

A Bloodstained garment sector: Impunity of government officials and factory owners

Tazreen Fashions Limited Tragedy



Odhikar Report
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Introduction:

The Garment industry in Bangladesh has developed tremendously since the eighties, however, in an unplanned way. Currently, 35 lac workers are engaged in 5,000 factories, 80 percent of them women¹. The readymade garment sector earns Bangladesh a major share of the foreign reserve, and hence keeping the economy moving. During the last fiscal year 2011-2012, the industry has earned US \$19 billion.²

The value of labour for this principal foreign revenue-making industry is less, giving foreign buyers incentive to line up in this country. The human rights of these poorly paid workers are violated by the factory owners. The industry maintains an unrealistic pay scale, where the lowest monthly wage of BDT 3500 makes a worker struggle to make ends meet. Many factories do not pay the due wages, overtime or festival bonus to the workers; factories also allegedly violate the Labour Law when laying off workers. Some of these factories do not have health benefits for the workers or day care centres for their children. The Bangladesh Garment Manufacturers & Exporters Associations (BGMEA) is against allowing six months maternity leave for female workers. While the owners have their association, BGMEA, the workers' rights are being infringed by preventing them from forming trade unions. The factories are violating the Labour Law of 2006 by not complying with the factory infrastructural requirements and fire safety standards; and by not training the workers on the safety measures. As a result, workers are suffering from malnutrition and lack of medical treatment and even dying in fire or stampedes. The grievances of the agitated workers are contained by the industrial police who charge workers processions with batons, firing tear shells to protect the interest of the employers. A huge economic disparity has surfaced between the workers and employers.

Fires in factories:

Incidents of fire are a common occurrence in the readymade garment factories; workers are injured or killed in the fire. At 6:30pm on 24 November, 2012, the nine-storied Tazreen Fashions Limited belonging to Tuba Group went up in flames at Nishchintapur in Ashulia, at the outskirts of Dhaka. More than 100 workers died in the fire and another hundred were injured. It was learned that the number of the workers in the factory were 1163³.

¹ Source: Export Promotion Bureau

² Ibid

³ Information provided by Md. Shahjahan, Director, Tazreen Fashion Limited



Caption: Tazreen Fashions Limited Building after the fire (Photo: Odhikar)

- 111 bodies were recovered after the fire according to the Ministry of Home Affairs⁴
- Fire Service and Civil Defence puts the death toll at 100⁵
- 111 bodies were found according to Tazreen Fashions Limited⁶
- Industrial Police-1 counted 113 bodies⁷
- More remain missing beyond the 113 bodies
- One more worker died at the capital's Apollo Hospital on 4 December while undergoing treatment.



Caption: Rows of bodies at the Jurain graveyard (Courtesy: Anjuman Mufidul Islam)

⁴ Information provided by Md. Mostafa Kamal, Officer in Charge(Investigation), Ashulia Police Station, Dhaka

⁵ Information provided by Md. Anwar Hossain, Senior Station Officer, Fire Service and Civil Defence, DEPZ, Savar, Dhaka

⁶ Information provided by Md. Shahjahan, Director, Tazreen Fashion Limited

⁷ Information provided by Md. Golam Rouf Khan, PPM(Sheba), Director, Industrial Police-1, Dhaka

Fifteen workers were burnt to death on 2 June, 2012 at the Islam Garments at Konabari in Gazipur. Two major fire incidents occurred in 2010. Twenty-one workers died in a fire at the Garib and Garib Sweater Factory in Gazipur on 25 February, 2010. The same year on 14 December, 29 workers died in fire at a factory of Ha-Meem Group. Charred bodies of 91 workers were recovered from the KTS factory in Chittagong during a fire on 23 February, 2006. The same year on 9 February, six workers died in fire at the Jamuna Spinning Mill in Gazipur. Three female workers died in fire a month later at Sayem Fashion Limited. Fire at a Narayanganj factory killed 22 workers on 7 January, 2005. Forty-eight workers died at a Shibpur garment factory fire in Narsingdi in December 2004. On 3 May that year, nine workers died in factory fire at Misco Super market complex. A factory fire in Narsingdi's Chowdhury Knitwear and Garments Limited claimed 53 workers' lives on 25 November, 2000. Thirty people died in a fire at Shareka Garments on 17 December, 1990.⁸ While the factory owners and the government come up with a "conspiracy theory" behind the fires in most readymade garment factories; they become silent when it comes to improving minimum wages, overtime benefits, fire safety and factory infrastructure. They engage the industrial police and intelligence agencies to streamline the protesting workers. Unless this situation is resolved, this foreign-revenue generating industry will continue to be exposed to serious consequences that can be interpreted as a conspiracy of the ruling class against the interest of the country's people and workers employed in this industry.

