

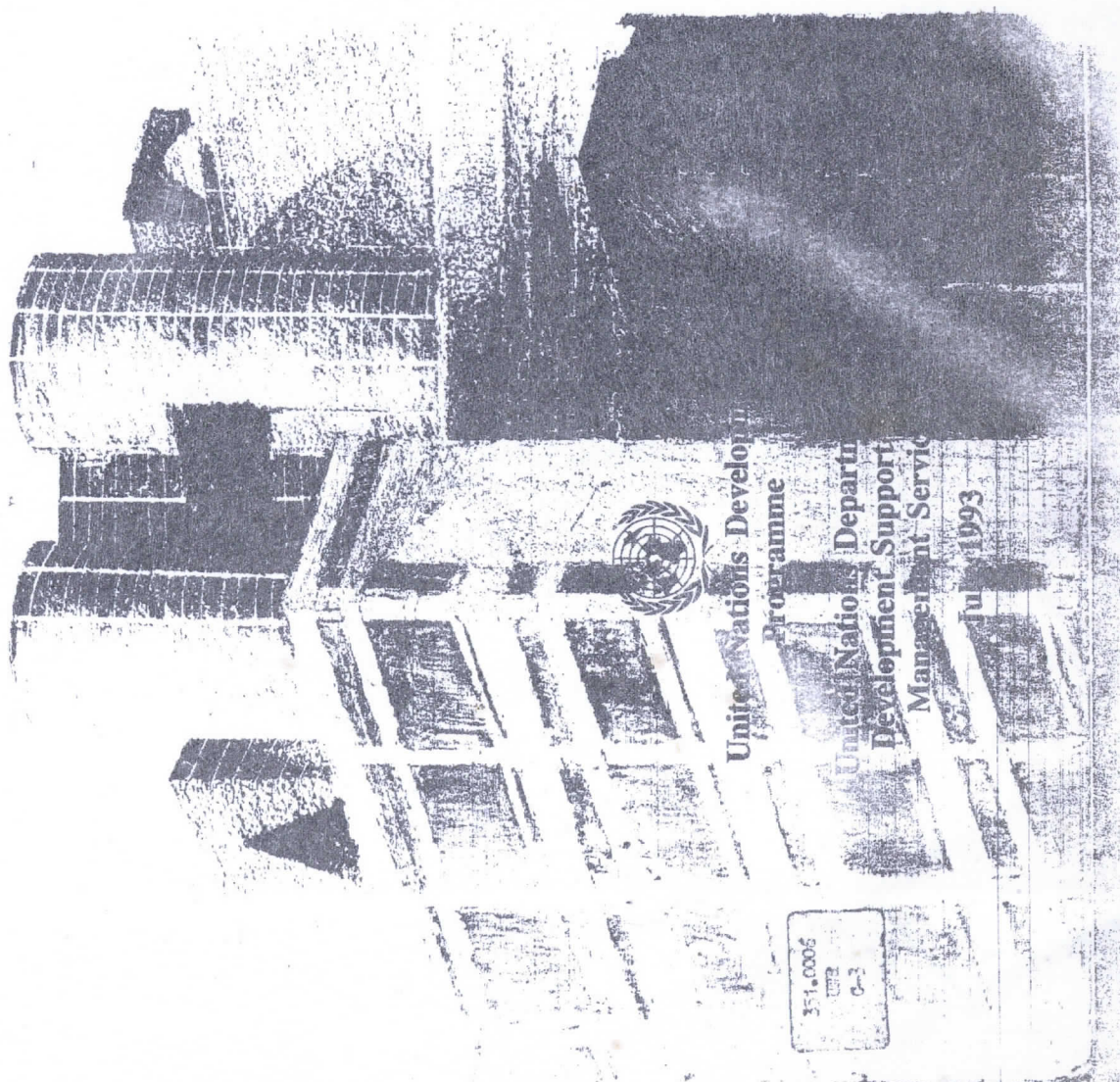


**EXTRACTS
OF THE RECENT
PUBLIC
ADMINISTRATION
REFORM REPORTS
IN
BANGLADESH**



**BANGLADESH PUBLIC ADMINISTRATION TRAINING CENTRE
SAVAR, DHAKA.**

**REPORT
ON
PUBLIC ADMINISTRATION SECTOR
STUDY IN BANGLADESH**



United Nations Development
Programme

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IV. FINDINGS AND RECOMMENDATIONS

1. FINDINGS

A. Performance and Accountability

1.01 The team found widespread dissatisfaction with the performance of Government, both among senior government officials and among representatives of the private sector. Criticisms related particularly to the implementation of policy. A number of reasons were put forward for the poor performance which included apathy, narrow vision, a lack of commitment and inexperience in operating within a democratic system of government. It was suggested that the civil service has been unwilling to give up powers to the democratically elected representatives, and that there are uncertainties and tensions about the respective roles of Ministers and the civil servants.

1.02 The shortcomings in the performance of government are seen to be related to the system of accountability. It was suggested that the select committee system for holding Ministries accountable to Parliament is not working effectively. There are weaknesses in the Office of the Comptroller and Auditor General arising partly from the backlog of work. The evidence led the Team to conclude that government organizations are not being held properly accountable either financially or for programme performance.

1.03 As to the performance of individual civil servants, there appears to be no system for position description setting out the responsibilities and reporting lines for most posts in Ministries and other government organizations. Nor is the Annual Confidential Report system being used properly. The Team concluded that individual performance is not being objectively evaluated and that individuals are not, therefore, being held properly accountable.

B. Control of and Accountability for Financial Expenditures

1.04 It was not part of this study to examine the government's budgeting and financial management systems. The Team did examine the relationship between its studies and the conclusions about control of and accountability for financial expenditures contained in two recent reports by International Management Consultant Limited; namely: International Management Consultants Limited, Bangladesh: Reforms in Budgeting and Expenditure Control, Final Report. Colchester, Essex, UK, June 1993; and International Management Consultants Limited, Bangladesh: Reforms in Budgeting and Expenditure Control, Final Report, Project Implementation Documentation. Colchester, Essex, UK, June 1993. These reveal serious inadequacies in present systems and make a series of important recommendations which are set out in paragraph 2.09 of this study's report. The Team consider that the recommended changes to the budgeting and financial management systems should be evaluated and implemented along with the recommendations of this study.

C. Organization, Structure and Functioning

1.05 The Team found, in the systems of Government, relics of the former authoritarian Presidential regime, which are evident for example in the relatively rigid bureaucratic approach and in the frequent delays in transacting government business. But the processes of deregulation, disinvestment and privatization are beginning to change and loosen up the government systems. At the same time, the political and economic imperatives are requiring a redefinition of the role of government and a narrowing of its involvement in the economy.

D. Policy Making

1.06 The Team examined the process of policy making including the influence and effectiveness of the main policymakers.

1.07 In carrying out its functions particularly of holding the government accountable, the survey data showed that most respondents (over 80 percent) considered the Parliament to be "highly effective" or "effective" on the whole. The three methods of making Parliament more effective which commanded most support were the repeal of Article 70 of the Constitution, activating parliamentary committees and training Members of Parliament.

1.08 Of the responses to the survey on the role of Ministers in policy making, over 60 percent considered that Ministers played only "a partially proper role" and only 14 percent of officials with frequent contacts with Ministers believed that they played "a proper role". If these perceptions are correct, many Ministers seem not to be fulfilling their responsibilities in the decision-making process.

1.09 The Secretariat (defined as meaning the conglomerate of all Ministries and Divisions) was found to be heavily engaged in detailed administrative and regulatory functions which allowed relatively little time for policy formulation and planning. Nor is policy coordination always being effectively carried out. The main weaknesses in the functioning of the Secretariat pinpointed in the survey work were risk aversion, interference of politicians and senior officials, and the absence of data. The surveys suggested that the cooperation of Ministers, Ministries and the civil service might be improved by making proper data available, by greater interaction between Ministers and civil servants, by special training of Ministers and by appointing as the Chairman of Parliamentary Committees MPs who are not Ministers. The responses to these surveys suggest that there is a lack of clarity about the allocation of responsibility and a consequent aversion to taking even minimal steps in exercising responsibility.

1.10 The Team found an absence of units in government with individuals skilled in policy analyses and 76 percent of the participants in the survey considered that staff with such skills should be integrated into the policy making areas of government.

1.11 The Team found an increasing tendency for government to consult outside interest and clientele groups in formulating policy and some policy analyses are being carried out in universities and private and non-profit "think tanks". However, further developments in these areas could make a positive contribution to better informed policy making.

1.12 It is important to the proper functioning of government that the organisation at central and local levels should be coherent and understandable to those in the public service and by citizens generally. The Team found that Bangladesh has a larger Cabinet and more separate Ministries than most other countries. The size of the Cabinet and the number of separate Ministries is a matter of political decision. However, the study found wide differences in size, and in the volume and complexity of work between Ministries, and there was evidence of some lack of clarity in definition of functions and of consequent over-lapping responsibilities. The management of the civil service poses difficulties and inefficiencies because of the divisive influences created by the cadre system and the inter-cadre rivalries.

1.13 The lack of definition in the goals and objectives relating to individual policy areas is another cause of inefficiency. The Team sees a need to develop for each organisational unit objectives linked to activities and the expected outputs or impacts of those activities. This would provide the basis of creating a more coherent, compact and efficient structure of Ministries each with a clearer definition of its role. Some reorganization has been undertaken by the present government. Further reorganization should be designed to promote results-oriented performance, transparency and accountability.

1.14 There are problems concerning the coordination of policy between Ministries and Divisions. A reduction in the number of Ministries/Divisions would be beneficial from this point of view. Although the Team makes no recommendations about the functioning of Cabinet and Cabinet Committees, it suggests that consideration might be given to ways of making Cabinet Committees more effective so as to reduce the number of matters that have to be decided by the full Cabinet.

1.15 The process of redefining the scope of government appears to be vague and ambiguous. There is a lack of clarity in the relationship between the traditional regulatory functions and the service functions of the civil service including the way these are managed.

1.16 The Team noted that other countries had found a need to develop in government a capability to undertake research on organization, structure and functioning of government and to provide consultancy services to government organizations. No such capability appears currently to exist in Bangladesh.

1.17 Research data indicate that officials are reluctant or unwilling to take decisions with the result that even routine issues often end up on the desks of Secretaries and Ministers. This problem is related to the lack of position descriptions. The Study reveals a need to separate policy decision making from more routine matters which involve implementation so that the latter can be delegated to appropriate levels in central and local government. The formal rules governing the scope for decentralizing/delegating decision-making need to be further reviewed. A more collegiate approach, for example through regular meetings between relevant officials, would facilitate speedy decision-making and reduce the need for passing of files.

E. Local Government

1.18 The continuing high degree of centralization in government is reflected in the fact that the career moves and development of all staff serving outside the Secretariat are managed directly by central government. Officials working in local government are answerable to their parent Ministries or Divisions and not to local government. Local administration is generally organized vertically with little coordination horizontally. The evidence from secondary sources indicates that, in many cases, services are not getting through to meet the needs of the population. There are a number of reasons for this including a lack of information about conditions at the local level. Some programmes and services reach down to the village level but not all villages are part of programme or service delivery networks.

1.19 There are two parallel delivery systems for services under poverty alleviation programmes, one managed by central government and the other by non-governmental organizations. In some cases, there is cooperation between the two delivery systems. The decisions on government sponsored development projects, including those relating to coordination at local level, are taken in Dhaka, thus effectively cutting out any autonomy at local government level.

1.20 The proposals for restructuring local government made by the Local Government Structure Review Commission seem to be based more on systems of decentralization than on devolution. The evidence suggests that people and institutions at the local level are not well organized for local level actions and that there is inadequate pressure from them for change. A viable local government system is essential to develop the political process and leadership at local level to complement these at national level. This would provide a basis for devolving and decentralizing the delivery of services and for local accountability.

F. Decision-Making

1.21 The decision making process is characterized by excessive passing to and fro of papers on individual issues in a bureaucratic system with a multitude of both vertical and horizontal layers of responsibility. Nor is responsibility always well defined which adds to the confusion and delays. Ministers and senior civil servants spend too much time on housekeeping, personnel questions and more routine matters that should be handled at lower levels. The management and implementation particularly of large-scale development projects appears inadequate because of an unwillingness by the Ministry of Finance to apply the relevant rules which provide for delegation to take place. Where delegation does take place, the effectiveness can be impeded by requirements to consult higher authority before actions are taken. The Team sees an urgent need to examine and revise the rules and regulations on delegation in order to increase transparency and accountability.

G. Aberrations in Decision-making

1.22 It was not part of the Study's remit to collect evidence about subjective, illegal or corrupt practices affecting decision-making and the delivery of services. The Team was, however, confronted with a good deal of information about such practices though the facts are hard to establish. It was concluded that the report could not ignore this issue because of its evidently central importance in any consideration of the administrative processes and behaviour in Bangladesh. The information put to the Team suggests that corruption is not limited to the more obvious branches of government, but is now all pervasive, creeping up even into the higher levels affecting policy formulation and systems for redress. The Team has summarized the ideas which emerged from previous reports on corruption. The Team considers that previous proposals mutually reinforce the recommendations of this current study.

H. Use of Technology

1.23 Although there have been developments in the computerization of central government, it is not clear how effective this has been in improving the operations of government. The Team considers that there is scope for further use of modern technology to improve internal management and control.

I. Civil Service Management

1.24 Good Government in a democratic society is dependent on the competence and motivation of a non-political civil service. Since the 1970, the evidence suggests that the tradition of "the best and brightest" seeking a career in the civil service has diminished. This is, in part, because more attractive career opportunities in business and the professions have opened up. Although a career in government is still very desirable, particularly in view of the employment situation, the survey data indicates that the standing of encadred civil servants is not high in the eyes of the respondents and that a civil service career is not seen to be attractive to graduates from technical universities and colleges. Among recent graduates, the civil service has a serious image problem.

1.25 Inter-service tensions, which are not a new phenomenon, are a feature of relations between cadres, between different batches recruited into the civil service and between Class I officers and others. Survey results showed widespread dissatisfaction among both encadred and non-encadred civil servants with the cadre system and with the system based on rank-in-person. A move towards a rank-in-position system seems to be favoured by a majority of civil servants. However, there is no consensus about the model for a personnel system.

1.26 The recruitment in 1973 of civil servants who were not required to compete under the normal rigorous examination system is a cause of resentment among those civil servants recruited before and since that date. Special procedures were also operated for some other intakes. The Team had no empirical evidence to support the contention that the 1973 intake and some other year intakes are inferior. The tensions which also exist between classes of officers could be eased by changes in the present rank-in-person system.

1.27 The results from the enquiries into career planning in the civil service suggest that such plans exist for only a minority of staff and are frequently drawn up without consulting the individual concerned. Among senior civil servants, career plans are generally non-existent and unsatisfactory where they do exist.

1.28 The Team found general dissatisfaction with the Annual Confidential Report system. The majority of the BCS (Administration) and other BCS officers considered that promotion, in general, is not based on merit. Eighty-three percent of the survey group did not see the promotion system as fair and about half attributed this to factors other than the absence of objective criteria. Promotion is an area of civil service management where there is a clash of interest between the BCS Administration cadre and other groups. This was apparent from the feelings aroused by the recent promotion exercise. The Team felt that these problems appear to be, in part, the result of there being no common promotion policy applying to all groups of the civil service.

1.29 There is dissatisfaction, particularly among non BCS Administration staff, with the transfer system. The frequency with which staff at Secretary and other senior levels change jobs means that efficiency in performance must suffer, because of the learning curve on new work and because this makes it impossible to get to know properly subordinate staff and representatives from the outside interests concerned with the new area of work. There is an inevitable loss of commitment to the job when officers expect to be moved on rapidly. The present transfer systems are neither efficient nor satisfactory for functioning of the government system or for the individual civil servants. There may be good reasons for operating different transfer systems for different groups of staff but there is a need, in the Team's view, to examine whether common rules should apply in different areas of government work. There seems a need to clarify the aims of transfer policy and its link with promotion. The Team concluded that a satisfactory resolution of the transfer issue will play a vital role in administrative consolidation and improved public management performance.

1.30 Government has taken to down-size the civil service at considerable cost in severance payments. The Team had no evidence as to whether or not the government has chosen the most effective means of streamlining government operations. The retrenchments proposed for most organizations appear to have been decided on an ad hoc basis and the financial benefits to the organizations have not been calculated. In the reports produced, no account has been taken of "ghost workers" who add to overstaffing levels. Based on studies of other countries, retrenchment alone does not guarantee increased efficiency and effectiveness.

1.31 The proportion of women in the Bangladesh civil service remains small in relation to the population generally, and concentrated in certain professional/technical cadres. Over the years 1986-91, women represented 15.20 percent, on average, of the number of participants in the examinations and 14.14 per cent of those who were successful. In the BCS Administration cadre, a survey showed 6.5 percent to be female, with the great majority as Assistant Secretary, and none above Deputy Secretary.

1.32 A case study was carried out to identify the problems confronting women in government. All the women in the study came from families which stressed the importance of female education. Nevertheless, some faced obstacles from family and friends at the time of joining. More than half the women interviewed referred to various problems which they had to contend with in the service. The Team concluded that there is a need to do more to train men and women officers and staff about gender awareness, and a need to improve the working and service conditions for women.

J. Human Resources Development and Training

1.33 The research data suggested that respondents perceive that the level of education of recruits to the civil service has deteriorated.

1.34 The results from a survey of civil servants about their training experiences suggests that the effectiveness of management training is impeded by a lack of clarity on national goals and a deterioration in moral values linked with increased corruption. The benefits of training can be of limited value because officials do not return to their old positions. Officers are not generally consulted on their training needs. The survey showed up inadequacies in all types of training and many officers felt that they could not use their expertise and experience adequately in Bangladesh.

1.35 An analysis of personnel records suggested that trained personnel are not effectively used, and that in some cases, there is a problem about over-training. The frequent transfer of officers makes it difficult to match training experience to job needs.

2. RECOMMENDATIONS

2.01 The recommendations are based on the findings of the Formulation Mission Report (8-29 October 1992), studies by local consultants, review by Team members of both primary and secondary data sources, and interviews carried out by Team members. They comprise proposals/ideas with varying degree of specificity indicating the need for detailing these recommendations in the form of Plan of Action for implementation. This is exactly what the Team will do in the form of a Programme Document after the Government reviews the Report. The Team is also expected to prepare a Programme Support Document for the UNDP funding of specific components and activities in the Programme Document.

2.02 The Team recognizes the existence of a wide gap between appearance and reality in the public management culture as reflected in ineffective implementation of policies and programmes. Narrowing this gap is critical to transparent management and can be brought about and sustained by the effective enforcement of existing laws and regulations and the implementation of reform measures recommended in the Report. The durability of reform measures needs to be based on the principles of openness, neutrality and fairness that can motivate and mobilize public officials to work for the goals of development and stability. The Team considers that reforms in the organizational and management systems require basic attitudinal changes among public servants. These changes need to address their service relationships to the public, their role as facilitators for the private sector and their accountability

to the elected representatives and Ministers. The Team equally considers that such attitudinal changes need to be brought about and sustained in a governance and management environment supported by laws and practices where public servants feel that decisions affecting them are fair, consistent and predictable.

2.03 The Team notes that the rights and aspirations of the people, broad goals of society and the ways of achieving these goals are embodied in the Constitution. The Team also notes that the current Government's perception about the role of the government is clearly stated in the recent budget speech, as being confined to "things that it should do best, that is, maintenance of law and order, development of social and physical infrastructure, formulating and implementing monetary, fiscal, trade and investment policies that explore all potential avenues of growth and are in harmony with the dynamics of society and genius of the people. The rest should be kept to private endeavours of individuals and organizations". The Team considers that the definition of a more limited role for the Government will require development of viable institutions in other sectors of society, and until this has happened, Government and its management system will need to continue its wider role.

2.04 The Team notes that the potential support for reform that a homogenous society like Bangladesh can offer has been seriously eroded by increased factionalism and an absence of national consensus on vital issues. Although it is not within the scope of the study, the Team suggests that broad societal support will be necessary for enduring governance and management reform and that efforts need to be made to build consensus around a societal vision of change which can sustain the process of change and reform in the public management system.

2.05 The Team notes that, in pursuit of its objective of building a democratic and prosperous society, Bangladesh aims to organize an efficient and democratic administrative system, focusing upon performance, transparency and accountability. In doing so, certain concepts that are drawn from current reality but geared to achieve future goals are outlined below. These concepts also reflect the distilled experience of countries with similar size and socio-economic situations that have achieved significant development in the post-war decades.

- o A vision or framework of broad social values and goals will be required to bind and mobilize people and groups in the society in support of Government reforms. Socio-economic goals have to be articulated by political leadership; observed in making policies and laws; and focused on positive behavioural changes to achieve greater social cohesiveness.
- o The foundations for a democratic and efficient government can be reinforced. Bangladesh is a homogeneous society with an essentially single linguistic, ethnic and cultural tradition, yet characterized by diverse factions and interests. A strategy to extend consensus-building can reinforce and strengthen the homogeneous character of society.
- o A pro-active development policy balancing the interests of security, economic growth and human development is useful. The Government and the society need to establish clear priorities reflecting needs and resources. These priorities should provide a framework for the relationship with development partners.

- o National commitment, as inscribed in the Constitution, is to democratic and parliamentary government. This commitment involves providing an accountable, transparent and performance-oriented administration. Such a challenging task requires active cooperation and support from key groups and institutions in the society. There is a need to widen this consensus process to support the necessary institutions, systems and practices of administration within a parliamentary democracy. There is need for Government actively to seek and promote greater understanding and agreement among all segments of society in its governance and management process.
- o Governance structures and management systems need to be rooted in constitutional and legal bases in order to provide a framework for actions of individual Government organizations and public officials.
- o All actions of Government organizations and their officials are ultimately the responsibility of Ministers who are accountable to Parliament.
- o Performance and accountability, rather than patronage and rent-seeking, should be the criteria for action by public officials in running the affairs of the State. All administrative, personnel and financial laws and regulations need to be designed to ensure that public officials do the job for which they are paid.
- o Efficient and democratic administration need appropriate structures and necessary resources to achieve policy goals.
- o Merit, equity and fairness should be guiding principles in the treatment of public servants. A balance of structural reforms and behavioural changes will guide public servants to perform their jobs with integrity and efficiency.

