee as shown in Schedule II along with the application shall be submitted to the Authorised Officer in person or by registered post:

Provided that if the estimated cost of the proposed construction exceeds four lakh Taka, the plans mentioned in sub-rule (2) shall be prepared under the supervision of an architect or planner duly licensed by the Authority and shall be signed by him.

Provided further, that if the applicant is not the owner of the land on which the proposed site is located, the application shall be accompanied by a written letter from the owner of such land indicating that he has no objection to the proposed construction, excavation or filling up, as the case may be.

4. **Requisition for further information.**—The Authorised Officer may, at any time after receipt of an application under rule 3, require further information to be furnished by the applicant and if such requisition is not complied with within three months from the date of receipt of such requisition by the applicant, the sanction under section 23 or 29 may be refused.

5. **Construction, etc., without sanction of the Authority.**—If any person shall have begun to construct any building, excavate any tank or fill up any low land without the sanction required by section 23 or 29 or if the person contravenes any condition specified in the sanction, the Authorised Officer may, at any time, issue upon such person a notice, in the form specified in Schedule III, directing him to show cause, within seven days from the date of receipt thereof, why the Authority shall not make a complaint under section 52 before a court of competent jurisdiction.

6. **Reply to notice.**—If a reply to the notice issued under rule 5 is received within the time provided therefor, the Authorised Officer shall accept the reply—

- (a) if the person pays the requisite fee under sub-rule (3) of rule 3, in case the construction of building, excavation of tank or filling up of low land, as the case may be, substantially meets the requirement of these rules or any regulations made under section 60; or
- (b) if the person agrees not to proceed with the works any more and takes reasonable measures to restore the property in question in its original condition, in case the construction of building, excavation of tank or filling up of low land, as the case may be, does not meet the requirement of these rules or any regulation made under section 60.

7. **Complaint before court of competent jurisdiction.**—If a reply to a notice, issued under rule 5 is not received within the time provided therefor, or if such reply is received but not accepted by the Authorised Officer under rule 6, or if a sanction is cancelled by the Authorised Officer under sub-section (3) of section 23, the Authority shall make a complaint against the person committing a breach of the provisions of the Ordinance before a court of competent jurisdiction.

8. **Service of notice.**—The notices issued by the Authorised Officer under sections 24 and 25, and under rule 5, shall be served either by registered post or by messenger.

9. **Determination of compensation.**—(1) At the time of issuing a notice under section 24 the Authorised Officer shall offer to the owner such compensation as the Authority thinks fair and reasonable.

(2) In determining the quantum of compensation to be paid under section 24, the Authority shall be guided by the following principles, namely:—

- (a) the compensation shall be determined so as to represent the market value of the construction or excavation at the time of the issuance of the notice, plus a further sum equivalent to the cost of restoring the property in its original condition, where such construction or excavation:—
 - (i) did not legally require sanction from any authority at the time it was commenced; or
 - (ii) did require such sanction and was duly sanctioned and has been undertaken or completed in full compliance with such sanction; and

- (b) where such sanction was legally required prior to the commencement of any construction or excavation, and such sanction was received but was not thereafter observed in full the compensation shall be determined so as to represent the market value, at the time of the issuance of the notice of such construction or excavation as would have existed at such time if the terms of the sanction had been fully observed, together with the costs of restoring the site to its original condition.

10. **Vacant space requirements in a plan.**—(1) If there is no functional master plan applicable to the property in regard to which an application is submitted under section 23, the Authorised Officer in determining the vacant space requirements to be provided, shall take into consideration the following factors, namely:—

- (a) the need to preserve space between buildings in order to allow the passage of air, the movement of persons involved in cleansing or conservancy activities, the installation of public infrastructure facilities and services or other amenities; and
- (b) the need to ensure adequate space between building and street in order to protect the movement of traffic and pedestrians, to provide for the safe disposal of drain water and to ensure the ventilation of streets and public spaces.

(2) Where a functional master plan has been prepared and approved by the Government under the provisions of the Ordinance, the minimum standards of vacant space requirements shall be such as have been specified in Schedule IV.

(3) Notwithstanding anything contained in this rule, the vacant space requirements applicable to a special area, the Authority shall determine the vacant space requirements in a special area based on the requirements of the particular case and taking into consideration as well the needs and conditions of surrounding areas.

11. **Determination of height of a building.**—The height of every proposed building shall be determined by an imaginary line representing the hypotenuse of a triangle, the other two bases of which shall represent the entire width of any abutting road and the wall of the said building nearest to such road; and such hypotenuse shall not rise from the side of the road opposite to the said building at an angle exceeding 65 degrees.