Deadliest fire in the history of Bangladesh and the state of infrastructure at Tazreen Fashions Limited

Odhikar's human rights defenders carried out an investigation into the recent fire at Tazreen Fashions. The face finding took place on 26-11-2012 to 04-12-12.

Below is a report of the face finding.

Tazreen Fashions Limited did not meet any standard of working condition required inside a factory. Even the minimum standard for building a factory under the Building Construction Code was not followed. The fire safety equipments did not work once the fire broke out. Although there were three stairways, all of them led to the storeroom downstairs and not to any emergency exit. The factory did not have required space for the firemen to be able to operate. Four separate investigation committees have been formed thus far in this regard.

However, the biggest allegation is, even after the fire alarm was raised, midlevel managers obstructed the workers from leaving the factory. They increased the volume of music so that workers remained engrossed in their work and could not hear the fire alarm. Fire equipment were not used to contain the fire after it broke and the employers' men were responsible for the death of many workers to death by not letting them get away safely. The ground floor of the nine-storied

⁸ Manabzamin, November 27, 2012

factory was entirely a storeroom or warehouse. Yarns and fabric were stored here. As the fire broke from the warehouse downstairs where huge volumes of flammable synthetic yarns and fabrics were stored, the building transformed into a brick kiln and the stairwells became burning chimneys immediately. The heat, flame and fumes of black smoke moved upward through the three stairwells. As a result, hundreds of workers suffocated and burned to death without finding a way to escape. There is no legal provision to maintain a warehouse at the lower floors of a factory; and the Law was not obeyed in this case. In the absence of an alternative stairway or exit, workers at the second, third and fourth floors resorted to breaking iron window grills, glass and exhaust fans to jump out of the factory. This also attributed to the rise in the number of casualties.

The women and children health centre provided primary treatment to 50 injured workers. The Nightingale Medical College Hospital provided treatment to two persons. Nine others were treated at the Dhaka Medical College Hospital.

The Fact-finding mission reveals that, the numbers of casualties were more than cited by factory sources. Several workers alleged that the government and private organisations spread confusing statements as less casualties mean less compensation.

Workers' grievances

Several thousand garment factory workers took the streets and blocked the roads between 28 November and 3 December, 2012 protesting the death of workers in Tazreen, layoff of workers in other factories and demanding arrears and the arrest of Tazreen's owners and management. Clashes between workers and police surfaced during the demonstrations when the police attacked the workers. Agitated workers vandalised vehicles and set them on fire. Fifty workers were injured during the unrest at Ashulia on 28 November.⁹ Workers of Tazreen Fashions Limited organised a protest rally on 1 December, 2012 demanding arrears of four months and 13 days. Fifteen workers were injured at the time during clashes with the police.¹⁰ Workers demonstrated on 2 December, 2012 protesting a layoff list of 101 workers at the Hyun Apparels at Jamgora. About one hundred workers, police and journalists were injured in the clash.¹¹ Fifty workers were injured again on 3 December 2012 while protesting the death of workers at Tazreen Fashions Limited and layoff of workers at the Hyun Apparels.¹²

Compensation:

Prime Minister Sheikh Hasina on 5 December, 2012 handed over Tk 6 lac each to the families of 43 workers out of the 112 dead. Out of the Tk 6 lac compensation, the Prime Minister gave Tk 2 lac

⁹ New Age 29/11/12

¹⁰ New Age 2/12/12

¹¹ Jai Jai Din 3/12/12

¹² New Age 4/12/12

and BGMEA, Labour Ministry, foreign buyer Li & Fung and the Bankers' Association of Bangladesh provided Tk 1 lac each.

Impunity of industry owners and government

Throughout the year, several incidents of fire in factories has occurred, but none of the factory owners were ever brought to trial; even after several hundred workers had become victims of disasters in the readymade garment industry. The factory inspectors or government officials responsible to monitor the industrial factories were also never tried for their neglect of duty. In absence of exemplary punishment for negligence and involvement in unfair practices, such accidents continue. There was also no follow up to the trial of the perpetrators behind the killing of labour leader Aminul Islam. No steps have been taken against owners for not paying wages to workers and laying them off unfairly. It seems as if the government and industrial owners enjoy impunity in such matters.