2.06 Although the recommendations are inter-related, they are noted under six topics; namely, (1) performance and accountability, (2) policy and decision-making, (3) organization and structure, (4) civil service management, (5) human resource development and training, and (6) technological infrastructure. These recommendations are further organized into two groups; namely, (a) consolidation proposals and (b) reform proposals. Consolidation measures build upon existing realities and perceptions and require immediate remedial actions which will signal the changes necessary for reform. The reform measures are geared to developing a more responsive, transparent and accountable administrative system and a performance - oriented civil service to support parliamentary democracy as well as durable development. The linkage between the consolidation and reform measures is close and may be seen as an on-going process of change involving stages. The gains obtained from consolidation measures will not be sustained unless reform measures are introduced as soon as possible. Both the consolidation initiative and the reform initiative should go forward simultaneously. Should that not be feasible for any reasons, the Team recommends that the initiatives be implemented at least in quick sequence. While the proposed consolidation and reform measures are presented below under six topics, in a condensed format, some explanatory notes pertaining to these measures may be seen in the Appendix 2.

A. Performance and Accountability

i. Consolidation Proposals

1. Establish a unit in the Prime Minister's Office responsible for conducting assessments of performance of Ministries, with reports to be submitted to the Prime Minister
2. Require annual reports to be submitted to Parliament by each Ministry, on performance in relation to its goals, objectives, targets and programmes achieved during the previous fiscal year
3. Strengthen the independent advice and support for the ministerial review committees in Parliament in order to improve their effectiveness in scrutinizing and reporting on the performance of Ministries. These review committees should be chaired by a Member of Parliament who is not a Minister of the Government
4. Strengthen the independence of Comptroller/Auditor General (CAG) by establishing its own Secretariat, and substantially strengthen its technical and logistical capacity and the resources to produce reports more rapidly
5. Implement the provision for the Ombudsman, as embodied in Article 77 of the Constitution

ii. Reform Proposals

6. Establish results oriented management systems through setting objectives and measures of outputs and impacts for units throughout the Government. Initiate this activity with selected Ministries, Divisions, Departments, Districts, and Thanas, progressively including additional units
7. Establish units in each Ministry and Division, responsible for developing and applying performance criteria and measures and developing internal performance audit capability. Initiate activity with selected Ministers and Divisions, eventually to add this capacity to all Government organizations
8. Require that audits produced by the CAG be completed no later than 12 months after the completion of the fiscal year for which the audit is conducted
9. Implement budget and expenditure control reforms, including budget rules, format, calendar, and accounting and auditing rules and practices, generally as recommended in Bangladesh: Reforms in Budgeting and Expenditure Control: Final Report. Initiate reforms progressively
10. Develop closer integration of budgetary system with planning system, including application of appropriate modern methods, with linkage to development programmes and a multi-year perspective

B. Policy and Decision Making

i. Consolidation Proposals

11. Initiate development of systematic data base for all Government information, with initial focus on finance, personnel and performance data
12. Increase policy analysis capability in Government by developing the skills of the existing staff, and by introducing specialist posts and units in Ministries
13. Establish and utilize advisory councils and committees consisting of representatives of interest groups and expert groups to advise on policy formulation, and involve as appropriate, client and beneficiary groups in the implementation of policy and delivery of services
14. Strengthen the Parliamentary library by making it a depository of all relevant Government documents, as well as a reference and research service for all Members of Parliament
15. Review existing rules and practices regarding decision making and develop measures to ensure that decision making authority is delegated to and exercised at appropriate levels

ii. Reform Proposals

16. Develop networking of the data base so that Parliament, political executives and permanent executives can access the information, as mentioned in the related Consolidation Proposal (# 11)
17. Strengthen collective decision making in the framework of corporate planning by teams within Ministries and operating units at appropriate levels
18. Encourage development of autonomous policy think-tanks, capable of researching and preparing reports as input to the improvement and development of Government policies

C. Organization and Structure

i. Consolidation Proposals

19. Initiate systematic organizational review initially with selected Ministries, Divisions, Departments, wings, cells, and autonomous bodies, eventually extending exercise throughout Government, the results of which would define a reconfiguration of central Government structure, including the establishment of some existing implementation units as self-accounting agencies where appropriate

20. Review and implement rational allocation of functions between central and local levels in order that local administrations and local Governments would be progressively strengthened

ii. Reform Proposals

21. Rationalize Government structure following examination of functions and based upon principles of compactness and coherence, taking into account the need to improve coordination and to reduce the number of Ministries and Divisions in order to make Government more manageable
22. Systematically review and streamline Government rules and regulations relating to allocation of business/work and financial powers so as to eliminate red tape and redundant functions, and thereafter update all relevant Government manuals
23. Ensure independence of the judiciary at all levels, including separation of judiciary from executive, as provided in Article 22 of the Constitution
24. Progressively place under control of elected Local Governments, the local administrations and locally-posted officers, as appropriate, and related to Articles 59 and 60 of the Constitution and the Report of the Local Government Structure Review Commission

D. Civil Service Management

i. Consolidation Proposals

25. Select and promote officials based on merit, determined in a transparent process and defined as: (1) demonstrated competency/expertise and educational attainment for selection; and (2) performance, examination and successful completion of mandatory training for promotion
26. Strengthen Public Service Commission through improvement of status and conditions of service of members, upgrading the secretariat, logistics and technical expertise, and ensure that it can operate effectively and independently in its assigned tasks of recruitment, selection, promotional principles, terms and conditions of service, discipline, and making an annual report to Parliament, as embodied in Articles 137-141 of the Constitution
27. Develop, within the Ministry of Establishment, principles of personnel management for all levels of civil servants, including the development of frameworks for Ministries and units to manage their own staff, including revision and updating of personnel manual
28. Provide for the Ministry of Establishment to be responsible for managing directly officers at Joint Secretary, Additional Secretary and Secretary levels. All other levels should be managed by their respective Ministries, Divisions and future self-accounting agencies

29. Revise existing conduct rules and integrate these into an updated Code of Conduct to reflect current socio-economic context

30. Progressively remove distinctions between cadres, specifically by combining similar cadres into a smaller number of cadres in order to open up more promotional opportunities based on merit especially at the top levels, and by harmonizing pay systems and conditions of service

31. Abolish the practice of reservation of posts in Ministries for particular cadres, and provide for open competition for Secretariat posts from all cadres, based on qualifications and experiences relevant to the post

32. Professionalize the civil service through development of an appropriate transfer policy in order to reduce the adverse impact of current frequent transfers on the efficiency of Government operations

33. Develop position descriptions for all posts in Government, beginning with Class 1 officer posts, in order to enable personnel to be matched to posts

34. Provide adequate infrastructure for women officers, including attention to issues of child care and transportation

ii. Reform Proposals

35. As envisioned in Article 133 of the Constitution, enact appropriate civil service laws and rules to regulate appointment and conditions of service of persons in the service of the Republic

36. Decentralize implementation of personnel policies to Ministries and Divisions

37. Revise leave rules to accommodate special requirements of women

38. Replace cadre and class system with personnel management system based on position classification and grades, for transparent, fair and efficient management of officials in a democratically responsive civil service

E. Human Resources Development and Training

i. Consolidation Proposals

39. Revise the content of training programme to reflect the needs of a parliamentary democracy, private sector development, and a market economy. Training schedules should cover people-centred development and public service ethics

40. Professionalize the civil service through enforcing, and initiating where necessary, mandatory periodic training, including performance assessment and examination, directly linked to promotion to specific levels and types of posts

41. Develop special top-level seminars of short duration, based on participatory format, and using high level experts, for highest level civil servants and heads of industry and NGOs, so as to increase awareness of better management practices, wider global perspectives, and the need for consensus-building and greater trust within society
42. Design and initiate orientation programmes and policy seminars for Members of Parliament
43. Strengthen training institutions through computerization, training equipment and the acquisition and development of advanced materials
- ii. Reform Proposals
44. Carry out on a regular and systematic basis training needs assessments, in order to develop appropriate training and other measures to enhance technical and managerial skills among the civil servants
45. Provide professional development opportunities for individual officers, to be determined in the context of the Annual Confidential Report and career development needs
46. Design and offer special training programmes for collective teams within Governmental units at all levels, where these teams are developed
47. Expand and strengthen training programmes for local level leaders
48. Initiate mandatory inclusion in all training programmes of gender awareness for women and men officers and staff, and develop curricular modules on gender and management and special courses for women managers as appropriate

F. Technological Infrastructure

- i. Consolidation Proposals
49. Computerize and/or upgrade major systems of information on finance, personnel and performance management, within Government units, to improve the quality of policy and decision making as noted under the section on policy and decision making
50. Develop linkage with international information networks for professional development, policy development and all aspects of enhancing global perspectives

ii. Reform Proposals

51. Develop decentralized and coordinated information systems, linking central Government units with local administration and local Governments, as noted in the section on organization and structure
52. Provide special infrastructure and computerized information systems to support collective decision making teams, as noted in the section on policy and decision making

3. IMPLEMENTATION

3.01 Observations were made in the recommendations section regarding some aspects of implementation. The UNDP expressed its readiness to prepare a Programme Document to develop, in consultation with the Government, specific proposals to implement the above recommendations included under consolidation and reform measures. In this section, suggestions for strategy and approaches and institutions for implementation of these recommendations will be made. It may be noted the suggestions for reform implementation in this section covers all the recommendations within both consolidation and reform categories.

3.01 Strategy and Approaches. The strategy proposed attempts to build on the on-going process of democratization which is taking place in Bangladesh today. The elements of the strategy for reform must include transparency, results-oriented performance, and accountability.

3.02 To ensure transparency, implementation of administrative reforms must specify clear-cut, precise goals and objectives that are made known to those that will be most affected by the reforms. In the past, several reform attempts were made during both the 1947 to 1971 period and the period since independence in 1971. Many of them failed because the reforms were not disclosed to the public.

3.03 The transparency element of the approach requires that the bureaucracy, the relevant segments of the population and the public as a whole be informed of the goals and objectives of the reform as well as the progress being made in implementing the reforms. Given the press coverage of the topic of administrative reform including areas of government operations that should be reformed as well as suggestions for reforms, there appears to be adequate interest and support that can be mobilized for reform implementation.

3.04 The results-oriented element of the approach requires that specific reforms and their detailed elements be anchored to specific time frames. This matrixing of reforms to time provides a clear indication of what is to be expected and when.

3.05 The accountability element of the approach requires that the implementation of reforms is the responsibility of the chief executive of the country. The Constitution of the People's Republic of Bangladesh (as revised in 1991), vests this power in the Office of the Prime Minister. At the same time, the Prime Minister possesses the power to delegate this authority to whatever organization she/he wishes with the understanding that the reform implementation organization reports to the Prime Minister in a periodic, timely fashion.

3.06 Institutions. The institutions most directly affected by the reforms recommended in this report include: the parliament; the cabinet and individual cabinet members; the judiciary; the civil service; and the public. Therefore, all of these segments of Bangladesh society have to be involved either in the role of overseer, implementer or evaluator. This must also be a non-partisan effort since the reforms that are recommended, if implemented, will be beneficial to all political parties in Bangladesh.

3.07 In this context, it is recommended that the Prime Minister appoint a Reform Implementation Commission composed of members of parliament, the cabinet, the secretariat, representatives of the business community, labour groups, agricultural organizations, the mass media, civic organizations, academic and professional institutes and associations and non-government organizations. The Chairperson should be a prominent, well-respected member of the judiciary. A Secretariat for the Commission should be comprised of high level technical and managerial experts drawn in part from institutions represented in the Commission. The Secretariat should be located in the Office of the Prime Minister.

3.08 The terms of reference for the Reform Implementation Commission should include: (1) the development of detailed proposals specifying objectives, components, and operational strategy for each reform recommendation; (2) the development of specific results-oriented activities, and matching them to specific time tables; (3) the assignment of specific implementation responsibilities to specific government officers and organizations; (4) the suggestion to the Prime Minister of any issue or areas of work that need to be studied to improve government performance; and (5) the presentation of quarterly and annual reports to the Prime Minister on the accomplishments of the implementation, as well as analysis of obstacles that the Commission is trying to overcome to stay on target.

PERFORMANCE AND ACCOUNTABILITY ELABORATED RECOMMENDATIONS

CONSOLIDATION PROPOSALS

1. Establish a unit in the Prime Minister's Office responsible for conducting assessments of performance of Ministries, with reports to be submitted to the Prime Minister

The Prime Minister, as head of the Government, is responsible for the performance of the machinery of Government, including its outputs and its impact on society. A professionally competent unit within the Office with expertise, experience and information would assist the Prime Minister in knowing whether there is a need for improvement in the implementation of Governmental programmes. The task of this unit will be staff work, quite distinct from the Prime Minister's Secretariat, IMED or other organizations performing main line functions.

2. Require annual reports to be submitted to Parliament by each Ministry, on performance in relation to its goals, objectives, targets and programmes achieved during the previous fiscal year

This proposal reflects the demands of a Parliamentary democracy in which Parliament must have adequate information to review the actions of the executive. Specifically, according to this proposal, each Ministry will develop goals, objectives, targets and programmes and a mechanism for collecting data on the accomplishment of the above, the results of which will then be reported annually to Parliament.

3. Strengthen the independent advice and support for the Ministerial review committees in Parliament in order to improve their effectiveness in scrutinizing and reporting on the performance of Ministries. These review committees should be chaired by a Member of Parliament who is not a Minister of the Government

Ministerial review committees can be strengthened to be able to analyze the performance of Ministries. Staff can be trained in the use of performance indicators and the analysis of reports and statistics. The appearance of conflict of interest whereby a Minister chairs the committee that oversees his/her Ministry can be overcome by the committee being chaired by Members of Parliament who are not Ministers. Some of these committees, as well as the Public Accounts Committee, might be chaired by Members of the Opposition.

4. Strengthen the independence of Comptroller/Auditor General (CAG) by establishing its own Secretariat, and substantially strengthen its technical and logistical capacity and the resources to produce reports more rapidly

The Comptroller/Auditor General plays a key role in public accountability. This office needs to have the trained staff, logistics and information to ensure the timely release of reports on the use of financial resources by the Government. Although the main function at this time is financial audits, this office could, with additional training, perform selected performance audits, as requested by the Parliament.

5. Implement the provision for the Ombudsman, as embodied in Article 77 of the Constitution , .

Although the concept of Ombudsman is mentioned in the Constitution, it has not yet been implemented. In a democracy, it is important for citizens to have some ready mechanism that can receive and consider their grievances. In some cases, the Ombudsman can direct their grievances so that redress can be made; in other cases, even though redress is not forthcoming, the citizen will feel that he/she has been listened to with respect and fairness.

REFORM PROPOSALS

6. Establish results oriented management systems through setting objectives and measures of outputs and impacts for units throughout the Government. Initiate this activity with selected Ministries, Divisions, Departments, Districts, and Thanas, progressively including additional units

Related to the issue of accountability is the concept of expecting Government policies, programmes and actions to produce some measurable results in the lives of the citizens. To achieve results, the Ministries and various operational units must clarify goals through setting specific objectives and targets for achievement for specific periods of time. The units must develop means of measuring the achievement of the targets, indicating the outputs of Government activity and the measured impact for society. This methodology can be employed in any unit and at any level, with a team of top officials who are responsible for using financial, personnel and logistical resources for the achievement of specified results. Units should be interested in reporting their results to Parliament, but more importantly, each unit should be interested in monitoring and improving its own performance.

7. Establish units in each Ministry and Division, responsible for developing and applying performance criteria and measures and developing internal performance audit capability. Initiate activity with selected Ministries and Divisions, eventually to add this capacity to all Government organizations

To accomplish results oriented management, it is necessary to establish a unit in each Ministry and division which would develop and apply criteria and measures for performance. This unit would assist and monitor operational units as they establish results oriented management systems.

8. Require that audits produced by the CAG be completed no later than 12 months after the completion of the fiscal year for which the audit is conducted

A major dimension of accountability is timeliness. Reports on the use of money and other resources which appear several years after the fact are useless for managerial purposes. It is too late to take corrective action, as too many contextual factors have changed. As the CAG increases its capability, it is reasonable to require that audit reports be completed within 12 months after the completion of the fiscal year.

9. Implement budget and expenditure control reforms, including budget rules, format, calendar, and accounting and auditing rules and practices, generally as recommended in Bangladesh: Reforms in Budgeting and Expenditure Control: Final Report. Initiate reforms progressively.

Several reports have indicated necessary reforms in the area of budget and expenditure control. The Study Team believes generally that these reforms should be implemented as soon as practicable, and that necessary training and equipment should be provided, as well as required changes in Government procedures should be made.

10. Develop closer integration of budgetary system with planning system, including application of appropriate modern methods, with linkage to development programmes and a multi-year perspective

As the budgetary system represents the allocation of financial resources and a planning system generally reflects the goals of the society, there should be considerable integration of the two processes. This integration can be facilitated by, among other things, coordination in information systems, especially through computerization and sharing of data between the two systems. The multi-year perspective and commitments to development programmes, including those that are donor funded and likely to be shifted to national budget, must be reflected in the budget and planning processes and documents. The current practice of using three-year rolling investment programme ought to be related to socio-economic development goals rather than a simple exercise of pruning investment proposals.

POLICY AND DECISION-MAKING

Consolidation Proposals	Reform Proposals
11. Initiate development of systematic data base for all Government information, with initial focus on finance, personnel and performance data	16. Develop networking of the data base so that Parliament, political executives and permanent executives can access the information, as mentioned in the related Consolidation Proposal (#11)
12. Increase policy analysis capability in Government by developing the skills of existing staff, and by introducing specialist posts units in Ministries	17. Strengthen collective decision making in the framework of corporate planning by teams within Ministries and operating units at appropriate levels
13. Establish and utilize advisory councils and committees consisting of representatives of interest groups and expert groups to advise on policy formulation, and involve as appropriate client and beneficiary groups in the implementation of policy and delivery of services	18. Encourage development of autonomous policy think-tanks, capable of researching and preparing reports as input to the improvement and development of Government policies
14. Strengthen the Parliamentary library by making it a depository of all relevant Government documents, as well as a reference and research service for all Members of Parliament	
15. Review existing rules and practices regarding decision making and develop measures to ensure that decision making authority is delegated to and exercised at appropriate levels	

POLICY AND DECISION MAKING ELABORATED RECOMMENDATIONS

CONSOLIDATION PROPOSALS

11. Initiate development of systematic data base for all Government information, with initial focus on finance, personnel and performance data

Sound policy decisions and operational decisions require knowledge of current and past data and performance. Policy and decision making must be informed by accurate pictures of the financial, personnel and logistical resources, as well as clear information on the objectives to be achieved and the past performance of Government units. In a Parliamentary democracy, these data are organized into a useable format, which is readily available to all units and levels of Government, and especially Parliament. The easiest and most open manner for sharing information is through computerized systems, which are relatively inexpensive as of the 1990s.

12. Increase policy analysis capability in Government by developing the skills of existing staff, and by introducing specialist posts and units in Ministries

Sound policy decisions and operational decisions also require staff that can collect, organize, analyze and interpret data, in order to provide policy and decision options. As much as possible, policy and decision makers should have or develop analytical and interpretation skills, but it is likely that special staff will need to be specifically skilled in policy analysis. These staff may occupy policy analyst positions and may be organized into policy analysis units in the Ministries.

13. Establish and utilize advisory councils and committees consisting of representatives of interest groups and expert groups to advise on policy formulation, and involve as appropriate, client and beneficiary groups in the implementation of policy and delivery of services

In a democracy, the bureaucracy is open to input from citizens. Such input is often organized through advisory councils and committees, composed of representatives of interest groups and expert groups. These groups can study issues and make recommendations. In a democracy, the Government receives citizen input, makes policy decisions, and has to justify to the Parliament and the public the reasons for their decisions. This is open and transparent governance. Also, the implementation of policy and delivery of services can be either contracted out to interest or expert groups or allocated to community groups on a self-help basis.

14. Strengthen the Parliamentary library by making it a depository of all relevant Government documents, as well as a reference and research service for all Members of Parliament

Members of Parliament can better make policy decisions if they have maximum information readily available. To assist in the analysis of this information, the library may need specialized staff and adequate modern technological support to research topics as requested by Members.

15. Review existing rules and practices regarding decision making and develop measures to ensure that decision making authority is delegated to and exercised at appropriate levels

In order to ensure that policy level officials, such as Ministers, Secretaries, Additional Secretaries and Joint Secretaries, etc., concentrate on policy and the larger issues of performance and accountability, it is essential that operational decisions be taken at operational levels. A study can reveal what decisions should be taken at each level. New rules and regulations concerning policy and decision making should be enforced.

REFORM PROPOSALS

16. Develop networking of the data base so that Parliament, political executives and permanent executives can access the information, as mentioned in the related Consolidation Proposal (#11)

As data is collected in all units and Ministries, this information can be computerized, using not only data bases but also CD-ROM facilities, in order to fully share all available information widely among the Government machinery, the Parliament and even citizens' groups. Of course, information and data bases involved in national security would be secret, but in a democratic society, there is relatively little, and certainly nothing in domestic policy, that must be kept secret. The sharing of information among elements of the Government machinery can contribute to greater speed and accuracy in decision making, especially concerning budgets and personnel. The openness of information and information systems is a symbol to the public that "there is nothing to hide".

17. Strengthen collective decision making in the framework of corporate planning by teams within Ministries and operating units at appropriate levels

One contribution to good management, as well as to transparency and accountability, is to facilitate the taking of decisions by an appropriate group of top level officials in the unit or Ministry. This type of collective responsibility by the top team would allow collegial debate, consensus-building and joint responsibility for the use of financial, personnel and logistical resources. When such a team develops a corporate plan for their unit, they can use the plan as a basis for measuring performance. This concept is related to results oriented management systems, mentioned above.

18. Encourage development of autonomous policy think-tanks, capable of researching and preparing reports as input to the improvement and development of Government policies

Democratic governance requires the consideration of many and diverse opinions, based on a wide variety of analytic frameworks. To ensure the availability of a diversity of citizen inputs to improve the quality of policy and decision making, the Government may encourage the development of autonomous policy institutes or think-tanks, whether Government, private or jointly funded. These institutes would be entirely autonomous, but encouraged to research policy issues and prepare reports to encourage Parliament and the Government to consider additional viewpoints, with sophisticated research and gathering of evidence.