SCHEDULE I

[See Sub-rule (1) of rule 3]

Application Form

1. Name of applicant _____
2. Postal address (village, mohalla, road, post office, thana, district) _____
3. Particulars of the plot where construction or excavation is proposed :
 - (a) Name of municipality _____ (b) Holding No. _____
 - (c) Street _____ (d) Ward No. _____
 - (e) Mouza _____ (f) Sheet No. _____
 - (g) Plot No. _____ (h) Area, in acre, of the applicant's share in the plot _____

FOR BUILDING :

1. (a) Total No. of existing buildings, if any _____
- (b) Total area covered by existing buildings, if any _____
- (c) Total No. of existing huts, if any _____
- (d) Total area covered by existing huts, if any _____
- (e) Total covered area of building or huts, if any, to be demolished on sanction of plan of the proposed construction _____
2. Covered area :

Ground floor	_____	Sft.
First Floor	_____	Sft.
Second Floor	_____	Sft.
3. Distance of the construction from the central line of the road or lane or common passage on which the plot abuts _____
4. Width of the road or lane or common passage mentioned at 3 above _____
5. Distance of the construction from the boundaries of the plot _____

From Northern boundary	_____	Ft.
From Eastern boundary	_____	Ft.
From Southern boundary	_____	Ft.
From Western boundary	_____	Ft.
From the nearest building	_____	Ft.

6. Is there any sewer line in the area? _____
 If so, distance of the sewer from the plot _____
 Whether the applicant proposes to
 connect the latrines to that sewer _____
7. Is there any septic tank in the plot (all new latrines must have septic
 tank or sewer connection and the location and design of the septic tank
 must be shown on plan) _____

FOR EXCAVATION

Particulars of proposed excavation _____

- (a) Area _____
- (b) Distance from road, lane or passage on which the plot abuts _____
- (c) Distance from other boundaries of the plot _____

FOR OVEN IN BRICK-FIELD.

Particulars of proposed oven in the brick-field _____

- (a) Existing or proposed _____
- (b) Mouza _____
- (c) Sheet No. _____
- (d) Plot Nos. _____
- (e) Type of land ownership _____
- (f) Total quantity of earth cutting in cubic feet _____
- (g) Estimated No. of bricks _____

GENERAL

1. What is the applicant's interest in the property on which the construction
 or excavation is to take place? _____
2. Has there been any prior refusal of an application relating to any const-
 ruction or excavation on this site or any case instituted in connection
 therewith under any law for the time being in force? _____
 If so, give details: _____
3. Has any notice been issued by the authorised officer relating to unauthorized
 construction or excavation on this site? _____
 If so, explain why the activity was begun without permission: _____

4. How is the proposed construction or excavation to be used ?

5. When is it proposed that the construction or excavation is to be begun ?

6. How long will it take to complete ? _____
7. What measures, if so required, will be taken to ensure the unhindered movement of traffic on public roads while the construction or excavation is taking place ?

I, Mr./Mrs./Miss _____, apply with _____ copies of site layout and building plans and a Bank receipt showing deposit Taka _____ and certify that the plans submitted are accurate to scale and all the information furnished above are correct and I request that the plan may be approved and sanction may be accorded to execute the work.

Dated _____

Applicant's Signature.

SCHEDULE II

[See sub-rule (3) of rule 3.]

The fees at the following rates are to be paid with an application under rule 3 through a bank draft in the name of the Chairman, Rajshahi Town Development Authority, namely :—

For construction of buildings :

Floor space	Taka
1. Upto 500 square feet	50
2. From 501 square feet to 1000 square feet	100
3. From 1001 square feet to 2000 square feet	200
4. From 2001 square feet to 5000 square feet	500
5. More than 5000 square feet	1000

For excavation of tanks :

1. Upto 1,00,000 cubic feet	100
2. From 1,00,001 cft to 10,00,000 cubic feet	500
3. More than 10,00,000 cubic feet.	1000

For Ovens in Brick-fields :

Ovens of any size	1000
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SCHEDULE III

[See rule 5]

Rajshahi Town Development Authority, Kazihat, Rajshahi.

Memo. No. _____ dated _____

From : The Authorised Officer.

To : _____

It has come to our notice that you, or persons on your behalf, have—

begun construction without sanction at _____

begun excavation or the filling up of land without sanction at _____

violated the terms under which sanction was accorded to your construction or excavation on _____
 _____ at _____

you are, therefore, directed to appear at this office within seven working days from the date of receipt of this notice with such evidence as you may wish to offer to show cause why the sanction if any, accorded to you should not be cancelled why a complaint should not be lodged against you in a court of competent jurisdiction under section 52 of the Rajshahi Town Development Authority Ordinance, 1976 (Ord. No. LXXVIII of 1976).

SCHEDULE IV

[See sub-rule (2) of rule 10.]