Odhikar's recommendation

1. A criminal case will have to be filed, accusing government officials responsible for approving Tazreen's factory establishment and storeroom, owners of the factory, members of the management and security and perpetrators who obstructed the workers from getting out of the factory as the fire spread.
2. The exact list of the deceased workers at the Tazreen garments factory will have to be published and the responsibility cannot end by paying Tk 6 lac. BGMEA and the government will have to take responsibility of the deceased workers' children below 18 and other members of the family who depended on their income.
3. The exact list of the injured will have to be published. Where and how the BGMEA and the government have been providing rehabilitation and treatment to the wounded will have to be disclosed to the public. Many workers and children of the deceased workers are in obvious shock after the incident. Many are still haunted by the fear of fire. They should be provided counselling support.
4. The government investigations reports must be made public.
5. The garment industry will have to be developed in a planned way. Resolves to the infrastructural problems in the garment enterprises, workers' safety at the workplace, fire safety preparedness and regular drills will have to be improved. Regular wages, health and medical facilities and housing arrangements need to be ensured to the workers. Workers cannot be restrained from forming trade unions. A welfare programme for garment workers will have to be supervised and established by

the government. The industry can be protected if labour rights are secured by the responsible quarters.

Odhikar's fact-finding mission also interviewed a lot of people after the fire at the Tazreen Fashions Limited. Below are some of their statements:

Md. Moksedul (29), Factory Load Unloader

Moksedul hails from the Kashdaha village under Shundorganj police station in Gaibandha district. Financial crisis in the family compelled him to move to Dhaka and join Tazreen Fashions Limited. The ground floor of Tuba Group's nine-storied Tazreen Fashions Limited was a storeroom for yarn. The seventh and eighth floor of the factory was under construction. For the male workers there was a stairway on the southern side of the 9-storied building and for the female workers there were two more stairways on the north. The three stairways merged into one downstairs. The main gate was always kept locked. His job pertained to loading and unloading goods on the ground floor of the building.

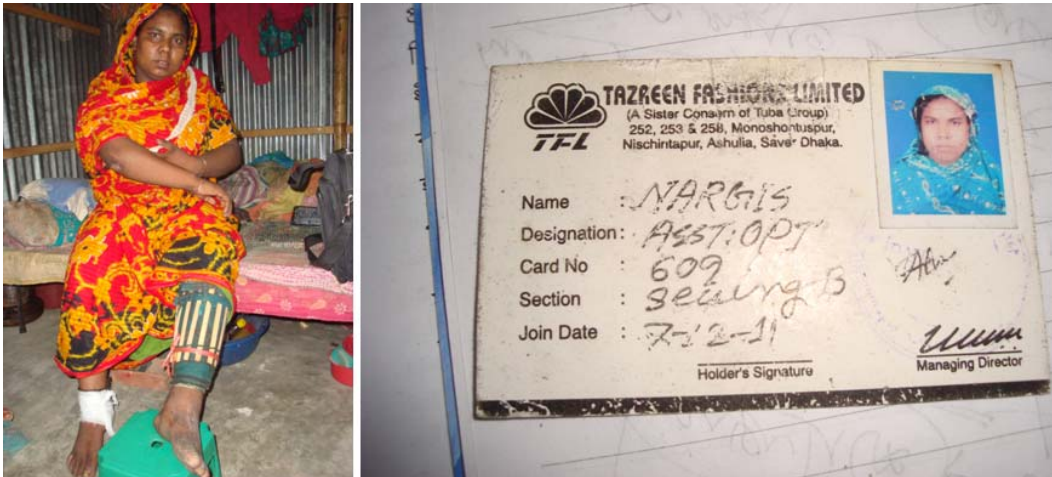
At around 5:30pm on 24 November, 2012, he was measuring polythene at the storeroom downstairs. He suddenly noticed that the bales of yarn in the middle of the warehouse were on fire. Before he could realise anything, the warehouse was engulfed by smoke. Lights went off as the factory's main electric switch was shut down. He and others went to the gate to come out of the factory. No one could identify the source of fire as the factory went dark. He and a few others were successful in getting out of the main exit. They noticed black smoke emitting out of a window on the second floor of the building. His wife, Nargis Begum was working at the sewing section on the second floor. He became desperate to save Nargis. Soon, flames of fire spread on the upper floors of the building. After about 30 minutes, workers on the second and third floors jumped out of the building by bending and breaking iron window grills. Meanwhile, as the fire service arrived, he took a water pipe to help douse the fire while shouting his wife's name. Around 8:00pm, a person informed him that his wife had fractured her arms and legs by jumping out of a window from the second floor. He returned home and took his wife Nargis Begum to the Women and Children Health Centre at Jamgora at around 8:30pm and admitted her there. After a day's treatment there, he brought her back home because he could not afford the costs.