ORGANIZATION AND STRUCTURE

Consolidation Proposals	Reform Proposals
19. Initiate systematic organizational review initially with selected Ministries, Divisions, Departments, wings, cells, and autonomous bodies, eventually extending exercise throughout Government, the results of which would define a reconfiguration of central Government structure, including the establishment of some existing implementation units as self-accounting agencies where appropriate	21. Rationalize Government structure following examination of functions and based on principles of compactness and coherence, taking into account the need to improve coordination and to reduce the number of Ministries and Divisions in order to make Government more manageable
20. Review and implement rational allocation of functions between central and local levels in order that local administrations and local Governments would be progressively strengthened	22. Systematically review and streamline Government rules and regulations relating to allocation of business/work and financial powers so as to eliminate red tape and redundant functions, and thereafter update all relevant Government manuals
	23. Ensure independence of the judiciary at all levels, including separation of judiciary from executive, as provided in Article 22 of the <u>Constitution</u>
	24. Progressively place under control of elected Local Governments, the local administrations and locally-posted officers, as appropriate, and related to Articles 59 and 60 of the <u>Constitution</u> and the <u>Report of the Local Government Structure Review Commission</u>

ORGANIZATION AND STRUCTURE
ELABORATED RECOMMENDATIONS

CONSOLIDATION PROPOSALS

19. Initiate systematic organizational review initially with selected Ministries, Divisions, Departments, wings, cells, and autonomous bodies, eventually extending exercise throughout Government, the results of which would define a reconfiguration of central Government structure, including the establishment of some existing implementation units as self-accounting agencies where appropriate

The goal of this section is to encourage systematic review of allocation of business, in order to reconfigure the machinery of government. It is envisioned that the machinery can be streamlined; that is, some units can be consolidated, some neglected areas could be established, and some obsolete functions could be abandoned. Also, some existing implementation units could be granted more operational autonomy, while being held accountable for results. This autonomy could only be granted if appropriate measures are developed for measuring performance and holding the units accountable. Generally, these units are referred to as "self-accounting" agencies.

20. Review and implement rational allocation of functions between central and local levels in order that local administrations and local Governments would be progressively strengthened

The Study Team also saw the need to clearly delineate the roles of central and local governments in a democratic society. A review should consider what functions the local governments can be responsible for and those local governments should be given financial, personnel and logistical resources to carry out those functions. In a democratic society, some key service delivery functions should be performed as closely as possible to the recipients. And those recipients, gathered together into local level representative democratic institutions, should have considerable influence over the service delivery system, ultimately making the this service delivery system directly accountable to the clients, as represented in their local governments.

REFORM PROPOSALS

21. Rationalize Government structure following examination of functions and based on principles of compactness and coherence, taking into account the need to improve coordination and to reduce the number of Ministries and Divisions in order to make Government more manageable

This rationalized Government structure would arise from the examination of allocation of business during the Ministerial review, as indicated above in the CONSOLIDATION PROPOSALS. For example, compact and more self-contained Ministries can be created by combining all industry-related Ministries (e.g., industry, textile and jute) into one Ministry. If the Government prefers to emphasize export orientation, it may also combine Trade and Commerce into one Ministry. Similarly, in the area of agriculture, Ministries of agriculture, fisheries, livestock, and rural development and cooperatives (divisions) can be consolidated into one compact Ministry. The Ministries of Finance, Planning, External Relations Divisions also can be combined into one Ministry. These are only tentative suggestions, based on experiences of how other countries have re-organized their government machineries. The basic idea is to

organize a Ministry for policy development and coordination and performance standard setting and monitoring, leaving policy implementation with appropriate organizations: departments, agencies and public corporations as appropriate.

✓ 22. Systematically review and streamline Government rules and regulations relating to allocation of business/work and financial powers so as to eliminate red tape and redundant functions, and thereafter update all relevant Government manuals

Along with the review of allocation of business, should come a review of the rules of business, in order to eliminate delays, bottlenecks and other problems which might be identified. All changes should be reflected in revised Government manuals. It may be advisable to set up a permanent standing committee for this purpose.

✓ 23. Ensure independence of the judiciary at all levels, including separation of judiciary from executive, as provided in Article 22 of the Constitution

The appearance and actuality of fairness, equity and justice depend upon the judiciary being entirely independent from possible influences from the executives and politicians. An independent judiciary is a major symbol of democratic society and an assurance to the public

24. Progressively place under control of elected Local Governments, the local administrations and locally-posted officers, as appropriate, and related to Articles 59 and 60 of the Constitution and the Report of the Local Government Structure Review Commission

As an extension of the review of allocation of responsibilities between central and local governments, and in order to strengthen popularly elected local government, as the level of government most close to the people who are the recipients of Government services, the local governments require control over the financial, personnel and logistical resources in order to be accountable to their people for the delivery of government services. For maximum transparency and accountability, people in their localities can control the institutions which are responsible for local service delivery.

Consolidation Proposals	Reform Proposals
25. Select and promote officials based on merit, determined in a transparent process and defined as: (1) demonstrated competency/expertise and educational attainment for selection; and (2) performance, examination and successful completion of mandatory training for promotion 26. Strengthen Public Service Commission through improvement of status and conditions of service of members, upgrading the secretariat, logistics and technical expertise, and ensure that it can operate effectively and independently in its assigned tasks of recruitment, selection, promotional principles, terms and conditions of service, discipline, and making an annual report to Parliament, as embodied in Article 137-141 of the <u>Constitution</u> 27. Develop, within the Ministry of Establishment, principles of personnel management for all levels of civil servants, including the development of frameworks for Ministries and units to manage their own staff, including revision and updating of personnel manual 28. Provide for the Ministry of Establishment to be responsible for managing directly officers at Joint Secretary, Additional Secretary and Secretary levels. All other levels should be managed by their respective Ministries, Divisions and future self-accounting agencies 29. Revise existing conduct rules and integrate these into an updated Code of Conduct to reflect current socio-economic context 30. Progressively remove distinctions between cadres, specifically by combining similar cadres into a smaller number of cadres in order to open up more promotional opportunities based on merit especially at the top levels, and by harmonizing pay systems and conditions of service	31. Abolish the practice of reservation of posts in Ministries for particular cadres, and provide for open competition for Secretariat posts from all cadres, based on qualifications and experiences relevant to the post 32. Professionalize the civil service through development of an appropriate transfer policy in order to reduce the adverse impact of current frequent transfers on the efficiency of Government operations 33. Develop position descriptions for all posts in Government, beginning with Class I officer posts, in order to enable personnel to be matched to posts 34. Provide adequate infrastructure for women officers, including attention to issues of child care and transportation 35. As envisioned in Article 33 of the <u>Constitution</u>, enact appropriate civil service laws and rules to regulate appointment and conditions of service of persons in the service of the Republic 36. Decentralize implementation of personnel policies to Ministries and divisions 37. Revise leave rules to accommodate special requirements of women 38. Replace cadre and class system with personnel management system based on position classification and grades, for transparent and efficient management of officials in a democratically responsive civil service

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CONSOLIDATION PROPOSALS

- ✓ 25. Select and promote officials based on merit, determined in a transparent process and defined as: (1) demonstrated competency/expertise and educational attainment for selection; and (2) performance, examination and successful completion of mandatory training for promotion

In a democratic society, the civil service is organized to serve society through managing government to deliver services and appropriate policies in as effective and as efficient a manner as possible. In order to be most productive, the officials should be recruited on the basis of competition, with only the best being recruited without quota reservations. The orientation toward performance and accountability for performance can be emphasized through basing promotion on performance, advanced examination, successful completion of mandatory training, with those achieving the highest score earning the promotions. This recommendation depends upon strong systems of examinations, performance evaluation, and proper posting of officials to best utilize training and experience. This recommendation also presupposes that the public at large, politicians inside and outside of Parliament and local Governments, and civil servants at all levels will restrain themselves from attempting to influence selection and promotion decisions.

26. Strengthen Public Service Commission through improvement of status and conditions of service of members, upgrading the secretariat, logistics and technical expertise, and ensure that it can operate effectively and independently in its assigned tasks of recruitment, selection, promotional principles, terms and conditions of service, discipline, and making an annual report to Parliament, as embodied in Article 137-141 of the Constitution

The PSC plays a critical role in the recruitment and selection of civil servants, as well as in determining promotional principles, terms and conditions of service and discipline. Its annual report to Parliament informs politicians concerning current situations in civil service management. It is important that the members and staff be of the highest calibre, be thoroughly trained and/or experienced in personnel management, and be entirely free of political or administrative influence. Their operations must be transparent, in order to enjoy the trust of the civil servants and the public at large.

- ✓ 27. Develop, within the Ministry of Establishment, principles of personnel management for all levels of civil servants, including the development of frameworks for Ministries and units to manage their own staff, including revision and updating of personnel manual

The Ministry of Establishment must focus on policy issues of personnel management. In line with decentralization of implementation of personnel policies to the individual Ministries, the MOE must develop means of setting frameworks, developing reporting arrangements, and establishing monitoring mechanisms. While the Study Team believes that actual management of personnel should be accomplished by the individual Ministries, the MOE must oversee the implementation of its policies. The new arrangements should be reflected in a revised personnel manual.

- ✓ 28. Provide for the Ministry of Establishment to be responsible for managing directly officers at Joint Secretary, Additional Secretary and Secretary levels. All other levels should be managed by their respective Ministries, Divisions and future self-accounting agencies

Officers at the highest policy levels in Government must be centrally managed, and by the MOE. Officers at lower levels are more appropriately managed by their own Ministry, in which their superiors best know their performance and the needs of the positions to be filled.

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29. Revise existing conduct rules and integrate these into an updated Code of Conduct to reflect current socio-economic context

The appearance and possible reality of corruption in Government operations demands the development and publication, as well as enforcement, of a strong Code of Conduct for Government officials. This revision of existing provisions should take into account current socio-economic context.

30. Progressively remove distinctions between cadres, specifically by combining similar cadres into a smaller number of cadres in order to open up more promotional opportunities based on merit especially at the top levels, and by harmonizing pay systems and conditions of service

A career and professional civil service means that the best people are placed in the right positions, and promoted according to their performance. By widening the definition of cadres to include several specialties which are somewhat similar in training and general competence, it is possible to organize more promotional opportunities for the best candidates. Although this system does not guarantee certain positions for a narrowly defined profession, it provides wider opportunities for the best performers, especially at the highest levels. It is only fair and equitable to harmonize pay systems and conditions of service. Potential for combining cadres with similar specialties include, for example, joining Health, Public Health and Family Planning into one group, joining economics and statistics into one group, and similar groupings.

31. Abolish the practice of reservation of posts in Ministries for particular cadres, and provide for open competition for Secretariat posts from all cadres, based on qualifications and experiences relevant to the post

In light of the need for superior performance, it is necessary to emphasize specific suitability and past performance for placement in Secretariat posts. The exact cadre of a candidate should neither penalize nor advantage in open competition. Both excellent managers and renowned specialists are needed for policy positions in the Secretariat. The Secretariat needs the best candidates from career tracks.

32. Professionalize the civil service through development of an appropriate transfer policy in order to reduce the adverse impact of current frequent transfers on the efficiency of Government operations

Current transfer policy does not seem to be enforced to the fullest length of stay possible; transfers take place usually within 12 to 18 months after appointment, sometimes much less. The policy seems to stipulate an optimal three year tenure in position before transfer. The three year period is designed to allow sufficient time to learn the work, receive and utilize appropriate training, and play a major role in policy development and/or implementation. There is a problem of continuity when officers are transferred too frequently. In fact, three years may be too short a time in some cases, but the best duration of tenure for types of positions should wait for the REFORM PROPOSALS. To achieve the most immediate goals of performance improvement and consolidation, an appropriate transfer policy should be developed.

33. Develop position descriptions for all posts in Government, beginning with Class 1 officer posts, in order to enable personnel to be matched to posts

Position descriptions are important for two reasons. (1) Matching candidates with positions depends upon a clear idea of what the position entails, so that the qualifications and experiences of several candidates can be evaluated to the position description. (2) Performance appraisal

cannot be adequately accomplished unless there is a position description against which performance can be evaluated. Position descriptions must be developed within the context of organizational goals and objectives, and in light of the incumbent's expected contribution to the accomplishment of the organization's aims. This linkage to organizational goals may mean that the exercise of developing position descriptions will necessarily follow (but directly) on the review of organizational functions and goal/objective/target setting.

34. Provide adequate infrastructure for women officers, including attention to issues of child care and transportation

Women officers and staff need comfort facilities; and safe transport. Also, so long as women have major responsibility for rearing of children, they need to know that their children are safe and happy during the work day. This often means the Government provision of on-site child care.

REFORM PROPOSALS

35. As envisioned in Article 33 of the Constitution, enact appropriate civil service laws and rules to regulate appointment and conditions of service of persons in the service of the Republic

The various laws that pertain to the civil service should be consolidated into one law, and updated to reflect civil service management reforms.

36. Decentralize implementation of personnel policies to Ministries and divisions

Following the arguments above, officers at lower levels are more appropriately managed by their own Ministry, in which their superiors best know their performance and the needs of the positions to be filled. The management of the personnel within the units would be monitored, evaluated and reported on by the MOE.

37. Revise leave rules to accommodate special requirements of women

Women officers usually have family responsibilities, especially the bearing and the management of the raising of children. Also, women are often expected to give due attention to assisting elderly parents and in-laws, as well as numerous other relatives. To accommodate these social responsibilities, leave rules should be revised to allow women to attend to these responsibilities without adverse impact on their seniority, posting, training and other professional opportunities. If men also wish to be responsible for the rearing of children and caring for relatives, they should also be given accommodation. These policies should be responsibility-specific and gender-neutral.

38. Replace cadre and class system with personnel management system based on position classification and grades, for transparent and efficient management of officials in a democratically responsive civil service

In order to emphasize performance --both organizational and personal-- it will be necessary to move to a more objective and more open, transparent method of placement of officers into positions, namely, through the method of position classification and grades. This is the only method, as stated above, of ensuring a proper match between the best person and the position, and of creating a sound basis for performance appraisal.

HUMAN RESOURCE DEVELOPMENT AND TRAINING

Consolidation Proposals	Reform Proposals
39. Revise content of training programme to reflect the needs of a parliamentary democracy, private sector development, and a market economy. Training schedules should cover people-centred development and public service ethics	44. Carry out on a regular and systematic basis training needs assessments, in order to develop appropriate training and other measures to enhance technical and managerial skills among the civil servants
40. Professionalize the civil service through enforcing, and initiating where necessary, mandatory periodic training, including performance assessment and examination, directly linked to promotion to specific levels and types of posts	45. Provide professional development opportunities for individual officers, to be determined in the context of the Annual Confidential Report and career development needs
41. Develop special top-level seminars of short duration, based on participatory format, and using high level experts, for highest level civil servants and heads of industry and NGOs, so as to increase awareness of better management practices, wider global perspectives, and the need for consensus-building and greater trust within society	46. Design and offer special training programmes for collective teams within Governmental units at all levels, where these teams are developed
42. Design and initiate orientation programmes and policy seminars for Members of Parliament	47. Expand and strengthen training programmes for local level leaders
43. Strengthen training institutions through computerization, training equipment and the acquisition and development of advanced materials	48. Initiate mandatory inclusion in all training programmes of gender awareness for women and men officers and staff, and develop curricular modules on gender and management and special courses for women managers as appropriate

HUMAN RESOURCES DEVELOPMENT AND TRAINING ELABORATED RECOMMENDATIONS

CONSOLIDATION PROPOSALS

39. Revise content of training programme to reflect the needs of a parliamentary democracy, private sector development, and a market economy. Training schedules should cover people-centred development and public service ethics

The content of training programmes must be reviewed and updated continuously to current issues, the most modern management methods, and trends in global developments. Specifically, major influences on Bangladeshi public administration in the 1990s include the reintroduction of parliamentary democracy and private sector development within a framework of a market economy. Parliamentary democracy requires a re-thinking of the relationship between Secretaries to Government and politicians, and to Parliamentary institutions. Private sector development within a market economy framework requires Government officials to shift from a focus on management of industrial enterprises to a focus on regulation and facilitation of private sector development. Also, given the need for the Government to be responsive, open and transparent to the public, the orientation to people centered development must be re-emphasized in operational ways. A service orientation must be encouraged. Given the nature of public discussion on the behaviour of Government and other persons, and the co-terminous updating and consolidation of conduct rules into a Code of Conduct, it is imperative that curricular attention be paid to public service ethics.

✓ **40. Professionalize the civil service through enforcing, and initiating where necessary, mandatory periodic training, including performance assessment and examination, directly linked to promotion to specific levels and types of posts**

In a parliamentary democracy it is essential that systems be in place to ensure that the best candidates are promoted and posted to positions, where their expertise, training and experience can best be utilized. Organizational performance is the strongest criteria for promotion, and contribution to organizational performance can best be predicted or anticipated from successful training, examination and past performance evaluations.

✓ **41. Develop special top-level seminars of short duration, based on participatory format, and using high level experts, for highest level civil servants and heads of industry and NGOs, so as to increase awareness of better management practices, wider global perspectives, and the need for consensus-building and greater trust within society**

Even top level officials are in need of constant updating and increased awareness of global trends and better management practices. The professional development of top-level officials must be treated in a manner sensitive to their positions and their schedules. It is also assumed that these top-level officials have already progressed through a series of mandatory promotional training experiences and through positions of increasingly greater responsibility. This recommendation also suggests that there is benefit to be gained in laying a foundation for consensus-building and mutual trust, if the top-level officials participate in attractive and convenient seminars with their peers from other sectors; namely, the private sector and NGO sector.

42. Design and initiate orientation programmes and policy seminars for Members of Parliament

It is standard procedure in parliamentary democracies to provide orientation for new Members of Parliament, as well as to provide short seminars on policy issues facing the country. As the key decision-makers in the country, Parliamentarians wish to avail themselves of as many perspectives and as much research as possible. These seminars can be organized by policy institutes, think-tanks, or the Government itself. Informed policy-makers are a key to high performance of democratic institutions.

✓ **43. Strengthen training institutions through computerization, training equipment and the acquisition and development of advanced materials**

The various training institutions are in need of further strengthening in all areas, as noted above. In particular, there needs to be a vigorous effort to develop materials, cases, and multi-media training packages, in order to make training relevant, attractive and impactful.

REFORM PROPOSALS

✓ **44. Carry out on a regular and systematic basis training needs assessments, in order to develop appropriate training and other measures to enhance technical and managerial skills among the civil servants**

The content, methods and delivery mechanisms of training programmes must be constantly updated. Systematic means of assessing training needs must be scheduled on a regular basis, with due attention to both technical and managerial skills needs among the civil servants.

✓ **45. Provide professional development opportunities for individual officers, to be determined in the context of the Annual Confidential Report and career development needs**

It is important for individual officers to experience their careers as a logical progression of learning experiences, both on the job and in specialized training programmes. In order for their training experiences, promotions and postings to be fully integrated within a framework of best utilization of officers in the right positions, it is necessary for individual officers to analyze, together with experienced supervisors and personnel managers, the strengths and weaknesses identified in the Annual Confidential Report in order to make and carry out a plan to remedy weaknesses and enhance strengths, as well as to sufficiently prepare the candidate for higher responsibility. This career planning process in no way guarantees career progress due to the need to compete openly for posts and promotions, in an open civil service system which emphasizes performance.

46. Design and offer special training programmes for collective teams within Governmental units at all levels, where these teams are developed

When and where collective teams are developed within Governmental units at any level, these teams should be able to access on-site training in corporate planning, team-building and results-oriented management. This on-site training should be available at regular intervals as needed, to facilitate high level performance.

47. Expand and strengthen training programmes for local level leaders

To the extent that local government will be enhanced in its responsibilities for development and responsiveness to citizens, it will be necessary to expand and strengthen training programmes for local level leaders. To the extent that Government decides that local administrators will report to and be responsible to local Governments, there may need to be training programmes that assist officers and local leaders to properly adjust themselves to these new relationships.

48. Initiate mandatory inclusion in all training programmes of gender awareness for women and men officers and staff, and develop curricular modules on gender and management and special courses for women managers as appropriate

Due to the relatively recent introduction of women officers into the civil service, the Study Team views as necessary the development of gender awareness for both women and men officers and staff, taking into consideration social and religious values. This awareness can be communicated through the inclusion of modules concerning "gender (women issues, but especially a comparison of the similarities and differences between the ways that women and men are treated both informally and formally in the offices, especially) and the public service" into relevant training programmes. Also, as women officers experience a number of special difficulties, including the establishing of respectful relationships, there will need to be special courses for women managers, until there are a sufficient number of women officers that both men and women accept the gender balance as natural and acceptable.

TOWARDS BETTER GOVERNMENT
in
Bangladesh

September 1993

M. Ayubur Rahman
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Background

At the invitation of the Overseas Development Agency (ODA) UK, a team of officers consisting of Ayubur Rahman, Cabinet Secretary, Hasinur Rahman, Establishment Secretary, Shawkat Ali, Secretary Posts and Telecommunications and Kamal Siddiqui, Secretary, Prime Minister's Office, visited the UK in the first week of June 1993.

Between June 6 and 12, the team attended an international seminar organised by the British Council. The theme of the Seminar was: *Towards Better Government: Principles into Practice*. It was a largely attended Seminar with participants from about twenty three countries which included senior government functionaries as well as academics. The resource persons of the seminar included the Cabinet Secretary, UK who is usually known as Head of the Civil Service and other serving and retired Permanent Secretaries. Also included among the resource persons were the Parliamentary Commissioner (Ombudsman) UK and experts from the private sector.

The Bangladesh team had an opportunity to exchange views with all participants including the resource persons on matters relating to administrative reforms in a cross-cultural perspective. The highly productive interaction with the participants as well as resource persons enabled the team to form some idea of not only on-going administrative reform measures in the UK but also in other countries within and outside the Commonwealth. (The general consensus which emerged was that while the UK experience has its own merit, the type and form of reform measures in a country specific situation may vary although the broad principles and practices may be relevant and useful to look at.

The Seminar over, the team split into two groups. The Cabinet Secretary and the Establishment Secretary came to London while the remaining two members of the team went to Manchester, as was previously arranged by the British Council.

The Structure of the Report

Back in London on June 17, further discussions by the team as a whole were held with the Permanent Secretary of ODA at his office and also with Prof. David Hulme of IDPM. It was agreed with IDPM/ODA that for further follow-up, the team would write a report based on the visit to the UK, indicating an approach to administrative reforms in Bangladesh. The time-frame set was three to four weeks. The team returned to Dhaka on June 18, 1993.

measures that need attention.

In London, between June 13 and 17, the first group visited some key offices and held discussions with the relevant functionaries and a Member of Parliament. The offices/institutions visited by the Cabinet Secretary and the Establishment Secretary included, among others, the Parliament, Cabinet Office, the National Audit Office, Civil Service College etc. In course of the visit, a large number of relevant documents relating to the working of the government in the UK were collected by the Cabinet Secretary in order to obtain as full a view of the administrative reform issues as time and circumstances allowed.

In Manchester, the second group visited the Institute of Development Policy Management (IDPM) between June 13 and 16. At IDPM, which is an affiliate of the University of Manchester, the second group exchanged views with Prof. David Hulme and Prof. Derek Elridge both of the IDPM. In addition, discussions were also held with Professor Michael Moran, Chairman and Head of Department of Government, University of Manchester. These discussions were very useful in drafting an outline for administrative reforms in Bangladesh.

Limitations of the Report

The primary limitations are those of time and resource. While these factors have prevented the team from going into details and modalities of implementation, other factors such as the need for a more indepth inquiry into some of the burning issues like political-administrative interface in a democratic polity, the rationale for downsizing the government, actual working of the government indicating the gap between fact and fiction etc could not be addressed. Indeed that precisely was not the purpose of the present exercise.

