



Eight female workers killed and over 50 workers injured in a fire outbreak at Smart Export Garments

Fact Finding Report

Odhikar

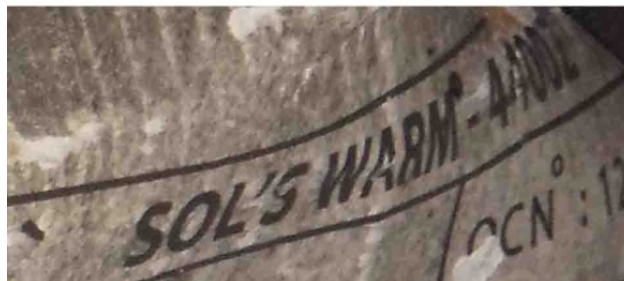
One of the primary sources of foreign remittance, Ready-Made Garments (RMG) is vital to Bangladesh's economy. However, repeated instances of fire outbreak in garment factories have not only claimed lives of hundreds but also pointed out the concerned authority's utter disregard towards moral responsibility. In recent times, the most horrific incident in the RMG sector was the fire at Tazreen Fashions factory in Nishchintapur of Savar. The fire claimed at least 113 lives of workers and injured hundreds more. Even then the government and Bangladesh Garment Manufacturers and Exporters Association (BGMEA) authorities were not alarmed. Such incidents are occurring due to lack of proper inspection of the factories in the RMG sector. As a result, many factories have sprung up in residential areas without acquiring permission. These factories have no fire safety license from the Fire Service and Civil Defence, no insurance, no fire escape and even sufficient fire extinguishers inside the factories. These factories therefore, become a death trap for the workers. Such is the case of Smart Export Garments Limited.

Just after two months of the fire at Tazreen Fashions Limited on January 26, 2013 at around 2:30pm, a fire broke out at Smart Export Garments limited in Beribandh area under Mohammadpur Police Station of Dhaka. According to the eyewitnesses, the source of the fire was a pile of padding used for making jackets and *jhut* (garment wastes) inside the factory. In absence of any fire alarm, the garment workers did not know when the fire broke. The fire spread rapidly with no fire extinguisher to douse it. At that time workers tried to rush outside but a pile of *jhut* (waste material) at the exit stairwell blocked their way. Those who still managed to get through the pile, found themselves stuck at the exit as it was locked. Thus, all the workers tried to get out using the other stairwell for entrance and some of them jumped out of the windows. While rushing down the stairs one female worker died in trampled and a few others got critically injured. Many got injured when jumping out of windows from the 1st floor. Six female workers died in the hospital on the same day. The name of the seven workers who died are Rozina (18), Kohinoor Akter (16), Nasima Begum (28), Razia Akter (16), Laizu Akter (17), Jotsna Akter (20) and Nasima Khatun (17). During this incident at least 50 others were severely injured. Later on another female worker named Shamsunnahar died at Dhaka's Apollo Hospital. During the fire the number of workers in the factory was almost 350. This fact finding mission found out that Smart Export Garments Limited began its operations on January 1, 2012 at a building that does not have RAJUK's approval. There were no fire extinguishers or fire escape in

the building. The building had only two staircases: One for entering and another for exiting. No emergency staircases were installed. The factory did not take any form of permission from the Ministry of Labour and Employment, Fire Service, BGMEA, etc. Yet it has sub-contracts with export companies such as Mahi Fashions, Omas Packaging Limited, Naz Jeans Processions and Mak Tex, etc and supplies for many international brands¹. During inspection of the scene of incident, the fact finder of Odhikar found remains of clothes with logos of a few international brands (SCOTT & FOX, DENIM Lefties and SOL'S WARM).

It has come to our knowledge that Industry All Global Union, BGMEA, BKMEA² have opened a fund in order to give Tk 12,49,000 to each of the family of the deceased and Tk 5,00,000 to the injured people. BGMEA will provide Tk 2,00,000, BKMEA will provide Tk 2,00,000 and the rest will be provided by Industry All Global Union³. On February 24, 2013 families of five of the deceased workers were given cheques of Tk 6,85,000 as compensation. However, nothing was specifically mentioned about when and where the rest of the money would be delivered to the families of the deceased and those injured.

N.B. Sarif Abdus Salam, Chairman and Zakir Ahmed, Managing Director of Smart Export Garments were arrested on January 29 and were sent in jail on February 02, 2013. The other staffs of the factory became absconding after the incident, therefore, the fact finder of Odhikar could not contact them. On April 02, 2013 Sharif Abdus Salam, Chairman of Smart Export Garments was released on bail. Odhikar tried to contact with him through his mobile phone, but it was found switched off.



