

4 March 2024

Press Release

High Court issue Rule Nisi on enforcement of Fire Prevention and Extinguishing Act, 2003 and the Bangladesh National Building Code, 2020 and adequate compensation for victims of Bailey Road fire

Today, following the spate of recent fire incidents including the Bailey Road fire, the High Court directed the Respondents, the Ministry of Home Affairs, Bangladesh Fire Service and Civil Defence Directorate, Rajdhani Unnayan Kartripakkha (RAJUK) and Dhaka South City Corporation to show cause why they should not be directed to ensure strict compliance with their duties, including for the installation of fire safety room and staircases in every high-rise building, factory and establishment, and why the provision of fire safety rooms and staircases should not be included in the Fire Prevention and Extinguishing Act, 2003 and the Bangladesh National Building Code, 2020, and as to why arbitrary permission to operate commercial businesses in residential areas shall not be declared to be unlawful and without lawful authority and of no legal effect.

The Court further issued a Rule Nisi on the Bangladesh Fire Service and Civil Defence Directorate, RAJUK and Md. Anwarul Haque, Owner of Chumuk Restaurant and the Managing Director of Kachhi Bhai as to why they shall not be directed to compensate adequately the families of the deceased and the injured victims for the devastating loss and damage suffered by them in the Bailey Road Fire on 29 February 2024.

The High Court directed the Fire Service and RAJUK to submit a detailed report on fire incidents in high-rise buildings, factories and establishments during 2023 and 2024 including loss of life and property and the actions taken to identify buildings that are not compliant with the law and to hold those responsible accountable.

On 29 February 2024, a Division Bench of the High Court, comprising of Justice Mostafa Zaman Islam and Justice Md. Atabullah issued the Rule and interim orders in a writ filed in the public interest by the Bangladesh Legal Aid and Services Trust (BLAST), Ain o Salish Kendra (ASK) and Advocate Nazmus Sakib. A relative of Advocate Nazmus Sakib's was killed in the fire that broke out at Bailey Road.

The petitioners were represented by Sara Hossain, Senior Advocate, and Barrister Aneek R Haque, Advocate, Supreme Court of Bangladesh, with; Mohammad Nazmul Karim, and Md. Shahinur Zaman, Advocates, Supreme Court of Bangladesh. Assistant Attorney Generals, Salim Azad and Anis Ul Mawla, represented the State.

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