As our analysis will show, these and other related issues could be and are being addressed by others. The purpose of this exercise is to enable the government to have an overview of some of the pressing needs of administrative reform in the light of the experiences of other countries such as the UK. Our labour will be amply rewarded if the government recognises these needs and takes appropriate actions.

Acknowledgements

The team is grateful to the British Council (Dhaka/London) for providing the required assistance in organising the visit, scheduling appointments and extending courtesies. The team is also indebted to the resource persons, the participants in the seminar and the IDPM/University of Manchester and others for their readiness to assist and the unfailing cooperation extended to the team.

For the gaps, inadequacies, errors and omissions, the team alone is responsible, collectively and individually.

The Context of the Reform Measures

Administrative reform measures are a means to an end. The end is and ought to be an administrative system which is responsible and responsive to public interest. Administrative reform is a process, and hardly, if at all, a product because it has to work in a continuing scenario of social, political and economic change. Consequently, it has to effectively

respond to these changes overtime. There cannot, therefore, be any fixity or unalterable rigidity as to its organisational/functional aspects. Conversely, if organisational and functional changes are brought about only for the sake of changes or to satisfy the narrow interests of particular pressure groups, be it political or otherwise, the efficiency of the system is bound to suffer with grave consequences for quality and timely delivery of public services and citizen's rights.

An important dimension of administrative reform is the need for democratic continuity and political (and, therefore, social) stabilization process. The overriding importance of this aspect is that the administrative system is nothing but a sub-system within the over-all political system. To the extent that the political system is unstable and deficient, the administrative system is bound to echo the same.

It is well-known that the process of democratic continuity and with it the political stabilization process in Bangladesh has been interrupted by extra constitutional Governments and a short-lived one party rule. Consequently, the stabilization of the public service as an integral part of the administrative system had also suffered. This situation has been further exacerbated by a lack of total attention to recruitment in the public service, its training, development, sound and judicious promotion policy and above all frequent and thoughtless tinkering with the administrative structures and processes.

For example, no regular recruitment to some of the BCS cadres until 1977 and/or 1979. Similarly, emergency adhoc recruitment to public service including the judicial service have been resorted to at different times. Further, in order to catch up with the backlog created by a lack of recruitment, officers of various cadres had to be recruited in bulk more than the time and facilities for training allowed. This compulsion of recruitment in bulk without attention to the time needed for training and creating adequate facilities for training had an adverse, perhaps irreparable, impact on both quality and the needed managerial skill in public service.

On a different plane, largely resulting from a lack of democratic continuity, the substantive concept of accountability of the public service to the citizens has been so much eroded and diffused that it now hardly exists.

With the induction of the democratic government which is answerable to an elected parliament operating within a multi-party framework, the political stabilization process has begun. The concept of political stabilization process should not, however, be narrowly viewed. Rise and fall of governments through periodic elections or through parliamentary methods is an accepted norm in a multi-party democratic system. This acceptance underscores the need for the stability of the administrative system, for a public service that is accountable, consistent and predictable in its decisions even amid rapid political changes within the bounds of constitutional provisions.

It is against this background that the present government has declared its intention to install:

- a. strong political institutions; and
- b. an efficient and accountable public service system.

Initiatives already undertaken by the present government include the following:

- o extension of service beyond retirement age has been stopped
- o promotions held up for years have been put into effect
- o a drive against corruption has been initiated
- o parliamentary control over official work has been reintroduced
- o the use of English has been encouraged in all training programmes to facilitate better communication with the outside world
- o promotion quotas on a cadre basis have been replaced by merit consideration
- o secondment of officers from outside of the public service has been reduced
- o overseas training opportunities have been widened and procedures simplified

Stabilization of the public service should not be narrowly interpreted. This was the case in the past, with the structural reforms. The reform measures should go far beyond what had been aimed at in the past. Again, the reform measures should be internal to the system and need not wait for formal inquiry through commissions/committees or for prescriptions from external sources. Irrespective of whether the reform measures arise out of internal or external inducement, their pace should not be so fast or so radical as to destabilize the existing administrative system. These should also take into account the economic and social policies adopted by the Government.

Keeping the above perspective in view, both short and long term measures need to be identified and implemented. Short term measures are needed to stabilize the public service so that basic systems continue to operate effectively for public welfare and an adequate senior management cadre is in place. Long term measures are needed for those areas where more information and data are needed before making any recommendations. Suggested areas of long term measures are shown at annex-I.

Short Term Measures

The short term measures for initiating the stabilization process of the public service may include the following set of principles :

- Equality of Opportunities for Recruitment and Promotion Without Sacrificing Merit
- Creating Incentives For Achieving Pre-determined Standards of Performance
- Improving Efficiency Through Financial Management.
- Greater Accountability And Transparency
- Strengthening Human Resource
- Combating Corruption
- Linkages with other Reform Studies

All the above principles are discussed in the light of past and present experiences with a suggested course of action for the future.

Summary of Recommendations

Section-I

Merit-based Public Service

- From 1994, the various forms of quota system be rationalised in line with the recommendations made by the PSC. (Para 1.35, P/13)
- The current rule of relaxation and exemptions in regard to the promotion examination for the senior scale in various cadres be abolished to include only three consecutive opportunities to compete in the promotion examination. Those failing to pass the examination in accordance with the above requirement be given the option to retire by relaxing the conditions laid down in the Public Service Retirement Act, 1974 as amended from time to time. (Para 1.36, P/13)
- The question of quota reservation system for secretariat posts of and above the rank of Deputy Secretary be examined with the requirement that entry into such posts be restricted to the level of Deputy Secretary through an examination to be conducted by the PSC. (Para 1.37, P/13)
- Entry into the secretariat posts of and above the rank of Deputy Secretary be restricted to the Deputy Secretaries with the proviso that in any particular year, there are more vacancies than the number of successful candidates, recruitment at this level may be made through an appropriate test only to fill up the resultant vacancies. This opportunity may be available to officers of all cadres holding posts in Grade V and above. (Para 1.38, P/13)

Gender Dimension in Public Service

- The quota reallocation recommended by the PSC in its Annual Report of 1991 be implemented and implemented effective from January 1994. (Para 1.41, P/14)

Principles And Criteria For Promotion

- All pending cases of promotion of gradation list be finalised within a time-bound frame. Establishment Ministry may in consultation with others set appropriate time-frame and ensure its implementation. Establishment Ministry itself may also set a reasonable time-frame to complete the promotion list of officers of the rank of Deputy Secretary and above. (Para 1.44, P/15)

- All gradation lists, after their finalisation, should be periodically updated by the concerned Ministry/Division. (Para 1.45, P/15)
- Some kind of uniformity in case of time frame of ACR for consideration in the promotion committee should be maintained and decision-making criteria be made transparent. (Para 1.47, P/15)
- The time-frame which should operate as a bar in cases of major/minor penalties unless otherwise specified in the verdict in a disciplinary case, should be specified by executive order and made transparent. (Para 1.48, P/16)
- In the interest of promoting efficiency culture (a) steps be taken to take action, as appropriate, against those considered to be inefficient and (b) expand the definition of inefficiency to include failure to qualify in the promotion examinations as prescribed by the Government in line with rules framed for the purpose. (Para 1.50, P/16)
- Ministry of Establishment will advise all Ministries/Divisions and chief executives of departments/statutory bodies to take an objective view in writing ACRs. (Para 1.54, P/17)
- For officers rated above the level "Good", a separate statement showing concrete evidence of why it is so should be furnished along with the ACR. Otherwise such rating shall not be accepted. (Para 1.54, P/18)
- A task force be appointed to make suitable suggestions to redesign ACR forms in appropriate cases/positions. (Para 1.55, P/18)

Other Dimensions of Merit

- Members of some cadres can move on to grade VIII after completing one year service which is a special dispensation, its rationale needs to be reviewed to make it conform to a merit-based civil service system. (Para 1.58, P/18)

Section-II

Incentive Within the Core Government System

- A task force be constituted by the Ministry of Home Affairs to review the working of the present standards of performance of the Police Officials and provide guidelines for effective monitoring and follow-up. The guidelines may also include a review of the existing system of incentives and the quality of implementation. (Para 2.15, P/23)

- The performance standard mechanism be reviewed and strengthened to create the desired impact on the efficiency of the Deputy Commissioner and the Magistrates. (Para 2.18, P/24)

New Initiatives for Performance Standards

- Guidelines be devised by the relevant Ministries/Divisions to link standards of performance to a reward and penalty system more or less on the lines adopted by PDB. (Para 2.21, P/25)

Other Ministries/Divisions and Departments

- The Ministry of Education be asked to work out detailed guidelines linking payment of subvention to performance in order to improve quality and extend the same principles to other areas such as grant in aid. In respect of the institutions wholly financed by the government, specific criteria for performance for the institution in general and a reward and punishment system for the teaching staff should also be introduced. For the inspecting and supervisory staff, appropriate performance criteria should also be enforced. (Para 2.24, P/26)

Health and Family Welfare

- A Task Force be constituted to set standards of performance in health and family welfare public sector institutions. Once this is done, it should be regularly monitored and linked to a system of reward and punishments. If possible some kind of "Patient's Charter" should be designed. (Para 2.29, P/27)

Telephone and Telegraph

- The standards of performance set be regularly monitored for their strict enforcement. (Para 2.30, P/28)

Post Office

- Immediate steps be taken to set standards of performance for the Post Offices to improve delivery and quality of service. (Para 2.31, P/28)

Accountant General's Office

- A task force be constituted to set standards of performance for the AG's office in order to improve the poor quality of service. (Para 2.32, P/28)

Efficiency Unit

- An efficiency unit be installed in the Cabinet Division to monitor on an overall basis the level of achievement of the standards of performance set (Para 2.34, P/29)

- o The pre-determined standards of performance for the Ministries/Divisions and their attached offices need to be made transparent for the citizens who have a right to know these standards. (Para 2.38, P/30)

Section-III

Improving Efficiency Through Financial Management

- o A set of sector-based criteria be designed to ensure that O&M phase of a project entails least cost and further that where feasible, the O&M cost is justified by the revenue-earning capacity of the project. (Para 3.29, P/38)
- o Large departments/parastatal bodies will print their annual shopping lists and make it available for sale to interested suppliers. (Para 3.33, P/39)
- o In appropriate cases, such purchases (tied sources of funding which are anti-competition) should be made by the government's own funds. (Para 3.35, P/39)
- o In the selection (making specifications and determining technical responsiveness), the executing agencies should exercise due care and caution, fairness and objectivity and conform to the terms and conditions of tender as well as the relevant procurement guidelines. (Para 3.35, P/39)
- o The non-core services in each executing agency, Ministries/Divisions be identified for opening up these areas to competition wherever possible. (Para 3.36, P/39)
- o Efforts be made to make maximum use of market and price mechanism even inside the public sector to maximise efficiency and economy and above all protect the consumers who pay for the services rendered by the executive units of government such as telecommunications, power etc. (Para 3.39, P/40)
- o Immediate steps be taken to update the existing delegation of authority in the light of present day needs and ensure appropriate sub-delegations down the line. (Para 3.44, P/41)
- o Prior to finalisation of revenue budget by the executing agencies detailed and in-depth scrutiny be made at a sufficiently high level (not below the Secretary) of the concerned Ministry/Division. It is further recommended that the expenditure process of the approved budget of the executing agencies be reviewed quarterly by the relevant Ministries/Divisions to ensure adherence to the approved budget. (Para 3.47, P/42)

Other Dimensions of Efficiency

- o A plan of action be prepared to (a) strengthen the secretarial support and (b) replacing the type writers with micro-word processor. (Para 3.53, P/43)
- o All BCS cadre officials, as part of their foundation training, should undergo a compulsory course in handling micro-computers. (Para 3.54, P/43)

Section-IV

Greater Accountability And Transparency in Administration

- o Project size, scope and implementation plan of both the categories - (a) national development projects implemented by central government agencies and (b) local development projects implemented through NGOs and local councils be made widely known to the beneficiaries. (Para 4.29, P/52)
- o The standards of performance of the Ministries/Divisions and their affiliated agencies should also be made known to the citizens. (Para 4.30, P/52)
- o To gather first hand knowledge of the working of the Westminster model of democracy an official visit to the UK of parliamentarians and parliament officials may be organised. (Para 4.37, P/55)

Office of The Comptroller And Auditor General (CAG)

- o A Task Force be constituted by the CAG to examine ways and means to augment the capability of his office to perform VFM and performance/efficiency audit. (Para 4.41, P/56)

Office of The Ombudsman

- o The decision on giving effect to Act No 15 of 1980 be taken soon to create the office of Ombudsman. (Para 4.49, P/58)

Section-V

Strengthening Human Resources

- o Steps be taken to make a survey of public sector training institutions and evaluate their performance for taking corrective actions. This can probably be done under a Technical Assistance Project. (Para 5.7, P/60)

- o PATC should undertake annual review of the training imparted during a particular year in the form of a performance evaluation report. The task of such assessment may be contracted out to the private sector institutions on a sector by sector basis and then consolidated by the appropriate agency of the government. (Para 5.8, P/61)

Responsibility For Training

- o The Ministry of Establishment should concentrate on designing policy and on monitoring of policies including maintenance of a data bank of training so that it can use the same in career development plan and personnel policy. (Para 5.10, P/61)

Foreign Training

- o The Ministry of Establishment should maintain upto date data on training and use the same in career development plan, placement of officers and other related matters. (Para 5.14, P/62)
- o The government may also consider, as part of the policy, to increase the share of women in foreign training. (Para 5.18, P/65)
- o For implementing the policy of increasing proficiency in English language test as a compulsory item in the training institutions of the country, appropriate technical assistance may be lined up. (Para 5.21, P/65)

Project-based Foreign Training

- o Short term training facilities which are project-based be left out of the purview of the Sub-committee of the National Training Council. (Para 5.24, P/66)

The Need for Further Review of The Training Policy

- o Steps be taken to revise the August 18, 1993 order of the Ministry of Establishment and make it consistent with the guidelines approved by the ECNEC (Para 5.27, P/67)

Towards a Need-based Training Programme

- o Technical Assistance be sought from appropriate sources to design a need-based training programme. Such programme should, inter alia, address issues like attitudinal change in the public service so as to make it consistent with the working of a democratic government. Indeed, it need not, and must not, be limited to public service alone but to all those functions who have or are expected to have a say in policies relating to development and administration. (Para 5.28, P/67)

- i. Training institutes should not be made the dumping grounds for unsuitable civil servants. Unsuitable civil servants should be subject to other disciplinary measures as provided under the law. If suitable civil servants are not available, the posts should be advertised and persons with the best qualifications should be brought in from outside on a fixed tenure basis. Only competent and committed persons should be made trainers. (Para 5.30, P/68)
- ii. The National Training Council should be activated. Its size should be reduced and it must meet atleast once a month. (Para 5.30, P/68)
- iii. Trainers must be given adequate incentives both monetary and otherwise (i.e. in terms of promotion, training abroad, etc.). (Para 5.30, P/68)
- iv. The two most important training for the present should be (a) the first after-entry in-service training and (b) TOT Training should have a high dose of practical inputs, and case studies should be developed for imparting training. The first after-entry in-service training should be institutionalised in the form of an MA/Post-graduate diploma offered from a University. (Para 5.30, P/68)
- v. Foreign training facilities accepted by the government must be fully utilised and responsibilities must be fixed for non-utilisation. Trainers and those with the best records in internal training should be given the top priority in foreign training. (Para 5.30, P/68)
- vi. Training must be integrated with posting and career development. (Para 5.30, P/69)
- vii. In all foreign aided in-country training programmes, there must be a considerable number of local trainers. (Para 5.30, P/69)
- viii. In all training programmes-short, medium or long-functional English, computer literacy and modern office equipment use must be introduced. (Para 5.30, P/69)
- ix. Training needs must be carefully assessed before imparting training, and all training and trainer performance must be evaluated and acted upon. (Para 5.30, P/69)

Combatting Corruption

- o The set of remedial measures proposed in the Task Force Report be reviewed for their acceptance by the government. (Para 6.9, P/74)
- o Immediate steps be taken to update and print the Anti-Corruption laws and rules in an updated form. (Para 6.13 P/75)
- o The Anti-Corruption Council be revived to scrutinize all cases against senior public servants only. (Para 6.21, P/77)
- o Increase the number of prosecuting staff (special public prosecutors) to be appointed strictly in accordance with the provisions of the LR Manual. (Para 6.27, P/79)
- o Make full use of the Bureau's own investigators as prosecutors where necessary. (Para 6.27, P/79)
- o Appoint more Special Judges for appropriate length of time to clear the pending cases. (Para 6.27, P/79)
- o Organize special drive for clearing the backlog of cases pending in the courts of magistrates. (Para 6.27, P/79)
- o The system of monthly monitoring of the Bureau be brought back into use and further that the progress and performance of the Bureau be reviewed on a quarterly basis by the Anti-Corruption Council as and when it is revived. (Para 6.28, P/79)

Modernization and Logistic Facilities

- o Immediate steps be taken to upgrade the logistic and other facilities such as computers etc. in the Bureau. (Para 6.30, P/80)
- o Relating to corruption, on the long term basis, the Government may consider appointment of a full time commission headed by a Judge of the High Court with appropriate membership of persons qualified to advise on such issues. (Para 6.31, P/80)

The Administrative Context

- o A Task Force be constituted to review the working of the Government Servants (Conduct) Rules, 1979 and suggest measures for their enforcement including revision and amendments where necessary. (Para 6.36, P/81)
- o The question of application of the relevant law in appropriate cases, as and when the situation so demands, should be considered by the Government. (Para 6.37, P/81)

Commercial Employment After Retirement

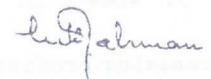
- o The condition of two years ban on commercial employment after retirement be made part of the Government Servant Conduct Rules. (Para 6.40, P/82)
- o Instead of existing three sets (CSR, FR and BSR) only one set of rules be printed in a consolidated form and made applicable to all government servants. (Para 6.41, P/83)

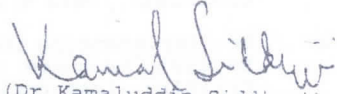
Ministerial Responsibility

- o Considerations be given to develop the convention of Ministerial Responsibility in Bangladesh. (Para 6.44, P/83)


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BANGLADESH

GOVERNMENT THAT WORKS

REFORMING THE PUBLIC SECTOR



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EXECUTIVE SUMMARY

Bangladesh has an enormous amount to be proud of. Its outstanding performance in many areas (Box 1) would make Bangladesh an envy of a large number of developing countries. But this is looking at Bangladesh from the wrong end of the telescope. Most people remain mired in poverty and incomes are growing very slowly. For the vast majority of the people, bypassed by much of the economic growth and unable to gain access to basic services, current trends hold out little hope of a brighter future.

Bangladesh is a country with considerable potential that is trapped in a low growth cycle. There is now clear worldwide evidence on the significant and positive correlation between efficiency of public institutions and economic growth. It is also becoming increasingly clear that the inability of Bangladesh to get out of the low growth trap is largely due to the weak implementation capacity and inefficiencies of public institutions, the government's inability to plan and manage key reforms, and its predilection to manage

economic activities at the micro-level. Bangladesh will be a different country as it enters the 21st Century. This is not a matter of choice. The internal pressures from a rapidly growing, and more demanding, population will fuse with the external pressures, from a much more competitive global economic environment, to create new opportunities and new demands. The public sector, as presently constituted, will not be able to cope.

Governments all over the world are painfully coming to terms with a new era. The dizzying pace of political and technological change and fast-moving globalized markets, are posing fundamental questions about the role of the Government and how it can lead nations to respond to changing circumstances — a world of much greater uncertainty where the relationships and balances between government, the private sector and non-governmental organizations, are rapidly being renegotiated and where government's performance is being held to much higher standards by economic agents. All these issues apply with particular force to Bangladesh.

Box 1. Government: Its Score Card

The Government has reasons to be proud, but deep-seated institutional problems seriously undermine its performance.

Achievements

Government has shown outstanding performance in: enabling self sufficiency in rice; reduction of population growth; significant increase in immunization and primary school enrollment; fiscal stabilization; and rapid growth of garment exports.

Government: A View from Below

- Government is seen as: preoccupied with process; too pervasive; highly centralized; overly bureaucratic; too discretionary in governance; unaccountable and unresponsive; and wasteful.
- Based on a nationally representative sample of 1500 rural/urban households, not only is access to government provided education, health, and extension services deficient, but the quality of service is also poor. In almost all areas, services provided by government ranks lower than services provided by NGOs and the private sector.
- According to a survey of 200 businessmen and 70 exporters, government officials are unresponsive and oblivious to cost of delay, and there is little improvement in the day-to-day hassles of interaction with public agencies: two thirds of exporters have lost export orders due to delays in dealing with public agencies and, on average, exporters spend 7% of sales to expedite government agency decision making.

Continuing Inefficiencies: The Last Decade - A look from Above

- Bangladesh is trapped in a low growth and low investment cycle, and 50% of people live in poverty.
- The level of Public Investment Programs continues to remain low, at 8-9% of GDP, despite availability of concessional funds.
- Private investment levels are also low at 6 - 7% of GDP.
- The impact of many programs is negligible. Only 4% of students entering Grade one complete Grade 12. It takes seven years to complete the primary education cycle of five years. The occupancy rate of rural health clinics is only 55% despite widespread morbidity.
- Annual losses of public enterprises are staggering, about 2% of GDP, while their outstanding debt, a large part of which is non-performing and would have to be absorbed by the budget (i.e., future generations), accounts for 90% of GDP.

While the Public Sector has its pockets of excellence, collectively its performance leaves a lot to be desired. A quantum leap in efficiency and effectiveness of the government is needed if Bangladesh has to accelerate and sustain growth, reduce poverty, anticipate the opportunities and challenges of the future, and enable its enterprising citizens and private sector to realize their full potential and compete in a fiercely competitive global markets. The purpose of this Report is to sketch a road map, and identify a menu of options/choices and building blocks, for establishing an efficient and effective government.

* Based on the experience of successful initiatives in Bangladesh, and taking into account experience of reforming and high performing countries, a paradigm shift in the quality of, and access to, core functions of government and essential services would require coordinated initiatives at:

- Redefining the frontiers of Public Sector and focusing its energies and resources to core functions, which only government can provide, and programs (e.g. poverty alleviation) which are not being adequately provided by others. A government which is overextended, like the Government of Bangladesh, cannot be efficient. Redefining would involve rightsizing of central government, on one hand, while enlarging the space for Non-Governmental Organizations (NGOs), local governments and the private sector on the other hand. Bangladesh is rich in NGOs -- many world renowned -- and it has an entrepreneurial private sector, both remain

underutilized. NGOs have tremendous potential for enhancing the quantity and quality of delivering social sector services, while tapping the energies of the private sector would accelerate growth.