The remains of clothes and boxes at Smart Export Garments (Odhikar)

¹ Daily Star, 28/01/2013

² Bangladesh Knitwear Manufacturers and Exporters Association

³ RTNN, 24/02/2013

Odhikar carried out a fact finding mission into the incident. During the fact finding mission Odhikar interviewed:

- Workers of the Factory
- Concerned authority and
- Members of the law enforcement agencies

Rubel Howlader (17), worker, Smart Export Garments Limited

Rubel Howlader informed Odhikar that he lives in a slum near the factory at ‘Tin Rastarmor’ in Mohammadpur’s Beribandh area. He worked as the Assort Man at the finishing section of Smart Export Garments Limited. On January 26, 2013 at around 2:15pm he finished his lunch and returned to work at the factory. At that time about 350 people were working at the factory. Among them about 300 were women. At around 2:30pm he saw smoke coming out from the pile of padding used in jackets kept in between the cutting and packing line. A worker soon began screaming out “Fire! Fire!” At that time, he and a few senior workers tried to put off the fire using water and sand that were inside the factory but the fire continued to spread. The workers tried to rush out to escape the fire. But a pile of jhute (garment waste) in front of the stairs and locked gate at the exit stairwell blocked their way. Everybody then tried to escape through the entrance stairs and some jumped through the windows. He and a few other workers broke the glass of a window and jumped out of the building. When he got out, he saw the body of a female worker in front of the factory and saw locals taking the critically injured persons to the hospital. The Fire Service arrived at around 3:00pm and brought the fire under control after about one hour.

Liza (17), injured worker, Smart Export Garments Limited:

Liza told Odhikar that she and her younger sister Rima (16) worked as helpers at the cutting section of Smart Export Garments Limited. At around 2:30pm on January 26, 2013, she went back to work after lunch. At that time around 350 workers were working at the factory. All of a sudden she heard a worker screaming “Fire!Fire!” She noticed smoke coming out from the pile of jacket padding kept beside the bathroom at the rear end of the factory. Everybody began rushing towards the stairs but as the gate of exit stairs was locked, everybody tried escaping through the entrance stairs. However, while going down the stairs, due to the rush and the fumes from the inside of the factory, she fell unconscious. When she regained consciousness, she found herself lying on a hospital bed. When she asked about her younger sister Rima, she got to know that their elder brother Mizanur Rahman brought them to Sikder Medical College Hospital on a van. Liza informed that after she joined the factory, the authority did not give her any form of fire drill training.



Inside of Smart Export Garments limited's factory where no fire extinguishers were seen (photo: Odhikar)

Joy (16), worker, Smart Export Garments Limited:

Joy informed Odhikar that he lives in a slum beside the factory at the “Tin Rastarmor” in Beribandh area of Mohammadpur. He has been working at Smart Export Garments since its beginning i.e. January 1, 2012. At around 2:30pm on January 26, 2013, he returned to work after lunch. Suddenly he heard someone screaming “Fire! Fire!” from inside the factory. Because Upon hearing the scream he and many other workers rushed out of the factory using the entrance stairs. The exit stairs was locked and piled with *Jhute* (garment waste) blocking the passage. With the help of some locals he broke the lock of the gate and opened it. Then he entered the factory again and with the help of a few workers, he tried to put off the fire using the water and sand that was inside the factory. However, the intensity of the fire increased and since he and a few workers were unable to go down the stairs, they broke a window and jumped out of the building. After coming out he saw locals sending the critically injured workers to the hospital. The fire service arrived at around 3:00pm and they managed to bring the fire under control after one hour.

Jhorna Akhter (22), injured worker, Smart Export Garments Limited:

Jhorna Akhter told Odhikar that she used to work as an operator at the cutting section of Smart Export Garments. On January 26, 2013 at around 2:30pm, she went back to work after finishing lunch. Suddenly she heard someone screaming “Fire! Fire!” from behind. When everybody began rushing out of their work area, the electricity was disconnected. Fumes engulfing the factory premises left her unconscious. She found herself at a hospital bed when she gained consciousness. She could not say anything about what happened when she was getting down the stairs and who brought her to the hospital. Jhorna Akhter also said that there was no fire extinguishing equipment at the factory. She has been working at the factory for about one year and no training regarding fire drills have been given to the workers.



The pile of jhute (waste material) kept at the exit point of Smart Export Garments limited (photo: Odhikar)

Mohammad Hasibur Rahman, Station Officer, Fire Service and Civil Defense, Mohammadpur, Dhaka

Mohammad Hasibur Rahman informed Odhikar that on January 26, 2013, at around 2:40pm he got a phone call informing him about the fire at Smart Export Garments limited at Beribandh area. He immediately went to the scene of incident with 3 firemen, 1 leader and 1 driver. When he reached the scene he saw that dark and dense clouds of smoke were fuming out from the first floor of the building. Upon seeing the severity of the fire he got the workers with him to work and informed the headquarters. Soon, another fire unit consisting of 7 firemen, 1 leader and 1 driver from Mohammadpur station along with 8 more units from Mirpur and Sadarghat station joined them. At around 4:05pm the fire was brought under control. He did not find any bodies or any injured person inside the factory.