A one storied building beside the factory and another picture shows stairs of the factory (Photo: Odhikar)

Nargis Begum (25), Operator, Sewing Section

Nargis Begum told Odhikar, on 24 November, 2012 at around 7:20pm the fire service alarm rang. Panicked workers on second floor wanted to get out. At that stage, Quality Manager Dulal Hossain scolded the workers saying nothing happened downstairs and asked them to concentrate on their work. The workers returned to their machines. A few minutes fumes of black smoke and heat came up the stairs. The lights went down and the entire floor became dark. They began suffocating and exhausting in the heat of smoke. Even though everyone still tried to head out, they could not make it because of the heat of smoke near the stairs. A few persons later used chairs and machine parts to break the exhaust fan. Many jumped to the ground through the broken space. She also jumped from the second floor and hit a tin roof first and fell on the ground. Some more people dropped on her. Both her legs got fractured. She told people around her that she was a resident at Sattar Mollah's house in Nishchintapur and requested them to inform her home so that somebody came to pick her up. Later, neighbours in the area took her home. His husband Md. Moksedul later came and admitted her to Women and Children Health Centre. After receiving preliminary treatment, she could not continue as there was no money. She is worried whether she should seek treatment or pay her house rent and clear dues at the shop. With her two children and husband she is now in great peril.



Caption: Nargis with her right hand and two legs fractured and her identity card (Photo: Odhikar)



Caption: Broken exhaust fan, from where Nargis and other workers jumped to ground (Photo: Odhikar)

Shamsun Nahar Molly (22), Operator, Sewing Section

Molly told Odhikar that she worked at the sewing section. The factory officials almost every month haggled with the wages every month and paid late. During the last Eid-ul-Azha, the employers paid everyone in her floor half the wage and a half bonus. The arrears were to be cleared in the current month.

She was working on the third floor at around 6:30pm on 24 November, 2012. Suddenly the fire service alarm rang. As everyone tried getting out of the third floor, the Assistant Production Manager Rana said, nothing happened. He scolded everyone asking them to return to their work and turn music on loud volume. As she and others returned to their work, within few minutes, smoke came through the stairs and engulfed the floor. Lights went off. No one could see each other. Some workers jumped down from the window on the factory's east. She also jumped out of the window and became unconscious as she touched ground. When she returned to her sense, she found herself undergoing treatment at the women and children health centre. After receiving treatment for two days, she returned home due to financial constraints. She had injuries in her chest, back and behind her head. She said, her house rent and bills were due at shop because of not getting her wages on time every month.

Md. Akkas Ali (34), husband of deceased Farida Begum

Akkas is from Bolmandia Purbapara village under the Boalia police station in Faridpur district, he told Odhikar. He lived in a rented house beside Tazreen Fashions Limited with, his wife and son, Md Shanto (8) and daughter, Shanta Akter (5). He saw fire at a factory from his residence at around 7:00pm on 24 November, 2012. He moved close to see the fire blazing at Tazreen garments. As the fire service rescuers arrived, he helped them douse the fire. Bamboos were tied against the southern side of the building for paintworks. He climbed up the bamboo ladders calling his wife's name but could not find her. On 25 November, 2012 at around 8:00am rescuers of the fire service recovered bodies from inside the factory. The firemen counted only bodies that had heads. They did not consider bodies that only had hand, leg or isolated parts of the body. They later recovered Farida Begum's body from there. He later took her body to their village and buried her. He said, the factory gate was locked when the fire broke. No one used the fire equipments because they did not know how to operate even though those were there.