- Enhancing the level and nature of accountability and responsiveness of public agencies to citizens. A government and public institutions which are accountable to their "owners", i.e., parliament, citizens and consumers, work better.
- Streamlining the regulations, laws and processes through which government interacts and regulates the citizens and private sector. The level and extent of transparency, fairness and automaticity of the legal and regulatory institutions, policies and practices, have a major bearing on the efficiency of government.
- Overhauling the rules and processes by which government conducts its policy and decision making functions. Sound policy formulation, its effective implementation and speedy and transparent decision making, are hallmarks of an efficient government.
- Maintaining an efficient, committed and professional public servant, without which government can neither be efficient nor responsive.

I. REDEFINING THE FRONTIERS OF PUBLIC SECTOR

Since independence, the size of Government has virtually doubled in terms of ministries, departments and officials. The number of ministries in Bangladesh (35), is large compared with other countries such as Malaysia (24), South Korea (25), and Thailand (14). Though all bureaucracies change in response to changing priorities, in Bangladesh the changes have been, regrettably, unidirectional. The usual practice has been to create a new ministry, division or department. But what is absent, is a

concomitant shedding of some lower priority responsibilities or any attempt to eliminate redundancy.

In most countries, disputes over the frontiers of the state are generally fought within the gray area of 'quasi-public' goods — education, health or railways — where investment bears dividends for the country as a whole, yet the benefits accrue, often unequally, to individuals. In Bangladesh, however,

the Government performs, not just the core functions of a state -- national defense, law and order, judicial system, etc. -- but virtually all of the gray area. It then encroaches significantly into purely private territory. Indeed, most citizens believe that the Government is doing too many commercial functions that others can do better, and too little -- in quantity and quality -- of what it should be doing more, i.e. poverty alleviation, rural infrastructure, etc. It is overextended -- with attendant regulatory intrusiveness, inefficient in most of its activities and has too many people doing too little but more often obstructing initiative without any penalty for delayed decisions. It accounts for almost two-thirds of formal sector GDP, its tentacles are spread all over through direct intervention and/or overbearing and discretionary regulations, and its inefficiency affects the entire economy.

The staffing cost of government, about 4.5% of GDP, is in line with other comparator countries at similar economic development. The staffing cost of government, about 4.5% of

GDP, is in line with other comparator countries at similar economic development levels. However, this "reasonable" cost to the taxpayer should not be taken as a source of comfort. What matters is the value the taxpayer receives and their perception of "big" government. Korean and Singaporean governments' costs (as % of GDP) their citizens about as much as the Bangladesh government, but the efficiency and quality of these governments is far superior to Bangladesh.

As in most countries, governments in Bangladesh use one or more of the following rationale to expand its wings -- failure of market to provide the service, public interest, strategic reason and social/equity consideration. Several departments/programs were reviewed to examine whether they were justified on ground of these rationales (Box 2); few passed the test. Similarly, if the country's 154 commercial public enterprises were judged against the conventional rationales for public ownership, few would qualify to remain in the public domain.

Box 2. Value for money: The constitutional right of every taxpayer and consumer

Few government departments or programs face the discipline of the market. So their legitimacy needs to be established by other means. One mechanism is the Value-For-Money (VFM) analysis. This asks a number of hard questions. What value does the taxpayer get for supporting the department or program, and what value does the client get? Is its' function needed at all? If not, it should be abolished. If the function must continue, does it need to remain a Government responsibility? If not, it should be privatized. If the Government needs to remain in charge, could the function nevertheless be undertaken better by a private sector firm? If so, it should be contracted out. If it cannot be contracted out, could it be done differently? Finally, can the service be provided in a less costly way? All government agencies and programs should be subject to these questions. Listed below are a few GOB departments whose need is questionable, or which offer poor value for money.

The Department of Cooperatives (DOC) — The DOC exists to promote, register, regulate and supervise cooperatives. The department has a staff of 4,700 and costs the taxpayer Tk. 270 million annually. With over 133,000 cooperatives, it might claim great success. Unfortunately, most of the cooperatives are in a dysfunctional state. Hence the question of what this enormous staff accomplishes must be asked. Since NGOs have had immense success in group and social mobilization, the scope and size of continued government support for the cooperative movement needs to be fundamentally reassessed. Registration of cooperatives, for example, could be done by mail. Regulation could be supervised by a small and highly professional unit who could contract work out to reputable firms of chartered accountants.

The Bureau of Manpower Employment and Training — The Bureau of Manpower Employment and Training employs 2,000 people in 76 offices at an annual cost to the taxpayer of Tk 84 million. Its main goal is training manpower for export. However, there is no evidence that it has had any significant impact. Most workers have received training on their own. And it is by no means clear that manpower exports would have been lower had the Department not existed.

The Bangladesh Rural Development Board. This seeks to help landless and marginal farmers through programs of credit, training, and marketing. At the end of 1992, total cumulative investment in the BRDB was around Tk. 13.3 billion, with loans outstanding of Tk. 8.6 billion. The loan recovery rate for crops was about 77 percent, and for equipment about 20 percent. The primary rationale for the BRDB is that of promoting social equity. But given the dramatic growth of NGOs, particularly those involved in micro-credit schemes, it is doubtful whether this role is as vital as it used to be. BRDB's credit functions could be easily divested to the successful Poverty Foundation (PKSF).

The Government has long been aware of the deterioration in the quality and reach of basic public services. With the assistance of the private sector, and NGOs, it has been experimenting with alternative forms of delivery -- many with great success. These include, among others: programs implemented by the Local Government Engineering Department; government financed primary and non-formal education program implemented by a large NGO (BRAC); Expanded Program for Immunization implemented by local government (LGs); Rural Electrification Program implemented through rural cooperatives; and financing of micro-credit NGOs by the Poverty Foundation (PKSF). Decentralization, accountability, community participation, partnership with NGOs were key ingredients of these successful initiatives (Box 3).

The above examples point to the need for a critical scrutiny of departments and programs, re-evaluation of their rationale and assessment of Value-for-Money to the taxpayer/user, with a view to refocus the energies of government to needs of the present and challenges of the future. Four interrelated initiatives would be needed to redefine the role of government and proactively promote alternative institutions to enable them to fill the space created by this role redefinition.

- Rightsizing and Downsizing Government.
- Enhancing Role of NGOs.
- Nurturing Local Governments.
- Promoting the Private Sector.

Box 3. Lessons from Successful Service Delivery Institutions.

The key lessons emerging from these success stories are:

Decentralization was an important factor in the success of: the immunization program which allowed LG managers to plan for their own areas; the rural electrification program through the Palli Bidyut Samity cooperatives (PBSs), which distribute electricity in the rural areas, and whose local managers have considerable operational autonomy. However, decentralization is not a panacea. It requires sound monitoring systems to guard against misuse of authority at lower levels.

Performance-based accountability contributed to the success of the PBSs, which use a detailed performance appraisal system with salary increments dependent on satisfactory achievement. This model should be followed in other commercial public enterprises.

Community participation was important to the success of BRAC's primary education program. For example, each village in the program has a five-member committee consisting of teachers, community leaders and BRAC officials, which meets regularly to address any problems which arise.

Accountability to Customer has been an important factor in achieving high cost recovery. Since PBSs are consumer-owned cooperatives, everyone benefits from efficiency by paying reduced tariffs. The PBSs have also clearly demonstrated the importance of customer satisfaction; they hold village meetings of consumers two or three times a year in order to discuss problems or complaints.

Separating funding from provision enabled the funding agency to demand high quality service from the provider. By opting for private sector consultant, instead of the Public Works Department (PWD), for planning, design, and other activities related to the construction of health and family planning facilities, the Building and Planning Design Unit of the Ministry of Health, has been able to reap the benefits of lower costs combined with better quality service. Compared to the PWD which charges 15% for this service, the private consultants charged about 6%.

Partnerships with NGOs led to better quality and higher outreach of service delivery as exemplified by the use of NGOs in the water and sanitation program and non-formal education. The establishment of the Poverty Foundation (PKSF), which lends government funds to NGOs for micro-credit schemes, is also a successful model of this kind of cooperation.

Rightsizing Government

Reforming countries have used differing institutional models for engendering, conceptualizing and managing the rightsizing issue. In the US, the Gore Commission formulated and spearhead reforms. In the UK, the Efficiency Unit in the PM's office, together with the Treasury, played a crucial role; while in Canada, a full fledged Cabinet Minister for Public Sector reforms provided the leadership. In New Zealand, the Treasury took the leadership role in defining the agenda and scope/pace of reforms, within context of fundamental budgetary reforms. In Malaysia, a Panel on Administration Improvements to the Civil Service was established under the Chief Secretary, to act as a think tank for administrative reforms; in addition, an Administrative Modernization and Management Planning Unit was established in the PM's office to operationalize reforms and monitor implementation. In all countries budget process and legislative reviews were also critical, besides strong institutions, in the redefinition of role of state.

The GOB has already recognized the need to shrink government and for this purpose established the Nurun Nabi Reorganization Committee. So far, this committee has reviewed 80 departments. But its impact has been negligible because its terms of reference are limited, it is part of the executive branch and it does not have the capacity to undertake fundamental analyses of rationale. In addition, GOB has also established an Efficiency Unit in the PM's office. Its success will depend on its staffing and mandate as well as the support it receives from the PM. Success also depends on building broad-based public support and developing suitable processes/mechanisms to generate awareness and support for change. Notwithstanding the Unit's placement in the PM's office or support from the PM, a bureaucratic unit in the present environment would fail to muster the broad-based support necessary for fundamental reforms. Therefore, it is recommended that a new Commission — National Commission for Reforming Government (NCRG) — be established to carry on the work of the NurunNabi Committee. The Commission would need to be independent — comprising parliamentarians, civil

servants and private sector representatives, professionally staffed and must have the capacity to critically re-evaluate the rationale for each agency, assess value taxpayers and users are getting for supporting agency, etc. Public hearings by the Commission would help generate public support for reform.

It is envisaged that the Commission would provide the analytical underpinnings for the paradigm shift, and formulate specific proposals and strategies. It would be the institutional agent for questioning prevalent ways of doing business, raising awareness on the need for change and harnessing public support. The Efficiency Unit would operationalize the Commission's work, and act to spearhead change within the Executive Branch. It would also be responsible for monitoring the implementation of the reform program. The Efficiency Unit could also act as the staff secretariat to the Commission, providing it with analytical support, rather than building a separate analytical capacity within the Commission itself. It is important that both the Commission and the Unit be staffed by high caliber professionals. While political vision is needed to jump start the reform process, high caliber institutions are necessary to engender and implement reforms. Two areas should be accorded high priority by the Commission:

- *Closing down and streamlining institutions* — Some agencies have now lost their relevance and persist only through bureaucratic inertia. Also with the changing economic landscape and new priorities, the functions of many ministries/agencies need to be looked at afresh. Thus, for example: the Ministries of Textiles and Jute will not have much to do when the state-owned mills have been divested or closed. As another example, the Department of Prices and Market Intelligence could be closed and its residual responsibilities for monitoring price changes transferred to the Bangladesh Bureau of Statistics. A critical review of many agencies will suggest that many could be made smaller. For example, the functions of the Bangladesh Rural Development Board and Department of Cooperatives are not only overlapping, but also redundant in many cases keeping in mind the

successful provision of similar services by NGOs.

- **Unbundling and contracting-out activities** — Many agencies undertake activities which can be better performed by the private sector; in a large number of cases, policy making and operations are combined. Unbundling this would reduce the administrative burden and improve service delivery, since ministries (which would be funding other institutions for services) would be in a much better position to demand higher standards. The Ministry of Communications, for example, could divest itself of the Road Transport Corporation, and shift the emphasis of its Road Transport Division away from construction and towards the supervision of outside contractors. For many activities, there now exists potential for contracting-out to NGOs and private agents. This has been successfully tried out in cases of non-formal education, water and sanitation and construction of health centers.

Over the medium term **Legislative Mechanisms to control future growth in government employment** also warrant serious consideration. Better managed developed countries and some NICs have been able to curtail the absolute growth in government by *legislating an absolute cap on government*, which forces reduction in lesser priority activities when new, higher priority activities emerge. *Another mechanism is 'Sunset laws'* which slough off the obsolete by setting time limits on the operation of programs unless they are reauthorized by the parliament.

Enhancing the role of NGOs.

Bangladesh is extraordinarily rich in NGOs working in a wide range of development fields; many are internationally recognized. In order to fully utilize their potential and strengthen the effectiveness of their activities, the following measures should be considered:

- **Streamlining the NGO registration and approval process**, and devolving many of these

functions to ADAB -- the apex association of NGOs.

- **Establishing a GOB-NGO Consultative Council** to enable a more proactive consultation, enhance dissemination of successful NGO programs, and improve accountability.
- **Establishing PKS type institutions** for providing budgetary funds to NGOs for implementing social sector programs, rural infrastructure schemes, etc.

Local Governments (LGs) — the untapped potential.

In Bangladesh, the existing administrative structure and elected local bodies do reach the grassroots level and provide the necessary building blocks for participatory decentralized administration and delivery of public services. But this structure has failed to perform efficiently for two main reasons: excessive centralization of decision-making; and ineffectual elected local bodies — characterized by weak administrative capacity, and a limited financial and human resource base.

Local representative institutions are in a better position to provide (directly or through NGOs/private providers), public goods and services whose supply is not scale dependent or likely to result in externalities. Such a shift in function will, of course, depend on the success of efforts to develop a robust system of LGs. The GOB should consider initiating a program to enhance the role of LGs in provision of basic public services by:

- **Consolidating the legal framework for local government** through rationalizing the more than 20 Acts/Ordinances related to LGs.
- **Developing local government units of an appropriate size** which would need to be larger than the Upazila Parishad but smaller than districts to exploit economies of scale while ensuring that units are not so large as to preclude wide, direct participation.

- *Restructuring LG funding arrangements* through a system of formula based grants and greater authority to raise local taxes, together with mechanisms to ensure fiscal prudence.

Promoting The Private Sector.

Relations between the government and the private sector need to be much more collaborative than at present, and government agencies need to be more responsive and expeditious in resolving administrative bottlenecks faced by the private sector. In addition, greater coordination is needed among the dispersed agencies/ministries handling policy formulation and implementation related to private sector development. Private sector matters are spread over four ministries -- Industry, Commerce, Jute and Textiles, and three promotional agencies -- Board of Investment, Export Promotion Bureau, and Bangladesh Export Promotion Zone Authority. Unfortunately, they have not been as effective as the East Asian counterparts. Their working culture is not geared to private sector needs, and their predilection is regulation rather than promotion. There are many ways in which governments can facilitate or actively promote private enterprise. The East Asian countries, for example, have shown the value of strong government -- business interaction and effective public agencies which can help stimulate the private sector. The following reforms are overdue:

- *Establishing a Prime Ministers Private Sector Advisory Council* -- comprising key economic ministers/secretaries and leading businessmen -- which meets regularly, at least once a month.
- *Making the promotional agencies more accountable, efficient and responsive*, by involving private sector representation on their Oversight Boards, establishing service standards, hiring professional staff, phasing out redundant staff (almost two-thirds in case of Board of Investment), giving agencies greater autonomy, and removing their regulatory and control functions.
- *Improving Coordination and Decision Making within key Ministries.* One option that the National Commission should review is merging

the Ministries of Commerce, Industry, Textiles and Jute into a single Ministry for Private Sector Promotion -- which would perform the policy making role of the four ministries including oversight of the above noted promotional agencies, and transferring out all SOEs under these ministries. This unbundling would have the added advantage of separating policy making from managing enterprises.

An important element of promoting private sector is **Privatizing/Commercializing State-Owned Enterprises (SOEs)**. The status quo of inefficiency, losses and poor quality service, which adversely affects consumers and private sector, has to be reversed. The following two options, which GOB is pursuing half-heartedly, needs to be accelerated. *First*, for enterprises which operate in competitive markets and where privately produced products are available, privatization or, where necessary, closure would benefit taxpayers and consumers. Pending privatization, which should be accelerated, the administrative and operational oversight of these SOEs should be taken out of line ministries, as recommended above; this role could be fully devolved to the respective holding corporations, with the AB Wing in the Finance Division providing financial oversight. *Second*, in the case of enterprises which operate in monopolistic non-contestable markets, such as the Power Development Board or the Dhaka Electricity Supply Authority, experience from Bangladesh (e.g. PBSs, PKSf) and other countries suggests that efficiency and customer service can only be enhanced through: competition, hard budgets, independent boards, professional management, performance-based incentive systems, and changes in the institutional relationship between the enterprises and government. *In Bangladesh, the PKSf offers a very good example of public enterprise governance structure. It is recommended that this be extended to all SOEs.*

II. ENHANCING ACCOUNTABILITY AND RESPONSIVENESS OF GOVERNMENT

A major problem throughout Bangladesh's public sector is not only lack of accountability, but also the nature of accountability. The chain of accountability stretching from the Parliament to the Class IV employee is weak and fuzzy; many of the links have been severed, resulting in the inability to enforce financial contracts, stop theft in public enterprises, or hold officials accountable for improper or delayed judgment. The budgetary review process and management is also weak and ineffective as a tool for enhancing efficiency and cost-effectiveness. In general, GOB agencies are subject to weak financial controls, are not seriously scrutinized during the budget process or by the legislature, and are not subject to the financial discipline of the market place. Above all, they are unresponsive to people's needs, and citizens lack any effective means of obtaining redress when officials abuse their power. Actions need to be taken on the following six fronts:

Accountability of Government to Parliament

Parliamentary accountability is the bedrock of good governance in a democratic system. However, parliamentary accountability has not worked well in Bangladesh. There are a number of problems. Some relate to the heavy weighting of power in favor of the Executive — a problem shared by the oldest parliamentary democracies — while others are caused by the non-observance of standard parliamentary norms and procedures and weak capacity. It is vital for good governance that Parliament become more prominent in national life, thereby increasing its effectiveness. It is recommended that a bipartisan Parliamentary Task Force be established to formulate a program for strengthening parliamentary accountability, which would need to include among others, the following measures:

Providing MPs with adequate office and research facilities. This would involve properly-equipped offices, paid research staff, and greatly improving the library and research

facilities. This could also include establishing permanent Legislative support and oversight agencies like the Congressional Budget Office and the General Accounting Office, in the United States.

- *Establishing the time-tested parliamentary practice of questioning Ministers.*
- *Strengthening the system of Standing Committees.* The first priority should be to strengthen the Public Accounts Committee. In general, strengthening of committees would involve amending the Rules of Procedure of Parliament to provide due authority (and resources) to committees to effectively undertake their mandate and scrutinize all legislation before it is introduced in Parliament.
- *Establishing an Ombudsman's Office, as called for in the Constitution.*

The Comptroller and Auditor General (CAG)

Crucial to any system of accountability is a robust and timely mechanism to ensure transparent financial accountability. CAG does not perform satisfactorily for the following reasons: weak staff skills (CAG does not have a single chartered accountant); the use of outmoded concepts and procedures; dual responsibility of accounting and auditing; inadequate coverage of reports; and delays in issuing reports. When the relevant report is issued years later (delays of five to eight years are not uncommon), it is difficult to take action in cases of financial impropriety or administrative negligence. CAG's shortcomings have a serious effect on accountability, as Parliament and the Government must rely on its reports. Government has started a capacity building program and the following actions need to be expedited:

- *Enhancing the capacity of CAG through recruiting professionally qualified auditors, strengthening its training programs and enhancing office support facilities.*

- *Allowing direct contracting of auditing firms* by the CAG, and government agencies, to enable it to undertake all statutory audits in a timely manner.
- *Initiating program to undertake comprehensive audits* to move from procedural accountability to consequential or output-oriented accountability. This would involve using measures of cost-effectiveness and value-for-money audits.
- *Separating the audit from the accounting function* to establish the independence and credibility of the audit.

Accountability Mechanisms within the Executive Branch

Accountability mechanisms within ministries, agencies and SOEs are weak, at best. A major source of this is the weak accountability/incentive framework in the budget system. In addition, a particularly disconcerting aspect is poor quality of SOE external audits, resulting from poorly defined scope of audit and the extremely low fees; for example, these are only about \$2,000 for the central bank and around \$1,000 for most SOEs. Operational and financial accountability needs to be greatly improved through the following measures:

Improving the Budgetary Process. The government budget is a central part of the incentive system in which public servants operate. Most reforming countries have used the budget as an important policy tool to keep the size of the government in check and to ensure public sector efficiency by demanding Value-for-Money. In Bangladesh, while the budget system works well for aggregate controls, none of the essential ingredients of an efficient budget system exist; it primarily serves as an accounting tool depicting receipts and expenditure in a particular year, and does not clearly link individual spending programs to specific policy objectives. Under the present "rules of the game", line ministries lack a strong incentive to prioritize their programs and micro-level incentives to spend efficiently and effectively are weak. The budget staff have very little or no special pre-service training or qualification in budget/public expenditure analysis,

while the preparation is a manually intensive exercise. The budget lacks medium term framework, the revenue and development budgets are prepared separately and exogenously driven, and the revenue budget is prepared on an incremental basis; the artificial dichotomy between revenue and development budget makes it difficult to achieve the overall allocational efficiency of resources.

The GOB realizes the weaknesses of the budgetary process, and in 1993 initiated a technical assistance program -- Reforms in Budgeting and Expenditure Control (RIBEC). The RIBEC is expected to bring about some reforms in the areas of reporting and presentation of government accounts, computerization and development of a financial information system. However, long term structural reforms of the GOB's budget system will have to be made to fully utilize the budget as a lever of change so that Bangladesh gets itself endowed with a good budget system. Fundamental reforms would require changes in the institutional arrangements (i.e., rules, norms, procedures) in the budget process that affect incentives governing allocation and use of resources. Bangladesh would benefit from reviewing the experience of New Zealand, Australia, Malawi, and South Africa in this regard. As practiced by these countries, a phased and evolutionary approach is proposed to limit new initiatives in order to avoid overloading the implementation capacity and to ensure that RIBEC reforms are implemented. Against this background, only a few new initiatives are proposed for implementation, over the medium term, which are absolutely essential to reinforce the work of the National Commission and the Efficiency Unit, and which would form part of any long term fundamental reforms.

- *Establishing a Budget Analysis Unit (BAU)* in the Budget Wing of the MOF to be staffed by a core group of professional economists and financial analysts. The BAU, by replacing the existing budget officers, would become the mainstream arm in government to regularly review/scrutinize incoming budget requests from the Ministries/Departments and undertake broader review of public expenditures to evaluate appropriateness of expenditures and make recommendations on allocations.

- *Revising Project Proforma Formats* used for the public investment review and approval process, to sensitize and force agencies to think about alternative ways of delivering services and conducting business. It is proposed that a standard set of questions be added to the Project Proforma format to ensure that alternatives are indeed seriously reviewed by both donors and government agencies. While this standardization of "market testing" the prevalent approach could degenerate into routine/standardized responses, putting agencies on the spot and raising awareness of these issues, is an important first step.