Hasibur Rahman further informed Odhikar that after inspecting the factory he saw that there was no fire extinguishing system or arrangements such as emergency exit, exit route, fire equipment, a clear passage, phone number of fire service and police station, etc.

Nipendro Nath Das, Deputy Chief Inspector, Bangladesh Ministry of Labour and Employment:

Nipendro Nath Das told Odhikar that since Smart Export Garments did not take any approval from the Ministry of Labour and Employment they have no information about the factory. On January 26, 2013 he learnt about the fire at the factory through various media. He also said that since they have a small workforce they cannot monitor unapproved garment factories and take appropriate

actions against them. He however, said that appropriate legal actions will be taken against garment factories without approval after discussing with higher authority.

Nasir Uddin Chowdhury, 1st Vice-President, Bangladesh Garment Manufacturers and Exporters Association (BGMEA):

Nasir Uddin Chowdhury informed Odhikar that Smart Export Garments is not a member of BGMEA. That is why they have no information about the factory. About, Smart Export Garments working on sub-contracts with factories holding BGMEA membership; he said that it is not known for certain whether any garments factory with BGMEA membership was providing sub-contracts to Smart Export Garments Limited. This matter is being investigated. However, if it is found that disregarding BGMEA rules, any garments factory holding BGMEA membership is giving out sub-contracts to unapproved garments factories, legal action will be taken against those members after proper investigation and according to the policies of BGMEA.



Damaged Smart Export Garments limited on the 1st floor and automobile workshops and other shops on the ground floor (photo: Odhikar)

Nasima Khanam, building owner:

Nasima Khanam told Odhikar that her husband, Mohammad Afsar Khan who resides in Kuwait is the owner of the two-storied building at 717 Shanod Uddyan in Beribandh area of Mohammadpur. Even before the completion of the first floor, she rented it to the chairman of Smart Export Garments limited Sharif Abdus Salam at Tk 28,00,000 (28 lakhs) advance. The operations of Smart Export Garments began on January 1, 2012. When taking rent, authorities of Smart Export Garments had said that only stitching would be done and small machineries would be kept there. That is why she was not worried about having fire extinguishers installed for the garments factory. Nasima Khanam further told Odhikar that even though this building was built without RAJUK's permission, the required papers for obtaining permission have been submitted at the RAJUK office. Once they receive the permission, the two-storied building will be broken down and the land will be given to developers for building an apartment.

Sub Inspector (SI) Afzal, Mohammadpur Police Station, Mohammadpur, Dhaka:

SI Afzal informed Odhikar that regarding the fire at Smart Export Garments limited in Beribandh area of Mohammadpur, Altaf Hossain the father of a deceased female worker named Razia Begum filed a case against the factory's Chairman Sharif Abdus Salam, Managing Director Zakir Ahmed along with a few unknown employees of Smart Export Garments Limited under section 323/325/436/304(A)/109⁴ of the Penal Code. The case number is 67; date: 26/01/2013. On January 29, 2013, the investigation of the case was handed over to Dhaka Metropolitan Detective Branch.

⁴ Section 323- Punishment for voluntarily causing hurt
Section 325- Punishment for voluntarily causing grievous hurt
Section 436- Mischief by fire or explosive substance with intent to destroy house, etc
Section 304(A)- Causing death by negligence
Section 109- Punishment of abetment if the act abetted is committed in consequence and where no express provision is made for its punishment

Humayun Kabir, Detective Police Inspector, Detective Branch-6 (west), Dhaka Metropolitan

Police:

Humayun Kabir informed Odhikar that the case filed at Mohammadpur Police Station on January 26, 2013, regarding the fire at Smart Export Garments Limited has been handed over to Dhaka Metropolitan Detective Branch on January 29, 2013. He is in charge of the investigation of this case. He also said that on January 29, 2013, at around 10:45pm, the main accused in the case, Chairman Sharif Abdus Salam and Managing Director (MD) Zakir Ahmed were arrested from Dhanmondi area. They were then produced at the Dhaka Metropolitan Magistrate's Court requesting for 7-days remand. The Court approved 2-day remand. During the interrogation, the accused confessed about building Smart Export Garments without permission and not having proper fire extinguishing system. After the end of the remand on February 2, 2013, the accused were presented again at Dhaka Metropolitan Magistrate's Court and the Court dismissed their bail and ordered them to be sent to Dhaka Central Jail. He was unwilling to say anything more about the case since it was still under investigation.

-End of Report-