Minimum standards of vacant space requirements

(a) In old area (for residential building) :

Sl. No.	Plot Size	Front (in feet)	Rear (in feet)	Side (in feet)
1	Plot measuring less than 2 kathas	2	3	2
2	Plot measuring 2 kathas or more but less than 3 kathas.	4	5	3
3	Plot measuring 3 kathas or more but less than 5 kathas	6	6	3
4	Five kathas and above	8	8	3

(b) In old area (for residential-cum-commerical building):

Sl. No.	Plot Size	Front (in feet)	Rear (in feet)	Side (in feet)
1	Plot measuring less than 2 kathas	2	3	3
2	Plot measuring 2 kathas or more but less than 3 kathas.	2	5	3
3	Plot measuring 3 kathas or more but less than 5 kathas.	2	6	4
4	Five kathas and above	3	7	4

(c) In built up area (residential building) :

Sl. No.	Plot Size	Front (in feet)	Rear (in feet)	Side (in feet)
1	Plot measuring less than 2 kathas	3	3	2
2	Plot measuring 2 kathas or more but less than 3 kathas.	6	5	3
3	Plot measuring 3 kathas or more but less than 5 kathas.	6	7	4
4	Five kathas and above	10	10	4

(d) In built up area (residential-cum-commercial building or commercial buildings) :

Sl. No.	Plot Size	Front (in feet)	Rear (in feet)	Side (in feet).
1	Plot measuring less than 2 kathas	3	3	2
2	Plot measuring 2 kathas or more but less than 3 kathas.	3	5	3
3	Plot measuring 3 kathas or more but less than 5 kathas	8	6	4
4	Five kathas and above	8	7	4

(e) In the new area (residential buildings or buildings in a planned residential area) :

Sl. No.	Plot Size	Front (in feet)	Rear (in feet)	Side (in feet)
1	Plot measuring less than 2 kathas	4	4	2
2	Plot measuring 2 kathas or more but less than 3 kathas.	6	6	3
3	Plot measuring 3 kathas or more but less than 5 kathas.	8	8	4
4	Five kathas and above	10	10	4

(f) In the new area (commercial buildings) :

Sl. No.	Plot Size	Front (in feet)	Rear (in feet)	Side (in feet)
1	Plot measuring less than 2 kathas	4	4	2
2	Plot measuring 2 kathas or more but less than 3 kathas.	4	6	3
3	Plot measuring 3 kathas or more but less than 5 kathas.	4	8	4
4	Five kathas and above	4	10	4

Explanation.— In this Schedule, the terms “old area”, “built up area” and “new area” mean the “old area”, “built up area” and “new area” respectively, within the jurisdiction of the Authority and declared as such by the Authority.

By order of the President
NOOR-AL AHAD
Deputy Secretary.

MINISTRY OF LABOUR AND INDUSTRIAL WELFARE

Section IV

NOTIFICATIONS

Dacca, the 13th January 1981

No. S. R. O. 14-L/81/SIV/MWB-3/80/14.—Whereas Mr Md. Harun Miah, General Secretary, National Metal Workers' Union, has resigned from the membership of the Minimum Wages Board.

Now, therefore, in exercise of the powers conferred by sub-rule (3) of rule 4 of the Minimum Wages Rules, 1961, the Government is pleased to accept his resignation and to declare his seat to be vacant with immediate effect.

No. S. R. O. 15-L/81/SIV/MWB-3/80/15.—In partial modification of Ministry of Labour and Industrial Welfare Notification No. S.R.O. 363-L/80/SIV/MWB-3/80/516, dated the 16th October 1980 and in exercise of the powers conferred by sub-section (1) of section 3 of the Minimum Wages Ordinance, 1961 (Ordinance No. XXXIX of 1961), the Government is pleased to appoint Mr Ruhul Amin Khan, General Secretary, Eastern Industries Sramik Union, as member of the Minimum Wages Board, to represent the workers of the Aluminium and Enamel Industry, *vice* Mr Md. Harun Miah with immediate effect.

No. S. R. O. 16-L/81/SIV/MWB-3/80/16.—Whereas continuance of Mr Abdur Rashid, President, Commander Soap Company Workers Union, as member of the Minimum Wages Board, is considered to be not in public interest;

Now, therefore, in exercise of the powers conferred by sub-rule (5) of rule 4 of Minimum Wages Rules, 1961, the Government is pleased to remove him from membership of the Minimum Wages Board, with immediate effect.

No. S. R. O. 17-L/81/SIV/MWB-3/80/17.—In partial modification of Ministry of Labour and Industrial Welfare Notification No. S.R.O. 363-L/80/SIV/MWB-3/80/516, dated the 16th October 1980 and in exercise of the powers conferred by sub-section (1) of section 3 of the Minimum Wages Ordinance, 1961 (Ordinance No. XXXIX of 1961), the Government is pleased to appoint Mr M. A. Mannan, Secretary, Lalbagh Chemical and Perfumery Workers' Sramik Union, as member of the Minimum Wages Board to represent the workers of the Soap and Cosmetic Industry, *vice* Mr Abdur Rashid with immediate effect.

By order of the President

M. M. ZAMAN
Deputy Secretary.

MINISTRY OF FINANCE

Internal Resources Division

NATIONAL BOARD OF REVENUE

NOTIFICATION

Dacca, the 13th January, 1981

No. S.R.O. 18-L/81/618/Cus.—In exercise of the powers conferred by section 11 of the Customs Act, 1969 (IV of 1969), the National Board of Revenue is pleased to declare the areas of Kaliakoir Police Station in the district of Dacca to be a warehousing station for the purpose of the said Act.

FAKHRUL ABEDIN

Second Secretary (Customs).

[C. No. 4(8) Cus-IV/80]