- *Improving "User Friendliness"* of the budget document by improving and enhancing presentation of economic data. This would enhance the quality of public debate.

Once these reforms take root and adequate institutional and informational capacity is in place, long term structural reforms, like those undertaken in New Zealand, should be initiated to closely link allocations to outcomes, strategic priorities, and medium-term framework. Reforms in this phase would comprise, among others, the following:

- *Establishing link between budget allocation and outputs/outcomes.* As a first step each ministry/agency should indicate its key objectives, performance targets and prior year achievements in the budget/ADP document. The Ministry of Finance already does it. Other Ministries and agencies should also be required to do so. Agencies, with the help of the Efficiency Unit, should be able to establish simple and measurable indicators of efficiency (e.g., cost per unit of output) and effectiveness (e.g., project outcome) without the need for extensive studies.
- *Formulating and Presenting Budget in a Medium Term Revenue and Expenditure Framework.* This would strengthen and make more transparent the linkage between budget and macro-economic objectives, impose greater policy making discipline and highlight the resource availability for new programs/projects.

The *Implementation Monitoring and Evaluation Division (IMED)* needs to be strengthened to perform its current tasks better, and to increase its effectiveness in assessing overall policy implementation. Some of the more important measures include:

- *Relocating to strengthened IMED in the Prime Minister's Office.* Agencies of less systemic importance to the overall administration should be removed from the Prime Minister's Office. IMED would then become the Chief Executive's main watchdog for monitoring, and giving feedback on the performance of the entire range of the Government's development and current expenditures and policy implementation.
- *Widening its mandate* to also include monitoring of major spending programs and policy implementation. Adequate resources would have to be provided to develop a multi-disciplinary team capable of offering timely reviews of major spending programs
- *Improving its monitoring methods and reporting formats.* This should include regular monitoring of physical achievements, contract awards and the systematic evaluation of completed projects.

In addition, existing mechanisms need to be strengthened to enhance ministerial and agency accountability. These include:

- *Initiating a program to modernize Financial and Management Information Systems* within ministries and agencies to monitor financial and physical inputs/outputs, and outcomes.
- *Improving external audits of SOEs* through establishing audit guidelines and enhancing remuneration to external auditors.

Improving Responsiveness to Users.

Customer Service initiatives are long overdue in Bangladesh and would be very popular with voters. It would also help the agency to obtain feedback on its performance, thereby aiding its

efforts to redress consumer complaints. An important element of the service standard should be refunds to consumers for poor quality and unreliable service (e.g., burnt out electrical appliances, excessive billing, dead phone lines, etc.). Consumers in Bangladesh must be compensated for the poor quality of service provided by public enterprises, particularly when they cannot exercise consumer choice. A good example to emulate is the Citizen Charter that is required for each agency in the UK. Thus, the Charter for the London Underground commits it to provide a safe, quick, reliable, and value-for-money service. It includes a refund scheme which *entitles customers to a refund voucher if they have to wait on the platform for 20 minutes longer than advertised, or if the train in which they are traveling is delayed by more than 15 minutes.* The Charter is advertised on posters at all stations. The Government should consider medium and long-term measures to improve responsiveness to citizens such as:

- *Establishing Customer service standards.* Each agency should be required to establish customer standards in a widely disseminated public document representing a contract with those it serves.
- *Regularly Surveying Customers of public agencies and utilities* as to the kind and quality of services they receive and want.

Enhancing customer service and responsiveness to the citizen should be made a high priority of the Efficiency Unit in the PMs office. As with Performance Objectives, it is well within the capacity of Bangladeshi agencies to establish, with assistance of the Efficiency Unit, service standards (e.g., reduction in consumer complaints; on-time departures; and number of days for: clearance of goods by Customs, processing drawback refunds, recording land titles, correcting excessive bills, providing utility connections, etc.) without the need for extensive external assistance or lengthy studies. The important issue would be to ensure that monitoring is not purely on self-reporting basis and that an independent external agency (e.g., Ombudsman's Office) is involved in the oversight role and in enforcing standards.

Towards Open Government

One of the keys to empowering citizens and to a more effective government is openness and transparency. At present, public administration in Bangladesh is peculiarly opaque. Bureaucrats seem obsessed with secrecy and are unwilling to divulge to the public any information — however routine or innocuous. To some extent, bureaucrats can legitimately plead that they are hemmed in by official restrictions. The Official Secrets Act of 1923 and the Government Servants Conduct Rules (GSCR) of 1979 bind civil servants to an oath of secrecy, even forbidding them to pass some official information to other government departments. Many governments now have Freedom of Information Acts. *It is recommended that serious consideration be given to amending the Official Secrets Act and the GSCR,* to encourage and legitimize the flow of information between the state and the citizen. Several other measures which are practiced in a number of countries are also recommended:

- *Announcing a public policy on transparency.*
- *Establishing a Task Force on Public Sector Transparency,* made up of independent members drawn from various professional and occupational groups to recommend specific measures for increasing transparency.
- *Making, contract evaluation reports available to public* irrespective of the size of contracts. All bidders should be legally entitled to obtain a copy of the Evaluation Committee's Report.
- *Publishing the earnings and tax payments of all elected officials, as reported in tax returns.* Such a measure would not only enhance the moral legitimacy of tax enforcement, but also increase the pressure on public officials to correctly report their incomes and comply with tax laws.

Enhancing dissemination of information and reports by regularly making available to the parliament and media the following: annual and external audit reports of public enterprises, IMED reports, macro-economic and project information made available to donors, amount of

tax exemptions/concessions provided to private and public sector, and public officials; amount of free services (e.g. utility services, air tickets, private transportation, etc.) provided to public officials.

Rooting Out Corruption

Corruption thrives where there is discretion and monopoly, accountability is weak, and public servants are poorly paid. These are also the main causes of public corruption in Bangladesh. Bangladesh does have an Anti-Corruption Bureau (ACB), but it is largely ineffective and is publicly perceived as being vindictive — as a vehicle for pursuing personal and political vendettas. The ACB, rather than offering solutions, seems to have created a fresh set of problems -- paralysis of decision making out of fear. Even where ACB investigates properly, it averages three years to investigate cases, of which only 15% actually get to the courts.

Reducing corruption requires measures to improve openness and transparency in government, deregulation, improvement in civil service

compensation, and stiff penalties/enforcement. As a first step, the following measures merit consideration:

- *Establishing a high powered Task Force*, comprising government officials, parliamentarians and leading private citizens, to review the whole gamut of issues related to corruption and to propose a comprehensive eradication program.
- *Establishing an autonomous Standing Committee*, protected by law, to oversee the ACB and to authorize investigation of senior staff in ministries, agencies and corporations, by a statutory appointed and protected public prosecutor. This should reduce harassment and fear of decision making and shield entrepreneurial and decisive public servants. The Standing Committee should comprise judges, both serving and retired, secretary-level officials and other respected leading citizens.

III. REGULATORY AND LEGAL REFORMS

The Regulatory Maze: Need For Fundamental Overhaul

The interface between the citizens and the state is nightmarish for the citizen. Whether it is getting a passport or registering land title, obtaining a building permit or a utility connection, getting a university certificate or a rickshaw license---the citizens have to suffer delays, deal with discretionary rules and unresponsive officials, and above all, often make side payments. The environment for business firms is no different. Most businesses spend a large amount of their time negotiating a maze of regulations which are ambiguously drafted, inconsistently applied, and generally haphazard and contradictory (Box 4).

Bangladesh needs to review and consolidate regulations. Any such effort would need to comprise the following elements.

- *Initiating a comprehensive deregulation program.* This could be achieved by establishing a Deregulation Commission, comprising government officials, private sector interests and technical specialists. The Deregulation Commission would need to work closely with the National Commission, perhaps under its ambit, and the Efficiency Unit to ensure coordination and implementation of its findings. It would use a process of technical reviews, including cost-benefit analysis and an assessment of the costs of implementation and compliance. It should hold open public hearings to review, revise, or discard each and every regulation. Through such a process, Turkey consolidated 12,000 regulations into a mere 700, while Brazil revoked 112,000 decrees out of 127,000 decrees.

Box 4. The Regulatory Regime: An Intricate and Discretionary Web

The regulatory regime, policies and practices suffer from the following.

- *Vague and Discretionary.* A particularly worrisome feature, which grossly undermines good governance, is that many regulations are left open-ended and ambiguous. This represents a misplaced confidence in the quality and probity of the regulatory bureaucrats --- and provides them with too large a degree of discretion. For example, the Factory Act (1965) states: If it appears to an Inspector ... that water for humidification is not *effectively* purified, or any part of building machinery is a *safety hazard*, he may serve notice. The italicized terms are undefined and highly discretionary --- a circumstance undoubtedly exploited by the inspectors who are the sole judges.
- *Pervasive and Archaic.* Bangladesh has thousands of regulations that are archaic, conflicting and serve no perceivable public interest. For example: factories requiring spittoons, permission required from Civil Aviation Authority to sell aircraft engines, passport photographs requiring attestation by Class I officers, gas company requiring original title deeds for connection; prohibition on adult worker working in more than one factory on any day, permission required from BTTB to install fax machines, and so on.
- *Flawed and Weak Enforcement.* In Bangladesh, regulations are exclusively administered by underpaid low-level officials. Anyone seeking to undertake private commercial activity is forced to obtain assistance from these numerous petty bureaucrats who use every opportunity to ostensibly monitor compliance; in fact, they take full advantage of the discretionary and opaque process to extract rents. Fortunately citizens and firms are spared compliance with the "letter of the law" regarding unnecessary regulations. At the same time, an important aspect of regulatory failure is the weak capacity to enforce safety, health, environment and public interest regulations which are necessary for the orderly conduct of a market economy.
- *Flawed Process for Making Regulations.* In Bangladesh, all regulations emanate from laws. The regulatory ministry/agency has the responsibility for developing and drafting supporting rules, regulations and guidelines. A major shortcoming of this drafting process is that it tends to be tilted in favor of the regulator and generally does not incorporate the views of those people likely to be affected by the regulations.
- *Absence of arms-length relationship.* Another regulatory problem is that there is absence of a clear arms length relationship between the regulator and the operator (i.e. between controlling ministries and public enterprises); often they are identical (e.g., regulatory role of Bangladesh Petroleum Corporation)

- *Establishing a clearing house* in the Ministry of Law, similar to the Office of the Federal Register in the USA, to keep track of all regulations. As a first step, this office should prepare comprehensive documentation which incorporates, in one place, all laws, regulations, Statutory Regulatory Orders, and administrative orders. This document should be updated once a month.
- *Establishing transparency and accountability in the rule making process* by mandating that, except for emergency situations and criminal matters, no rule can be promulgated without a consultative process and public hearing, including printing of draft rules in major newspapers well in advance of rules being finalized.
- *Establishing pilot programs to minimize contact* between regulator and regulatee. These could include: involvement of citizen groups, NGOs and reputable private firms, in enforcement; relying on pre-shipment inspection services for custom duty assessment; accepting income-tax assessments by reputable chartered accountants; computerizing and "de-personalizing" tax processing.
- *Establishing a regulatory system for the monopoly sectors* which encourages private sector entry into these areas, heightens competition, and develops processes and rules which balance the interests of producers and consumers.
- *demands of a modern economy.* The most critical elements of legal reform are:
- *Activating the Law Reform Commission.*
- *Enhancing the speed and capacity of the courts* by improving case management, introducing modern information management systems, upgrading court facilities, and setting up specialist courts with judges trained in that specialty.
- *Improving the judiciary.* Critical elements would include: procedures for selection of judges, training of judicial officials, and overhauling the compensation package for the judges by delinking it from the central government salary system and restoring it to the levels prevailing in the 1950s.
- *Enhancing supervision and monitoring of lower courts* by establishing a permanent unit, to undertake this task. This unit should be headed full-time by a retired or in-service Supreme Court judge and report to the Chief Justice. In addition, the higher judiciary should be made responsible for promotions/transfers of lower court judges.
- *Enhancing the independence of the judiciary.* The Constitutional provision needs to be fully implemented, starting with full financial independence. The budget management for the judiciary should be fully delegated to the Chief Justice's office.

The Legal Impasse

The laws and judicial system of Bangladesh neither meet the needs of citizens nor create an environment conducive to transactional efficiency. Legislation is poorly designed and outdated, procedures are cumbersome, the superior judiciary does little monitoring, court facilities are inadequate, and there are too few well-trained judges and law officers. All of this causes inordinate delays in legal verdicts. Indeed, decades can pass in expensive and time-consuming litigation over minor and relatively simple cases. Public faith in the courts is understandably low. Major reforms of the judicial system are necessary to meet the

IV. IMPROVING POLICY FORMULATION AND IMPLEMENTATION

Improving Policy Formulation And Implementation.

Even a smoothly functioning bureaucracy can only be effective when it is carrying out well-formulated government policies. Although Bangladesh has, in recent years, established some outstanding new policies — the introduction of VAT, the situation remains far from satisfactory (Box 5).

Institutional foundation for effective policy formulation and implementation needs to be strengthened. There are a number of ways in which this could be achieved.

- *Enhancing GOB in-house capacity* — The policy planning and coordination cells in the ministries urgently need strengthening. A useful move in this direction would be to merge the Development Wings in each ministry with the policy planning units. The Government should also consider staffing these planning cells in the ministries, with people redeployed from the Planning Commission, and reducing the size and refocusing the role of the latter.

Strengthening mechanism for monitoring policy implementation by bringing it under the purview of IMED.

- *Co-opting and Promoting local think tanks and universities* in undertaking policy analysis and research, and through regular exchange of staff between government and these institutions.

Expediting Government's Decision Making Process.

Even if some aspects of government activity are eliminated, and others passed to the private sector, to NGOs or to local government, the workings of the central government must still be streamlined. At present, the overly bureaucratic system is ill-suited to the needs of a modern democratic state seeking rapid development.

Enhancing the speed and quality of decision-making will involve radical changes in process and behavior.

Process changes should be straight-forward, though in practice these will be difficult because of vested interests and turf battles. Behavioral changes are altogether more complex. They include the need to create appropriate systems of incentives and to encourage decision-makers to take more risks and demonstrate an entrepreneurial spirit. The following are some priority areas for action:

- *Significantly enhancing the financial and administrative powers* of heads of agencies, departments and project directors for day-to-day expenditures as well as procurement of civil

Box 5. Public Policies: Need for Improvement

In general, public policies:

- *lack responsiveness* — policy change in Bangladesh is usually a matter of 'too little, too late'.
- *are inconsistent* — the extensive inter-ministerial consultative process attempts to ensure consistency between different policies. However, there are still major concerns. In the garments sector, for example, the Government professes a wish to enhance value-added and establish backward linkages, yet it also places restrictions on both grey-cloth imports and on backward-linkage industries.
- *are unpredictable* — numerous policies suffer sudden reversals or changes of direction. These include reversals on private sector imports of petroleum, on private sector marketing of fertilizer, and on privatization.
- *lack credibility* — most Bangladeshis' greet new policy announcements with considerable skepticism — viewing them more as a response to donor conditionality rather than as a genuine commitment to change. Credibility is also undermined when different ministers issue conflicting statements on the same issue.
- *are unimplementable* — the Government also creates major problems when it announces policies which are clearly unrealistic. The GOB has, for example, committed itself to providing non-formal education for 15-23 million learners by the year 2000. This is widely regarded as impossible to implement, as the country lacks the necessary resources — institutional, financial, or human.

works and goods and services. This will avoid delays incurred due to the necessity of seeking approval/authorization from ministries.

- *Reducing the number of decisions requiring the PM's approval* to those of systemic importance and essential to the functioning of the Government.
- *Eliminating the Cabinet Committee on Procurement* and establishing a permanent Inter-Ministerial Secretaries Committee

responsible for approving procurement which exceeds the authority of line Ministry Secretaries.

- *Imposing accountability* by fixing clear responsibility on relevant officials for avoidable delays and cost overruns. Cabinet-level officials need to focus their attention here, rather than on participating in the actual review and approval of contract awards.

V. IMPROVING HUMAN RESOURCES IN GOVERNMENT

Without improving the quality of people working for government, no amount of other reforms will succeed. Highly skilled and motivated staff are essential, which requires comprehensive reforms in the following areas: compensation, professional skills development, training, recruitment and promotion.

Compensation.

Officer level salaries in Bangladesh have declined dramatically over the last three decades. In the 1960s, when public institutions and public servants were perceived as efficient and effective: it took an entry level officer the equivalent of six months salary to buy a car, while now it takes forty months; senior level (Secretary/Judges) salaries were close to private sector (and World Bank!) salaries and they could build a home in two years salary -- now a similar home would cost twenty years of salary. At present, public sector salaries as percentage of private sector salaries, are about 20% in Bangladesh compared to 110% in Singapore and 70% in Korea; they are inadequate to support a middle class living. As much as policy makers in Bangladesh would like to believe that they can get East Asian style efficiency with low salaries -- there is regrettably no such success story.

People are willing to pay higher price for good quality; even poor people like borrowers of

Grameen Bank who pay much higher interest rates than borrowers of government banks. If assured of better quality service, citizens would support better salaries, and tax increases to finance it. But they would not support substantial increases for the vast majority of today's public servants because of the poor service quality and their unresponsive and exploitative behavior. A major change in the salary system should be implemented only when there is a satisfactory system in place which will ensure performance standards and accountability.

Salary increases must be fully justified. Moreover, fundamental salary reforms are complex, require much more in-depth study than undertaken as part of this report, and need to be closely tied to fiscal space and goals. Realistically, a major overhaul will take 5-7 years. In the interim, compensation needs to be increased selectively for the thousands of outstanding and highly skilled public servants, who are 'Agents of Change' and continue to uphold public service despite overwhelming countervailing forces. Several interim options, tried out in other countries (e.g. Malaysia), include:

- *Establishing financial awards for meritorious public service.* These awards should go to the "Agents of Change" -- top 1-2% of performers in each ministry or department, and should be based on performance-related factors such as: quality of service based on feedback from users, timely ADP implementation, achievements in revenue collection, or high quality policy

analysis. The awards should have a substantial cash value, 12-18 months salary, to be meaningful and to enable financing of one-time essential capital expenditures such as car purchase, college education, children's wedding, etc., -- which otherwise have to be made up through rent seeking, for the most part. A committee in each department or ministry would select candidates who would be further short-listed by a PM's committee -- comprising government servants, leading public figures, and professional experts. A transparent process/criteria and selection by committee, with outsiders, would minimize abuse.

- *Introducing special qualification supplements.*

These would go to officials who have obtained Masters degrees or PhDs from recognized universities in OECD countries. Again this should be substantial -- for example, 100 percent of basic salary for a Masters degree and 200 percent for a PhD. This would give public servants an incentive to travel overseas for training, even at their own expense, and attract more highly qualified people into public service.

- *Establishing cost reduction awards* to reward those public servants whose proposals/ideas lead to elimination of waste and cost savings. A special program could be established to proactively encourage ideas.

- *Initiating a program to delink salaries of the Judiciary and Central Bank from government salaries.* Compensation in these institutions need to be established in line with market and commercial considerations.

Transparent performance and qualification-based methods of enhancing compensation selectively are widely practiced, would be politically justifiable and feasible, and would not lead to pressure for system-wide wage increases. Along with the above measures, a *Pay Research Unit should be established in the Ministry of Finance* to regularly undertake systematic and comprehensive reviews. As its first task, the unit should undertake an in-depth study to formulate a path of adjustment of civil service pay which is consistent with fiscal goals and which over five to seven years could bring

about a paradigm shift in compensation through: attrition, early retirement, subdued pay increases at the bottom, and large pay increases at the top paid for by reduction of lower level staff.

Professional Skills Development.

Management of the economy in today's complex and inter-dependent world is a daunting task for any government. Combined with the immensely complex and huge development challenges facing Bangladesh, nothing short of Herculean management and technical skills are needed. Measures are needed to enhance professional standards and skills in the civil service, and to ensure that competent and well trained people staff the Ministries, Agencies and Departments. The following options could significantly enhance professional standards:

- *Establishing specialized functional groups.*

One possible measure, which could address the skills mismatch issue and the inter-cadre rivalry, is the clustering of ministries/agencies into functional clusters and establishment of Specialized Senior Staffing Pool (SSSP) groups to manage the functional clusters. These functional clusters/groups might, for example, include a macro-economic group, a social sector group, an infrastructure group, an agriculture and natural resources group, etc.; management jobs in ministries/agencies performing these functions would be filled from the relevant SSSP group. Deputy-secretary rank officers from all cadres would be eligible to join any of the SSSP groups based on their interest, track record and the results of a competitive Masters-level tailor-made examination. Once a person is selected for any of the SSSP groups, they would stay within the relevant ministry/agency for the remainder of their career, becoming Agency Heads/Secretaries, in due course, if performance is satisfactory.

- *Initiating a crash overseas training program* to enable each ministry/agency to have, over the medium term, a critical mass of well trained senior and middle managers.

- *Strengthening the Training Institutes.* An important measure would be to make postings to senior staff training institutes a career

advancement step -- just as followed by the Bangladesh Defense Forces Academies/Staff Colleges -- rather than a punishment posting.

VI. IMPLEMENTING REFORMS

While the need for reform of the public sector may be clear, one of the most difficult questions is when and how to start. Many countries have taken advantage of some massive upheaval — a war or an economic collapse — to seize the opportunity for reform. Bangladesh does not face any immediate or obvious upheavals. Rather, it faces a debilitating ongoing crisis which continues to sap the country's economic and social strength. While there is a good basis for assuming that the political leadership will embrace the broad principles of reform stated above, triggering the reform process in Bangladesh will, therefore, be much more difficult.

Thus, Bangladesh's political leadership may find it extremely difficult to embark on a radical reform program which is likely to de-stabilize its own power base. Similarly, it would not be easy to galvanize the civil servants in support of reforms meant to reduce their discretionary authority, privilege, and above all, rent-seeking opportunities. Last, but not least, the commitment to channel public resources through programs managed by NGOs and private sector is bound to cut into strong vested interests.

Despite the likely resistance from such "vested interests" the government is well advised to initiate the reforms resolutely. This is justified, if anything, by the political leaderships own "enlightened self-interest" since the reforms are bound to yield both a high political and economic pay-off to the government itself. The experience of the East Asian and other fast growth countries has amply demonstrated that an efficient public sector is key for accelerated economic growth as a means to alleviating poverty. In Bangladesh, following this path also makes ample political sense with the likely ground swell of public support -- and a increase in the vote bank-- if the government begins to earnestly

attack public sector inefficiency, the poor quality and virtual absence of public services, the discretionary authority and lack of accountability of public officials, and endemic corruption. In pursuing this agenda the government will not find itself without allies. The general public and the business community are becoming increasingly impatient; and the donor community is finding it more difficult to justify aid to countries which fail to set their own house in order. Above all there are also allies within government--a core group of farsighted and innovative officials who by initiating bold changes of their own volition, have proved their readiness to be "Agents of Change" for implementing the proposed program.