Caption: Farida's identity card and Shanto and Shanta with Md Akkas Ali (Photo: Odhikar)



Caption: Broken padlock on the gate (Photo: Odhikar)

Md. Shahjahan, Director, Tazreen Fashions Limited, Nishchintapur, Ashulia, Dhaka

Md. Shahjahan told Odhikar, the total number of workers at the factory comprising of male and female was 1163. Twenty six workers were absent on 24 November, 2012. Workers present that day were 1137. More workers took leave around 5:00pm that day and the remaining were working. However, they recovered 111 bodies after the fire.

When Odhikar's fact-finding mission asked him questions about the fire, he was unwilling to speak about it.

Md. Anwar Hossain, Senior Station Officer, Fire Service and Civil Defence, DEPZ, Savar, Dhaka

Anwar Hossain told Odhikar, that on 24 November, 2012 at around 7:00pm, he received a phone call informing about a fire at the Tazreen Fashions Limited at Nishchintapur. Immediately, he moved three units to the Tazreen Fashions and arrived there at 7:19pm. He saw the factory ablaze from the ground floor to the fifth floor. Seeing the magnitude of the fire, he immediately engaged firemen to task, informed the headquarters and on permission requested fire service units of Savar, Dhamrai, Malibag, Mohammadpur, Sadarghat, Mirpur, Tongi and Gazipur to arrive at the location. Soon a total of 19 units arrived and engaged at dousing the fire. Around 1:00am on 25 November, 2012 the fire came under complete control. They ran search operation that very night and recovered 69 bodies from second floor, 21 from third floor and 10 from the 4th floor. There were more bodies that could not be collected as their body parts were scattered and isolated. Hundred bodies were counted by the skulls. On 25 November, 2012, at around 8:00am the officer in charge of Ashulia

police station, Sheikh Md. Badrul Alam received the bodies and handed them over to the Anjuman Mufidul Islam for burial. After arriving at the place, Anwar learnt that the fire caught around 6:30pm. He asked, why he was informed so late. The fire could have happened from short circuit, generator or out of sabotage. However, a conclusion cannot be drawn before investigation. They did not find any source for the fire. The government has formed investigation committee. This can be learned from the committee's report.

SI Md Khairul Islam, Ashulia Police Station, Dhaka

SI Md Khairul Islam told Odhikar, on 24 November, 2012 at 7:00pm, a person informed him that a fire broke at the Tazreen Fashions Limited. The fire quickly spread across all the floors and 111 workers died burning in the fire. He filed a case revolving around the incident as a plaintiff against unidentified people under Penal Code Sections 323/325/436/304-Ka/34. Case No: 62; Date: 25/11/2012. He said the investigating officer for the case is Officer in Charge (investigation) Md Mostafa Kamal.

Md Mostafa Kamal, Officer in Charge (Investigation), Ashulia Police Station, Dhaka

Mostafa Kamal told Odhikar, he is investigating the case that SI Md Khairul Islam filed on 25/11/2012. He stated the number of casualties were 111. He was unwilling to speak further as the case was under investigation.

Md. Habibul Imam, Women and Children Health Centre, Jamgora, Ashulia, Dhaka

Md. Habibul Imam told Odhikar, on 24 November, 2012, at around 7:00pm, injured patients kept arriving from the Tazreen Fashions Limited. They provided preliminary treatment to them. A total of 54 patients came. Four of them were received dead. Thirty were sent home after providing care. Another 16 were referred to Dhaka Medical College Hospital as their conditions were serious. One had left with permission from the hospital authority, he said. Those who were treated had succumbed to injuries because of their flight from the upper floors.

Md. Taufiq Ahmed, Admin Officer, Nightingale Medical College Hospital, Ashulia Sarkar Market, Dhaka-1341

Md. Taufiq Ahmed said, on 24 November, 2012 at around 8:00pm, six injured workers from the Tazreen Fashions Limited arrived at the hospital. Four of them were advised to move immediately to the Dhaka Medical College Hospital without admitting them as their conditions were alarming. He provided preliminary treatment to Mousumi Akhter and Asma Khatun. On 25 November, 2012 Mousumi and Asma's guardians received them from the hospital.

Shankar, Ward In-charge, Dhaka Medical College Hospital

Nine injured workers from the Tazreen Fashions Limited fire incident came to the hospital, Shankar told Odhikar. One among them is admitted at the ICU and the remaining are admitted and

being treated at the wards. Other than that, 58 bodies were brought from the Anjuman Mufidul for performing DNA test. He said he did not know anything more in this matter.