There is no denying that reforms will have political costs. However, the cost of doing nothing will be lower growth, continued poverty and citizens continuing to receive less for more.

Lessons of Successful Reforms

Reforming an organization as complex as a government is a long, painstaking and torturous task --importantly it is a process and not an event. Experience of countries which have successfully redefined the frontiers of state and reformed the machinery of government clearly highlights the importance of unequivocal and sustained commitment of political leadership to a less intrusive and more efficient government. The success or failure of public sector reform depends crucially upon vision and support from the political leadership. An overarching vision is needed to not only provide the institutions implementing reforms with the clout and framework to forcefully pursue their agenda, but also send a clear signal to the civil society and public institutions of the redefined role that the political policy makers see for the state.

In addition, within the framework of a political vision and mandate, lessons of success also highlight the critical role of the following two levers of change

- **High powered and professionally staffed institutional mechanisms** to conceive reforms, operationalize them and monitor implementation. While political vision is essential to accelerate the reform process, high quality institutions are a *sine quo non*. Experience of Bangladesh and other countries clearly highlight the importance of institutions to engender reforms, even in the absence of a strong political commitment.
- **Sound budget process** to discipline both the quality and direction of public expenditure policy. The budget, perhaps, is the most powerful tool to bringing about change.

Also, successful implementation strategy comprised the following essential ingredients:

- Initiating reforms with a few bold, perhaps unpopular, actions to send clear signal on vision, together with a large number of "win-win" actions to generate popular support for reforms; and gradually but steadfastly taking difficult and unpopular measures once "win-win" actions are producing results and adequate safety-net and compensation programs are in place, to reduce individual uncertainty. The reform needs to promote reasonable expectations and deliver tangible benefits early, but should avoid creating false expectations about early success.
- Proactive initiatives to encourage public knowledge and debate to harness broad-based public support.
- Following a more participatory process of reform formulation by mobilizing the support of the legislators, the private sector, academics, elected representatives at the local level, NGOs, unions and professional bodies.
- Initiating reforms sequentially and also applying them to pilot programs, while ensuring that

efforts are "connected" and focused on critical trigger points. These will not only help build up support for reforms by demonstrating their potential benefits, but also provide useful lessons for the future to those managing the process of change. Public sector reforms have mostly failed when governments have tried to implement a comprehensive and radical reform agenda.

- Ensuring appreciation and support of the civil servants, particularly "Agents of Change", who are responsible for implementing the reforms which are likely to impact on them in more than one way. Experience has shown, however, that if their motivation and energy are to be sustained they need to be given wider recognition. Also, those likely to be adversely affected by reforms in the short term (the losers) need to be compensated satisfactorily as an incentive not to oppose reforms.

Proposed Implementation Strategy

Laying the Foundation -- The First 4-6 Months

The reforms identified in this implementation phase have been selected to serve three mutually reinforcing criteria, namely that the reforms should: (i) yield a positive "demonstration effect" of the government's intention to tackle public sector reforms resolutely, (ii) address issues of highest public concern and thereby mobilize the support from the largest segments of society and/or on particularly important sectors; and (iii) be administratively and technically easy to implement--it should tend to be almost self-implementing. With the foregoing in mind, the following priority actions, organized around four key elements, have been identified for the newly elected government: *Political Vision; Enabling Institutions; broad based Win-Win Actions and highly selective Downsizing Actions*. For the most part, the basic thrust is on establishing self sustaining institutions and mechanisms, which would provide the springboard for embarking on fundamental reforms 6-12 months later.

Announcing a Policy Statement in Parliament on making Government work. The

political vision and mandate could be provided in a Policy Statement, as done by several countries (Malaysia 2020, United States: "Government that Works Better and Costs Less"), on government's vision of itself in the 21st century, and the key elements of reforms to make government work better. It should be a bold statement publically declaring government's commitment to ensure that the bureaucracy is responsive to the citizens need and it is accountable to the tax payer. It would be desirable to announce the Policy Statement in Parliament, and proactively encourage debate in the print/TV media, to harness support of parliamentarians and the people. It is envisaged that the Policy Statement would be prepared by a small group of key ministers/secretaries, taking into account the party's political platform and recommendations contained in this and prior reports on public sector reforms.

Establishing "Driving" Institutions At the outset, key institutions should be established which will be the champions of reform, and which will sustain reforms. In this regard, the following measures are suggested:

- Establishing a National Commission on Reforming Government headed by a Deputy Prime Minister, and comprising officials, legislators, and representatives from private sector, NGOs, academic community. This participatory approach would broad base support for reform.
- Fully staffing the Efficiency Unit, recently established in the PM's secretariat, to function as a staff unit to the above Commission, steer reform proposals emanating from task forces through cabinet, and serve as the focal point for guiding and monitoring overall reform, and individual changes, approved by the Government.
- Establishing the Budget Analysis Unit.
- Establishing a Steering Committee, headed by the Cabinet Secretary or Principal Secretary to the PM and comprising all key secretaries, which meets fortnightly, at least during the take-off stage, to closely monitor and guide

implementation of reform decisions taken by Cabinet, and to ensure that establishment of new institutions does not get bogged down by the usual bureaucratic delays. Timely implementation will ensure that momentum is not lost, and overcome doubts about commitment. Therefore, the role of this committee is also very crucial to immediate and long term success.

It is important that the staff of the Efficiency and the Budget Analysis Units are the best that is available inside, or outside, government.

These institutions hold the key to reforms and, therefore, the quality of their staffing is crucial. This would also ensure that they can articulate effectively the costs of inaction. Also, it is recommended that the Efficiency Unit be headed by a person who is known to be an 'Agent of Change' and should have the status of Secretary, preferably a senior secretary, to provide the Unit with the necessary clout and prestige.

Win-Win Actions. These should include measures to harness quick support for reforms from the private sector, ordinary citizens and civil society/NGOs. The following are recommended.

- Establishing bipartisan Task Force on Parliamentary Accountability. This would confirm government's firm commitment to a transparent and open government responsive to the legislature. At the same time, the government should express its commitment to provide logistic and analytic support for MPs to carry out their legislative and watchdog responsibilities in a more effective manner.
- Establishing a Deregulation Commission with the mandate to review and reform the regulatory regime guiding interface between the citizen/firms and the state -- this will be particularly popular with the ordinary citizen and business community.
- Declare commitment to the institution of "Citizen Charter" and identify a few selective public services to establish performance standards -- a Citizens Charter for a few services initially, like preparation of passports,

driving license, gas connections, railway timetable, etc., would also be welcomed by citizens.

- Setting up the Ombudsman's Office in Dhaka (and a few regional offices) and a system for public complaints in each thana office.
- Establishing a GOB-NGO Consultative Council, which would send a strong signal to the NGO community on government's intention at building a stronger partnership. This should also enable government to elicit the support of NGOs for grass root support of reform.
- Establishing the Prime Minister's Private Sector Advisory Council. This measure would signal government's intent to initiate East Asian style government-private partnership, and would go well with the private sector.
- Establishing a Task Force for eradicating corruption and announcing draconian measures against corruption. Given the widespread concern about corruption, this action would be welcomed by civil society and signal government's intent on the serious view it takes about corruption.

Actions to redefine Frontiers of Government. It is also important that government initiates a few actions to send a clear signal of its vision of a "new" kind of government and its resolve to implement unpopular measures. As a minimum, it should:

- merge/close a few departments/agencies (e.g. Ministries of Textiles, Jute, etc.) which have clearly lost any rationale for existence. In this regard, Nurun Nabi Committee's recommendations should be used.
- accelerate on-going privatization program, and the deregulation of telecommunications, power, gas and shipping sectors. In all the foregoing, the Government should define key targets for reform under a time bound and monitorable program which is fully in the public knowledge.

Initiating the Less Popular -- The Next 12 Months

By the time the first phase is over, in 4-6 months, the key institutions and task forces would be fully operational and initial results of their work should start to emerge. Some of the "win-win" actions would also begin to yield results in terms of: making citizen's life a little less hassled, selective government agencies a bit more responsive, and private sector and NGOs becoming more involved in policy making. The "enabling environment" should become more favorable for initiating the more difficult reforms. During the next phase, the reforms should continue and expand the "win-win" actions, while initiating the more difficult measures. While the detailed menu of reforms would be determined by the institutions, the following should form the core:

- Initiate implementation of initial recommendations of the National Commission.
- Initiate recommendations emerging from the: Deregulation Commission; Task Forces on Parliamentary Accountability, and Corruption; and GOB-NGO and Private Sector Councils.
- Reduce the number of decisions needing Prime Ministerial, Ministerial and Cabinet Approvals.
- Relocate IMED to PM's office.
- Revise PP format to force agencies to think about alternative ways of delivering services.
- Activate the Law Reform Commission.
- Establish the Pay Research Unit.
- Initiate Personnel Management Reforms, and as a first step introduce special/merit pay scheme and "crash" overseas training program.
- Formulate program to enable Ministries/Agencies to identify performance targets and objectives in their budget submissions.
- Establish Fully Funded Safety Net Program for redundant workers.
- Issue guidelines on scope of external audits of SOEs.

Accelerating the Change - The Medium Term Agenda

Most of the agenda for this phase would obviously emerge from the recommendations of the various institutions and lessons of experience of the first 12-18 months. The preidentified actions slated for implementation during the later years are either those with low priority, or those which need in-depth technical and administrative refinements to ensure their soundness and sustainability. In this category, some of the structural reforms include:

- Converting selective Bureaus/Boards into fully autonomous Agencies with full financial and administrative autonomy, with the Head acting as Principal Accounting Officer and as such fully accountable to the Public Accounts Committee and the Auditor General.
- Providing legislative assistance for MP's, establish Parliamentary Watch-Dog Agencies and Economic Policy Analysis Unit in the Parliamentary Secretariat.
- Enacting the Local Government Legislation and transfer resources from Local Government Ministry for rural programs to the elected local governments.
- Reducing the size and scope of the Planning Commission, while strengthening the planning capacity of the Ministries.
- Initiate program, starting with a few Ministries/Agencies, which links their budgets to performance objectives and targets.

By the end of this phase, the budget process would start to exert influence in the shaping of public expenditure policy. In addition, the fiscal space would have been sufficiently enlarged, through downsizing and contracting out, which would enable structural reforms of compensation to be initiated. The matrix at the end of the Executive Summary provides in detail and sequential manner the recommended reform measures in each area.

Role of donors

Besides providing institution building support, the donors could play a catalytic role in promoting change by:

- establishing in their own programs, accountability measures and performance standards (including penalty for non-compliance and refunds to consumers) which should be widely disseminated.
- ensuring user participation, undertaking customer surveys, and including responsiveness measures in their programs and in implementation agencies supported by them.
- enhancing flow of information of their operations, particularly implementation performance, to the civil society.
- incorporating "Lessons of Success" in their programs and critically scrutinizing and questioning prevalent way of doing business before finalizing program/project design.
- proactively identifying and encouraging "Agents of Change".
- supporting local think tanks and policy research in universities to internalize this debate and keep it alive.
- supporting local media in its role as watchdog and as a forum for debate on imperatives for and modalities of reforms.

Fiscal Cost of the Reforms

There will be three main types of costs: institutional development costs, salary related and redundancy costs.

- *Institutional Development* comprise the costs associated with strengthening existing institutions (e.g. CAG, IMED, etc.) and establishing new institutions (e.g. Parliamentary Watchdog Agencies and Committees, Ombudsmen Office, Efficiency and Budget Analysis Units, Deregulation and Reform

Commissions, etc.). Rough estimated costs amount to about Tk 100 million per year.

merit/special pay program. This should cost no more than Tk 140 million annually.

- *Salary related and redundancy costs.* A well designed staff rationalization-cum-salary reform program could be largely financed from future salary savings of redundant workers. The main additional cost will be that related to the

Together these two costs are minuscule in relation to the budget resources and, importantly in relation to the potentially huge long term potential benefits of an effective and accountable government. Many donors would be willing to finance these costs.

V. A FUTURE BANGLADESH: COMPLETING THE PARADIGM SHIFT

With the paradigm shift, the government will be discharging its responsibilities in very different ways. It will certainly not be following a fixed blueprint — as it will be entering an age when the only certainty is that of continuous change. But some general directions are predictable.

First, a successful administration will have redistributed many of the present functions to be fulfilled much more efficiently and effectively elsewhere. This might mean decentralizing them to local government, or contracting their delivery out to NGOs or to the private sector. The Government will continue to pay for many forms of health and education service, for example, but it will commission those services from the institutions best able to deliver them. And the Government will continuously monitor the results to ensure that citizen gets value for money.

In many other cases, the Government will have withdrawn entirely from functions it currently performs — either because these tasks are no longer needed, or because they can better be financed and delivered by the private sector. It will, for example, have privatized, or in some cases closed, many loss-making state-owned enterprises. This should leave a leaner and fitter central government free to concentrate on the tasks which only governments can shoulder. Rather than initiate most development projects, the central government will generally prefer to provide block grants to others — agencies, local authorities or private organizations — and then monitor their probity and effectiveness.

The new form of governance will also broaden and clear the territory in which the private sector — from the smallest street vendor to the largest corporation — can grow and prosper. It will have cut away at the thicket of regulations, sparing only those which are essential for the protection of the public interest and the promotion of equitable and productive business activity. And it will have rejuvenated the judicial system so that both individual and corporate behavior is held to account and is judged quickly and fairly.

But above all, the next form of governance for Bangladesh will be based on a new relationship with its people. The days of a secretive and self-serving bureaucracy should be just an unpleasant memory. The people of Bangladesh will have free and open contact with their government. They will collaborate in its plans, measure its effectiveness, and hold it to account for its failures. Government personnel will be assessed and paid according to their skills, their performance, and their willingness to help ordinary citizens.



**GOVERNMENT THAT WORKS: REFORMING THE PUBLIC SECTOR
PROPOSED REFORM AGENDA MATRIX**

Short Term Actions (Within First 6 Months)	New Term Actions (Within 12 Months)	Medium Term Actions (Within 3 years)
REDEFINING ROLE/RIGHT SIZING GOVERNMENT		
- Announce a Policy Statement in Parliament on vision of government in the 21st century; the key elements of civil service reforms and specific measures to make government work better. - Establish National Commission on Reforming Government and initiate key actions, with Efficiency Unit providing the technical backup. - Implement pending recommendations by the Nourunabi Reorganization Committee and the Four Secretaries Report. - Establish Steering Committee to monitor implementation of reforms. - Fully Staff Efficiency Unit in the PM's office. - Initiate measures to establish Fully Funded Safety Net Program for redundant workers - Identify Bureaus/Bodies to be set up as efficient service agencies.	- Revise PP format to "force" agencies to justify public sector intervention. - Continue implementation of Recommendations of National Commission on Reforming Government. - Draft Bill restricting the growth of government - Establish Fully Funded Safety Net Program for redundant workers - Convert selective Bureaus/Boards into fully autonomous Agencies.	- Continue measures recommended by National Commission for closure, unbundling, contracting out and agency streamlining. - Pass Legislation restricting the growth of government.
ENHANCING ACCOUNTABILITY AND RESPONSIVENESS		
(i) Parliamentary - Establish bipartisan Task Force and initiate actions for formulating an Action Plan to strengthen Parliamentary Institutions. - Appoint Ombudsman and establish related office. - Initiate program for establishing public complaint offices. - Initiate program to strengthen the Public Accounts Committee - Introduce PM's Question Hour. - Appoint qualified MPs, proportionate to party representation in Parliament, to chair Select Committees.	- Accelerate implementation of program recommended by Task Force on Public Account. - Complete establishment of public complaint offices. - Continue with program to strengthen the Public Accounts Committee - Initiate steps to provide legislative assistants for MPs. - Initiate steps to establish Parliamentary Watchdog Agency. - Initiate steps to establish a fully equipped Economic Policy Analysis Unit in the Parliament Secretariat.	- Complete program to strengthen the Public Accounts Committee - Provide for legislative assistants for MPs. - Establish Parliamentary Watchdog Agency - Establish a fully equipped Economic Policy Analysis Unit in the Parliament Secretariat. - Key executive and judicial appointments made subject to Parliamentary confirmation.
(ii) Ministerial/Agency - Declare commitment to Establishing Citizens' Charter. - Key sector ministry/agencies to announce its objectives and performance targets at the beginning of the year to enable continuous performance evaluation. - Select few service agencies/utilities and develop measurable and transparent service delivery standards as part of a Citizens' Charter. - Redefine IMED's role and place it under the PM's office.	- Implement the program requiring each key sector ministry/agency to meet its objectives and performance targets as agreed at the beginning of the year to enable continuous performance evaluation. - Monitor and ensure performance of measurable and transparent service delivery standards for the selected public services.	Expand number of Agencies required to issue Citizens' Charter.

Short-Term Actions (Within 3 Months)	Near-Term Actions (Within 12 Months)	Medium-Term Actions (Within 3 Years)
(iii) Budget/CAG - Accelerate implementation of RIBEC Reforms - Establish Budget Analysis Unit. - Initiate steps to develop program to link budgetary allocations to Ministries/Agencies with strategic priorities and performance objectives/targets.	Initiate Medium-Term Budget Process Reforms - Prepare plan - allocate audit and account functions - Develop program to link budgetary allocations to Ministries/Agencies with strategic priorities and performance objectives/targets. - Establish Standards on Scope/TORs for external audit of SOEs.	- Continue with Medium-Term Budget Process Reforms. - Complete separation of audit and account functions. - Allow contracting out of audits for selected agencies - Initiate Value for Money audit
(iv) Anti-Corruption Establish Task Force to review anti-corruption issues.	Establish oversight body for ACB.	Implement Medium-Term Program formulated by Task Force.
(v) Transparency - Establish a Task Force on Public Sector Transparency, made up by independent members drawn from various professional and occupational groups to recommend specific measures for increasing transparency. - Formulate and announce public policy on transparency. - Develop guidelines to require elected officials declare annual income/tax payments.	- Repeal the Official Secrets Act, 1923 and replace with Public Right to Information Act. - Ensure transparency by bringing evaluation reports in the public domain - all bidders should be legally entitled to obtain a copy of the Procurement Evaluation Committee's Report. - Publish information on all procurement above Tk 1 crore. - Publish annual income/tax payments of elected officials - Submit in timely manner to parliament report on accounts, audits and annual performance for all SOEs and parastatal organizations.	Support the Local chapter of Transparency International in developing institutional procedures to check corruption

Short Term Actions (Within First 6 Months)	Near Term Actions (Within 12-18 Months)	Medium Term Actions (Within 2 years)
DEREGULATION AND ESTABLISHING ENABLING ENVIRONMENT (i) Deregulation - Establish a Deregulation Commission and begin public hearings as well as requiring all ministries to submit proposals for striking off redundant regulations. - Initiate steps to frame regulations for power, telecom, aviation, and gas sectors as a means of paving the way for mobilizing private sector investment. - Require all proposed regulations drafted by executive ministry/agency be reviewed by the public (e.g. send draft to Parliament, arrange public hearings).	- Continue implementation of reforms proposed by Deregulation Commission. - Finalize the framing of regulations for power, telecom, aviation, and gas sectors. - Take steps to prepare and publish a compendium of all regulations which are of public concern and interest. - Initiate pilot programs to minimize contact between regulator and regulatee.	- Publish a compendium of all regulations which are of public concern and interest. - Require all proposed regulations drafted by executive ministry/agency be reviewed by the public (e.g. send draft to Parliament, arrange public hearings).
(ii) Legal Reform - Establish and start staffing Law Reforms Commission. - Initiate steps to establish and staff Judicial Training Institute. - Initiate steps to prepare program for strengthening judicial system.	- Fully staff the Law Reforms Commission and report progress to Parliament. - Establish and continue to staff Judicial Training Institute - Commence with the program for strengthening judicial system.	- Fully staff Judicial Training Institute. - Finalize implementation of the program for strengthening judicial system.
STRENGTHENING ALTERNATIVE INSTITUTIONS (i) NGOs - Establish GOB-NGO consultative Council. - Initiate steps to streamline the NGO registration and approval process. - Initiate steps for ensuring NGO inputs in development planning by requiring that investment proposals to ECNEC should include NGO views.	- Streamline the NGO registration and approval process and assign responsibility to ADAB for overseeing NGO performance, etc. - Revise the NGO regulations to reduce excessive control and vagueness. - Continue with the steps for ensuring NGO inputs in development planning by requiring that investment proposals to ECNEC should include NGO views. - Initiate action to set up PKSFF type mechanism for financing social/rural sector programs of NGOs.	- Set up PKSFF type mechanism for financing social/rural sector programs of NGOs. - Ensure NGO inputs in development planning by requiring that investment proposals to ECNEC should include NGO views.
(ii) Local Government Reactivate / amend the draft Local Government Reform Bill.	- Pass legislation on Local Government Reform. - prepare plans for phased transfer of selected public services to LG management. - Develop revenue sharing formula, and ground rules for LG functioning	- Phased transfer of selected public services to LG management. - Develop revenue sharing formula, and ground rules for LG functioning. - Formulate schemes for greater involvement of Local Governments and revenue sharing
(iii) Promoting Private Sector - Establish Prime Minister's Private Sector Advisory Council. - Accelerate Privatization. - Initiate Reforms of BOI and EPB	Implement Recommendations of Advisory Council.	

Short Term Actions (Within First 6 Months)	Near Term Actions (Within 12 Months)	Medium Actions (Within 3 years)
DECENTRALIZE PLANNING AND STREAMLINE NATIONAL POLICY FORMULATION Initiate measures to reduce the size and scope of Planning Commission functions, while strengthening the Ministries planning policy formulation capacity.	Reduce the size and scope of Planning Commission functions, while strengthening the Ministries planning policy formulation capacity.	
STREAMLINING GOVERNMENT BUSINESS PRACTICES - Designate Heads of large development Departments/ autonomous authorities (LGED, JMB, DG Secondary Education) as Principal Accounting Officers. - Enhance financial/administrative powers of Project Directors. - Reduce the number of decisions requiring the PM's approval to only those of systemic importance and essential to the functioning of the government. - Streamline public sector investment project approval process including TAPP.	- Eliminate Cabinet committee on procurement and instead establish a permanent Secretary Level Inter-ministerial Committee to be made responsible for all procurement which exceeds the authority of the line ministry secretaries. - Strengthen the Organization and Management Wing of Establishment Ministry, to improve personnel management. - Review Rules of Business and Secretariat Rules.	
HUMAN RESOURCE MANAGEMENT - Identify/promote and initiate training of "Agents of Change" within the Civil Service. - Establish Pay Research Unit in Ministry of Finance - Initiate strengthening of MOE. - Initiate process for carrying out a training needs assessment, and for developing a career profile system for all mid-level officials.	- Expand and if necessary revise program to promote and train "Agents of Change". - Establish Merit/Special Pay Scheme. - Continue with MOE institution building program. - Prepare options for developing a staff redundancy and mid-career retirement plan. - Allow lateral entry of selected personnel from autonomous bodies, professions, to ministries and vice versa. - Initiate program to de-link public enterprise/judiciary salaries from government salaries.	- Initiate large scale overseas training programs and ensure proper utilization of trained personnel. - Develop and implement a staff redundancy and mid-career retirement plan. - Continue to carry out the training needs assessment, and develop a career profile system for all mid-level officials.
INCREASING WOMEN'S PARTICIPATION - Increase the recruitment quotas allocated to women and lateral entry in management and policy making positions. - Initiate a more pro-active role so as to attract more women to join government service.	Introduce mandatory training programs focusing on gender in management, sexual harassment, equal opportunities for women, etc.	Continue program for increasing representation of women in public sector.