Md. Abdul Halim, Assistant Director, Anjuman Mufidul Islam, 42, Anjuman Mufidul Islam Road, Kakrail, Dhaka-1000

Halim told Odhikar that early morning on 25 November, 2012, Md. Habibur Rahman, Police Super of Dhaka District informed him that there were some bodies at the Tazreen Fashions Limited. Hearing the news, he mobilised five vehicles to carry the dead bodies and went to Tazreen Fashions Limited. The officer in charge of Ashulia Police Station, Sheikh Md. Badrul Alam handed him 58 unidentified bodies at around 8:00am. He returned to his office with the bodies at around 2:00pm. But in the meantime, the police super informed him that the DNA tests for the bodies will have to be arranged. Later, a team of experts with the Criminal Investigation Department of the police arrived. They informed, since the bodies have become deformed, they would require forensic experts. The bodies were then moved to the Dhaka Medical College Hospital's morgue at the initiative of the police super and the district administrator. The evidences were stores there. The next relatives identified five bodies and received them.

The police super and district administrator gave him a total of 53 bodies to bury on 27 November, 2012. Six of the bodies were of male, 43 female and four could not be determined. He said the first prayers (Janaza) under the Muslim ritual were held at the Dhaka Medical College Hospital on 27 November, 2012 at around 2:00pm. He took the bodies to the Jurain graveyard in Dhaka at 4:30 in the evening. The second prayer was held there and finally they were buried at 5:30pm. The bodies were buried against numbers corresponding with their DNA. Anyone interested can identify the graveyard by testing the DNA.



**Caption: Bodies are handed over to the Anjuman Mufidul Islam. Bodies are buried at the Jurain graveyard.
(Courtesy: Dainik Jugantor)**

While trying to contact with the BGMEA President, his personal assistant said, he could not be contacted.

Md. Main Uddin Khandakar, Additional Secretary, Ministry of Home Affairs, Bangladesh Secretariat, Dhaka

A four-member investigation committee has been formed for the incident at the Tazreen Fashions Limited, Md. Main Uddin Khandakar told Odhikar. He is the convener of the committee. The other members are, Md. Abdus Salam, Director General of Industrial Police, Md. Abdus Salam, Director (Operations), Fire Service and Civil Defence and Sayeed Mahmud Belal Haider, Deputy Secretary of Ministry of Home Affairs. He said the investigation is performed keeping three possibilities in mind such as, electric short circuit, sabotage and other natural or manmade event. The investigation is underway. They have been able to primarily identify the reason behind the incident. He said so many deaths of people cannot be acceptable under any circumstance. The real perpetrators will be identified and no one shall be spared. He said a recommendation will follow through so that there is no such fire incident in the future.

According to the government figure, 111 workers died, he said. Behind the deaths he reasoned, although there were fire safety equipments installed in the factory, none were used during the incident. The major allegation is that even after the fire alarm was raised, midlevel managers obstructed workers from leaving the factory. As a result, while no fire equipments were used to control the fire even when they existed, the employer's men shoved hundreds of workers to death by not letting them get away safely. Despite having fire drills, the factory management did not apply the tactics. He suspects possibility of sabotage behind the fire. The factory is located inside a rural village. The factory has an eight to 10 feet road in front of it. The remaining three sides of the factory have houses attached to it. Naturally the bigger fire vehicles cannot move in or roll into operation in such a situation. In absence of an alternative stairway or exit, workers at the second, third and fourth floors resorted to breaking iron grills, glasses and exhaust fans to jump out of the factory for life. The fire service has it on condition that a factory must have all its four sides free and accessible so that firemen can take necessary steps to douse fire. The downstairs of the nine-storied factory was entirely a storeroom or warehouse. Yarns and fabrics are stored here. Once inside the storeroom there is a main gate; from the warehouse downstairs the three stairs have touched all the floors up to the rooftop. There is a collapsible gate on the entrance of every floor. As the fire broke from the warehouse downstairs where huge volumes of synthetic yarns and fabrics were stored, the building transformed into a brick kiln and the stairs became burning chimneys immediately. The heat, flame and fumes of black smoke moved upward through the three stairs. As a result hundreds of workers suffocated and burned to death without finding a way to escape. Although there is no provision to maintain warehouse at the downstairs of a factory, it was not obeyed in this case, he said. More lives were lost as a result.

Cholmoni (23), Operator, Sewing Section, Tazreen Fashions Limited, Nishchintapur, Ashulia, Dhaka

Cholmoni told Odhikar, on 24 November, 2012 she was working at the second floor of Tazreen Fashions Limited. When the fire alarm rang suddenly, the workers tried to get out of the factory.

But the factory staffs did not allow them to get out. As they resumed work, within few minutes the stairs went dark in smoke. Later, she broke open the exhaust fan and injured herself jumping down to the ground. She said the factory had its workers working on Fridays and other government holidays without paying them overtime. If anyone was not willing to work overtime, the person was laid off. The employers did not pay the workers properly for the last four months without protest and demonstrations. The workers received their wages two to three days after the set date. She said they were never providing any fire training. No safety measures were in place for the building or its machineries, she said. Although there were fire safety equipments, due to lack of training no one could operate them. Workers could not get out as the collapsible gates were padlocked.

Syed Sultan Uddin Ahmmed, Assistant Executive Director, Bangladesh Institute of Labour Studies

Syed Sultan Uddin Ahmmed told Odhikar that the Bangladesh Labour Law has clear provision stating safety measures for factory establishment. The employer is responsible to comply with the provision in the law. The employer is solely answerable for any violation to the law irrespective of who violates it in the factory. No safety measures were ensured at the Tazreen Fashions building under the law. It is clear that the factory had no facility or benefits entitled to workers as per the law.

Every floor inside the Tazreen Fashions was padlocked, there was no alternative stairway. It had a storeroom containing inflammable substances, which cannot exist at the place. The workers were not allowed to get out. It is not important who is responsible or who is involved with the subversive activity. The employer and the government will have to take responsibility for the offence of violating the labour law. The government is entirely responsible for the unexpected and tragic event because it had not taken any step against the employer for violating the labour law. The government has failed completely to enforce the legal steps.

If an incident of sabotage is to be taken into consideration, then the employers should have filed a case immediately with the police. The owners will file case in the event of losses to the workers, that is the convention, but such an initiative was not observed.

Two days after the incident when it is being termed sabotage, it must be established through investigation. Firstly: employers in connivance with government officials clearly: violated the law by not ensuring workers' security. That is why the officials and employers will have to be tried. So many lives were lost only because of violating the labour law, which the government officials and employers will have to take the responsibility for. That the owners did not inform the police about the fire at the factory is an offence of its own. As soon as the fire alarm was raised, the workers

should have been provided safe passage to get away but it was down. Keeping inflammable materials inside the factory is another offence.

That the employers' association BGMEA will withdraw the membership of Tazreen Garments is expected. The employer should be penalised as per their constitution. The BGMEA does not have the right to speak as much as they are speaking. The employers have been routinely violating all the circulars that the BGMEA issued thus far.

According to the directive of the Higher Court, every worker of the Tazreen garments has to be compensated with BDT 5 lac. This has to be provided because of the magnitude of the accident. A high level committee will have to be formed to evaluate the risks at the garment factories.

Jannat Fatema, Workers Welfare Officer, Tazreen Fashions Limited, Nishchintapur, Ashulia, Dhaka

Jannat Fatema told Odhikar that many workers had burnt to death in the fire on 24 November, 2012 at the Tazreen Fashions Limited. Many were injured. She learned that 1137 workers were at work that day but she did not know the number of male and female.

The factory was initially a three-storied building, she said. Deputy Chief Inspector (General) Md. Belayet Hossain and Inspector (Engineering) Md. Mahfuzur Rahman of the Chief Inspector of Factories and Establishment approved Tazreen Fashions Limited under G category of factories. Later, the factory was also approved of its nine-storied architecture. A clearance was also acquired from the Fire Service and Civil Defence, she said. She complained that no one from the Chief Inspector of Factories and Establishment ever inspected the factory although it is there in provisions of the law. Instead, sparing a small amount of money for their "expenses" was enough to get the application approved on mobile phone. She endorses the demand that the factory owner be arrested and awarded due punishment, she said. But before that the officials of the Chief Inspector of Factories and Establishment and the Fire Service and Civil Defence should be punished. If they did not approve the factory, it would not have started. None of the officials made any complain against the factory for all this time that the factory operated. Previously, workers of the factory voluntarily went to the Labour Court and filed 17 cases against the employers.

-Ends-