8. FROM HERE TO THERE -- THE PARADIGM SHIFT

The final chapter discusses the factors which could trigger public sector reform and the conditions necessary to sustain the reforms. The importance of political commitment and good management is underlined. The concluding section also includes a vision of what the governance of Bangladesh might be like in the 21st Century.

"For there is no other way to preserve what we consider good in the past other than by exorcising all that was bad in it." Lee Kwan Yew (Singapore, 1959)

Forces of Change

8.1 It is perhaps fair to state that the reform process has been on-going in Bangladesh in a number of areas. Thus compared to the role of the public sector a decade back, NGOs and the private sector have become much more important, government has taken some innovative initiatives and there is increasing recognition about the limitations of the State. The reform movement is in the right direction and irreversible -- there is no reason to believe that the gains over the last decade will be reversed. The movement, however, is at glacial speed in comparison to economic imperatives and looming challenges and opportunities. Previous chapters have indicated some new areas where interventions could be made to transform the economic governance of Bangladesh. But, what would lead to shifting of gears? "Why should bureaucrats and politicians reform a structure which allows them a secure and comfortable living in an environment full of uncertainty"? This is one of the most difficult practical questions facing public sector management reform. In many reforming countries the breakthrough followed a severe crisis -- war, economic failure, or major political change. The leadership seized that moment to initiate radical reforms and develop coalitions to support them -- or circumstances did not allow the leadership any other option; the second route to reform makes it less sustainable. Bangladesh,

however, does not face any immediate or obvious upheavals -- more a debilitating ongoing weakness in public management which continues to sap the country's economic and social strength. Triggering the reform process here will, therefore, be more challenging and at the same time rewarding. Looking into the future, four sets of mutually re-enforcing forces, which are now nascent but gathering momentum could trigger the change of pace.

8.2 First the public, in general, is becoming increasingly impatient with the poor quality of public services like education, health and key infrastructure like power, water and telecommunications. People are adversely affected by the virtual breakdown of the legal system and the increasing levels of lawlessness. Their business enterprises are bearing the cost of doing business in a country where most transactions are delayed and distorted by inefficiency and corruption. The negative public perception is heightened when it sees the sweeping reforms being achieved elsewhere -- if these can take place in neighboring Thailand, Malaysia and Vietnam, then why not Bangladesh? Citizens and the private sector now realize that Bangladesh is part of a global village -- where people, scientists, workers, entrepreneurs, firms can leave at the speed of a 747 -- and therefore they will push Government to do all it can to become more efficient.

8.3 Secondly a group of reform minded politicians and the media, on both sides of the political divide, are increasingly becoming vocal and recognizing that the success of economic reforms in Bangladesh and therefore growth prospects, is being seriously undermined by the weak implementation capacity and quality of public institutions. There is recognition that the cumulative impact of these problems is the failing to make a dent in alleviating poverty or in getting the country out of the low growth trap. This is despite the government's relative success in mobilizing financial resources for development

and the initiation of sound macro-economic policies. They are voicing concerns that there is a downward spiral in public sector's institutional capacity which will make it even more difficult in the future to manage change, improve delivery of public services and ensure a stable macro-economic and market friendly environment for sustained growth.

8.4 Third are the many dedicated, far-sighted and innovative officials who have initiated bold changes of their own volition (Box 8.1) -- the Agents of Change.

Box 8.1: Emerging from the Bureaucratic Cocoon

Many civil servants in Bangladesh have already demonstrated an appetite for innovation. The following initiatives, though still at a nascent stage, offer cause for optimism.

- *The Dhaka Metropolitan Police* — The Dhaka Metropolitan Police (DMP) have taken the unprecedented initiative of developing a detailed two-year Corporate Plan. This involves evaluating the strengths and weaknesses of the police force, and examining its work objectives and its indicators of performance. The decision to prepare the Plan, the first of its kind by a government department in Bangladesh, was taken in 1993 at a fortnightly DMP conference. The fact that the DMP did not have an in-house planning capacity, was no deterrent; the DMP simply by-passed the standard bureaucratic practices and sought consultancy help from the Institute of Business Administration at Dhaka University. Following the preparation of the Plan, a one-day participatory workshop was conducted in January 1994. Then the Plan concept was disseminated widely throughout the Force, from the top brass to the lowest ranks. In November 1994, the DMP presented its Plan to a group of senior Secretaries to obtain their support for its implementation. The Plan aims to maximize value for money, and it proposes to decentralize financial management and relate expenditures to specific operations. Now the only question is whether government procedures and practices will dare permit this degree of innovation, flexibility, and autonomy.
- *The Bangladesh Bureau of Statistics* — The BBS management, while keeping within the framework of the Government's overall office practices, has been introducing important changes in the way the Division works. For instance, 'work contracts' have been entered between the Secretary and the seven unit managers. Within a given budget envelope, the unit managers have agreed to deliver products of an agreed quality, and by a certain date. Simply introducing hardened civil servants to the idea, if not yet the practice, of contractual obligations is a considerable leap forward. In another similarly unprecedented move, the Statistics Division has contracted-out the data entry aspects of its routine tasks. Now it is even considering inviting competitive bids for the entire Agricultural Census; not before time, perhaps, and it may never happen, but the mere fact that such a thing is being contemplated is in itself striking.
- *The General Education Project* — The Project Co-ordinating Unit (PCU) which manages the donor-assisted General Education Project, is trying out an innovative approach to supervision. Not only has it contracted out the non-formal education component of the project to 16 NGOs, it has also contracted out the supervision of the NGOs to a private company, Development Partners Consultants. The consultants monitor the NGO activities and report back to the PCU on a monthly basis. They also issue quarterly reports which serve as the basis for the release of funds by the Government. It is envisaged that the proposed second General Education Project will make even more use of external supervision. Not only will they evaluate and report on the quantitative aspects of the program, but they will also monitor the qualitative aspects of education in Bangladesh.
- *National Board of Revenue* — Until recently, the National Board of Revenue was closely involved in supervising imports by export industries — managing and issuing the utilization permits for the duty-free import of raw materials. The garment manufacturers had argued that this regulatory control was cumbersome and costly, and for several years they had suggested streamlining the process or transferring responsibility to their own Association. In mid-1994, the NBR did indeed transfer this responsibility to the Bangladesh Garment Manufacturers and Exporters Association — setting a healthy precedent for transferring other regulatory functions to the private sector.

8.5 Lastly, the donors too are becoming increasingly impatient. They are under pressure from their national legislatures to make the best use of scarce aid resources and are being forced to review the nature and size of their assistance to Bangladesh. If other countries are willing to make better use of aid, then Bangladesh is likely to be left on the sidelines. Given the low rate of domestic saving, the need to raise investment not only to accelerate but to sustain the pace of development, and the implausibility to raise capital in the world market, Bangladesh would enjoy strong donor support for scarce concessional funds if efficiency of public administration improved.

8.6 The public dissemination of this report could play a critical role in catalyzing the nascent internal forces such that the trigger point is reached sooner than later. It would achieve this by reinforcing the views of the "Agents of Change" in the public/political sector, and the silent citizen majority, that: the situation is untenable, improved delivery of service makes good political sense, attitude of indifference shows cynical selfishness, and good economic governance warrants change.

Lessons of Experience

8.7 The history of Public Sector Management Reforms, in both industrial and developing countries, is replete with failed attempts, unfinished agendas, and poorly focused programs. Apart from the inherent difficulty of the task, the lack of success can be attributed to three interrelated factors. First, the resolve of the bureaucrats who have to implement the reforms has often been undermined by weak and flagging political commitment. There is perhaps no fail-safe system for guaranteeing continuing political support, but the risk can be lessened by ensuring through a more participatory process of reform formulation that all the stakeholders share the broad objectives of the reform programs. In practice, this would entail, as far as practicable, mobilizing the support of the legislators, the private sector, academics, elected representatives at the local level, and NGOs. This

may be achieved by jointly diagnosing the problem and identifying reforms and implementation strategies through action planning workshops and media discussions. The involvement of unions, professional bodies and staff associations is important at each stage.

8.8 Secondly, public sector reforms have mostly failed when governments have tried to implement a comprehensive and radical reform agenda. This report advocates an "incremental approach" to public sector reforms. The process must be open; indeed a public awareness campaign to mobilize its support is a key element of managing change. In practice, it means initiating reforms sequentially and also applying them to pilot programs, while ensuring that efforts are "connected" and focused on critical trigger points. These will not only help build up support for reforms by demonstrating their potential benefits, but also provide useful lessons for the future to those managing the process of change. The report suggests criteria for selecting pilot programs and also suggests some departments/agencies for initial reform (Volume III - Good Government in Bangladesh, ODA Report, January 1995). The main selection criteria focus on: (i) basic public services where the functions are relatively discrete and sufficiently measurable to allow managerial autonomy with proper monitoring of performance; and (ii) areas where efficiency gains can be readily obtained by simply streamlining bureaucratic processes.

8.9 And thirdly, public sector reforms have faltered for lack of appreciation and support by the civil servants who are responsible for implementing the reforms which are likely to impact on them in more than one way. All bureaucracies have to adjust to changing times and new missions. A few do this well, but for the most part, civil servants are tempted instead to adhere strictly to the status quo and adopt a protectionist attitude toward the existing power configuration which usually benefits the vested interest groups, including themselves. Fortunately, every bureaucracy also includes a

group of 'pre-emptive bureaucrats', people who foresee the need for reform, and can prepare for it — or at least deal flexibly with it. These "Agents of Change" are critical to the implementation of public sector reform since they seek real change to outmoded, inefficient procedures and practices. Experience has shown, however, that if their motivation and energy are to be sustained they need to be given wider recognition. Also those likely to be adversely affected by reforms in the short term (the losers) need to be compensated satisfactorily as an incentive not to oppose reforms.

Promoting and Managing Change

8.10 Successful change does not just happen, it needs to be managed in a purposeful way. Most importantly, reforms need political leadership-- a champion at the top level of government. It is envisaged that this would come from the PM. Under this leadership aegis, the National Commission for Reforming Government and the Efficiency Unit, together, are envisaged as the key Promoters and Managers of Change. Their strategy for managing change would need to be built around the following key elements:

- Motivating for change, i.e. increasing awareness among principal stakeholders of the need for change and its inevitability, and ensuring that expectations are realistic. The reforms should avoid to create false expectations about early success — one must make it amply clear that public sector reforms are "a process rather than event".
- Reducing resistance, by providing a clear picture of what the change will mean for different groups, setting out safety-nets and compensation programs where appropriate, and reducing individual uncertainty. In marketing the reforms, care be taken to extoll the virtues of the changes rather than the defects of the previous practice
- Designing and operationalizing the new system, this must be done with the active

cooperation of those the system is meant to serve;

- Institutionalizing the reforms, this will involve stabilizing the new model, training for new skill requirements, and internalizing change values.

8.11 Bangladesh's political leadership may find it extremely difficult to embark on a radical reform program which is likely to de-stabilize its own power base. Similarly, it would not be easy to galvanize the civil servants in support of reforms meant to reduce their discretionary authority, privilege, and above all, rent-seeking opportunities. Last, but not least, the commitment to channel public resources through programs managed by NGOs and private sector is bound to cut into strong vested interests.

8.12 Despite the likely resistance from such "vested interests" the government is well advised to initiate the reforms resolutely. This is justified, if anything, by the political leaderships own "enlightened self-interest" since the reforms are bound to yield both a high political and economic pay-off to the government itself. The experience of the East Asian and other fast growth countries has amply demonstrated that an efficient public sector is key for accelerated economic growth as a means to alleviating poverty. In Bangladesh, following this path also makes ample political sense with the likely ground swell of public support -- and a increase in the vote bank-- if the government begins to earnestly attack public sector inefficiency, the poor quality and virtual absence of public services, the discretionary authority and lack of accountability of public officials, and endemic corruption. In pursuing this agenda the government will not find itself without allies. The general public and the business community are becoming increasingly impatient; and the donor community is finding it more difficult to justify aid to countries which fail to set their own house in order. Above all there also allies within government--a core group of farsighted and "Agents of Change", for implementing the proposed program.

8.13 An implementation agenda, based on lessons of successful reforming countries, is outlined in the Executive Summary.

The 21st Century — The Shape of Bangladesh's Public Sector

8.14 Bangladesh will be a different country as it enters the 21st century. This is not a matter of choice. The internal pressures from a rapidly growing, and more demanding, electorate will fuse with the external pressures from a much more competitive global economic environment to create new opportunities and new demands. The public sector, as presently constituted, will not be able to cope, unless it creates a critical mass of trained personnel capable of making the leap into the next century.

8.15 One can easily imagine the outlines for a future Bangladesh public services that responds to the needs of the citizens. Governance will of course rest on a stable democracy and a duly elected central government — a government discharging its responsibilities in very different ways. It will certainly not follow a fixed blueprint — as it would be entering an age when the only certainty is that of continuous change. The report can, however, predict some general directions of this change.

8.16 First, there will be a smaller but more **Effective, Responsive and Accountable Government**. A successful administration will have redistributed many of the present functions so that they can be performed much more efficiently and effectively elsewhere. This will mean devolving some to local government, contracting the delivery of others to NGOs or to private firms. The Government will continue to pay for many forms of health and education services, for example, but it will devolve these services to the institutions best able to deliver them. And the Government will continuously monitor the results to ensure that citizens get value for money.

8.17 In many other cases the Government will have withdrawn entirely from functions it

currently performs -- either because these tasks are no longer needed, or because they can be better financed and delivered by the private sector. It will, for example, have privatized, or in some cases closed, many loss-making state-owned enterprises.

8.18 This will leave a leaner and fitter central government free to concentrate on the tasks which only governments can best perform. While the Government will continue to play a very active development role it will be primarily doing so as a facilitator, overseer and contractor, providing block grants for projects and monitoring their probity and effectiveness.

8.19 The new form of governance will also clear the territory in which the private sector — from the smallest street vendor, to the largest corporation — can grow and prosper. It will have cut away at the thicket of regulations, sparing only those which are essential for the protection of public interest and the promotion of equitable and productive business activity. And it will have rejuvenated the judicial system so that both individual and corporate behavior is held to account and is judged quickly and fairly.

8.20 But above all the next form of governance for Bangladesh will be based on a new relationship with its people. The days of a secretive and self-serving bureaucracy should be just an unpleasant memory. In the reformed system, the people of Bangladesh would have free and open contact with their government. They would participate in its plans, measure its effectiveness, and hold it to account for its failures. Government personnel would be assessed and paid according to their skills, their performance, and their willingness to help ordinary citizens. It would have shifted gears from a bureaucratic functioning to a culture of quality and service; from a focus on controls on inputs to results; from a government which steers and leaves to others the rowing of the boat; from one where government guarantees jobs to one where customer guarantees jobs; from one of setting the rules to one of setting examples and providing vision; from one of encouraging public

servants to become good as against the present focus on preventing them from being bad; from a system which will nourish desirable practices rather than the present obsession to check undesirable practices; and above all a government that works better and costs less.

গণপ্রজাতন্ত্রী বাংলাদেশ সরকার



প্রশাসনিক পুনর্বিন্যাস প্রতিবেদন :
সমর্পণ পত্র



প্রশাসনিক পুনর্বিন্যাস কমিটি
জুন, ১৯৯৬।

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6 AUG 1998

The Administrative Reorganisation Committee

Note of Transmittal

Bangladesh Government began its work with all the functionaries as they had existed at the time of its birth. Prior to that there existed two Governments-the Federal Government of Pakistan and the Provincial Government of East Pakistan. The Federal Government was organised to deal with Federal and Residual Subjects and the Provincial Government Provincial Subjects. The central government was organised into Ministries and Divisions with Departments and other offices under their administrative control. The Provincial Government, on the other hand, was organised into Departments, most of which were in charge of Provincial Ministers. These Departments had Directorates under their administrative control for executing Government decisions. Most provincial departments were headed by provincial Secretaries, equal in status and position to Deputy Secretaries of the Federal Government. Five Departments, however, were headed by officers of the level of Joint Secretary of the Federal Government. Likewise, all heads of Directorates were of the level of central Deputy Secretary or below except the Inspector General of Police, who was of the level of a Central Joint Secretary. All Departments of the central government were headed as a rule by the Director General, an officer of the level of Joint Secretary.

Unplanned Reorganisation of Central and Provincial Government Organisations.

02. When liberated Bangladesh started functioning, it drew on the provincial and central bureaucracy. Not only names of provincial Departments (in effect Ministries) and Directorates differed from their counterparts in the Federal Government, pay scales and positions of

officials differed, too. Construction department of the central government, for example, was known as P.W.D. and its counterpart in the provincial government was known as C&B. Officers at all top levels in the two Governments and even clerks differed in their pay scales. Those serving the central government enjoyed higher pay scales and higher status. Several developments in the process of institutional growth were noticeable. The inherited two systems of classification of bureaucracy could not be maintained in the unitary Bangladesh. The merger of the two systems took place on their own momentum without any systematic study and well-considered plan of unification. The result was a good deal of chaos, confusion and distortion of organisations. Adjustments were also sought to be made in the process of merger raising the status of virtually all heads of departments and by creation of organisations and posts as would accommodate incumbents from the central government. The decade of the seventies, therefore, witnessed chaotic growth of government bodies. No attempt was made at this time to rationalise the growing organisations on the basis of a searching study by a Commission or a Committee. Commissions on Services and Pay rationalisation were set up at this time. Rationalisation attempts at pay scales and reforms of services could have been more meaningful if a similar Commission was appointed for rationalisation of all organisations in the background of the merger of provincial and central bodies and of provincial and central pay scales.

Past Reorganisation Efforts.

03. The Martial Law Government of 1982 for the first time appointed a Committee popularly known as Enam Committee in the area of organisation structures of Government and Semi-Government bodies. This Committee's primary concern appeared to be stock-taking of manpower and office

equipments. They took stock of sanctioned posts and recommended revision of those posts, besides listing office equipments. The main thrust of the exercise was to reduce workers in the government. A census of government employees was taken post by post and organisation by organisation. It was in effect less than an organisation structure study. It is most certainly a bench-mark study of Governmental bodies.

04. Seven years later government appointed in 1989 another Committee under the chairmanship of Mr. A. Muyeed Chowdhury, then a Director General in the Presidents Secretariat, to recommend abolition or merger of government departments or offices that lost their usefulness or importance to national welfare or development. The Committee recommended abolition and merger of 33 organisations. These recommendations were partly implemented by the government.

Appointment of the Administrative Reorganisation Committee.

05. The O&M Wing of the Establishment Ministry should have been strengthened to begin from where the Enam Committee left off. This Wing should have prepared the organisation chart showing the chain of command and span of control for each governmental agency. The organisation goal, functions and job-description of each official should have been clearly drawn up. It could not perform these functions or even amend the position chart left behind by Enam Committee. As a result, neither stock of manpower in an organisation post by post nor their position in the organisation hierarchy was traceable in many cases. This then is the background in which the Government appointed a Committee on 05-08-1993 to rationalise and reorganise Ministries, Divisions, Departments, Directorates and other Offices of the Government with a view to modernising, updating and making the business of Government dynamic.

06. The Committee was composed as follows :

- | | | |
|------|---|---------------------------------|
| i. | Mr. M. Nurun Nabi Chowdhury,
Member,
Planning Commission. | Chairman
(Full-Time) |
| ii. | Mr. Abdus Salam,
Retired Secretary. | Member
(Full-Time) |
| iii. | Dr. A.M.M. Shawkat Ali,
Secretary,
Ministry of
Post and Telecommunication. | Member
(Part-Time) |
| iv. | Mr. B.R. Chowdhury,
Director General (Addl.Secy.),
NIPORT,
Ministry of Health and Family Planning. | Member
(Part-Time) |
| v. | Mr. Maruf Morshed,
Joint Secretary (O&M),
Ministry of Establishment. | Member Secretary
(Part-Time) |

The terms of reference of the Committee were as follows :

- (a) To examine whether the organisation structures are adequate to carry out the functions of Ministries, Divisions and other Offices of the Government ;
- (b) To examine the Job-description and work-load of officials at all levels ;
- (c) To determine the manpower required for carrying out the responsibilities of all offices ;
- (d) To recommend functions, rationalisation and reorganisation of all these offices ; and
- (e) To recommend on any other matter considered relevant.

The composition of the Committee had to be changed on retirement of Mr. B.R. Chowdhury, a part-time Member. Mr. Motahar Hussain, Additional Secretary in the Ministry of Finance at the time, was appointed on 29-10-94 a part-time Member in place of the retiring Member. He was later appointed a full-time Member on his retirement from service. Mr. A. Mueyed Chowdhury, then Secretary, Ministry of Food, was appointed a part-time Member on 23-04-95.

Methodology.

07. The Committee in its initial meetings decided to seek information from all Government organisations under its review on the basis of questionnaires. Two sets of questionnaire were prepared; one set was meant for Ministries and Divisions and were sent to them. Another set was sent to Departments, Directorates and other offices under the administrative control of Ministries and Divisions.
08. Following government decision the Ministry of Establishment borrowed services of some staff - typists, clerks and peons, from different departments such as Public Health Engineering, Local Government Engineering, Roads and Highways and Government Transport. The Ministry placed services of some Officers on Special Duty (OSD) at the disposal of the Committee.
09. Seven groups with allocation of organisations were formed. The Chairman took charge of 2 groups and later on took up the unfinished work of another group. Each Member took charge of one group which was responsible for checking information for accuracy and for assisting in the preparation

and finalisation of report on each organisation. Each report, it may be mentioned, was composed of a review of the organisation, its functions, work-load and job-description of all class-1 officers. An organisation chart clearly showing the chain of command and span of control is included in the report together with the functions of the organisation on top of the chart and summary of manpower at the bottom. Financial implication of the proposed reorganisation has also been included in the report. The Committee approved each report on each organisation. A number of approved reports was then bound together and submitted to the Ministry of Establishment. The first volume of report was submitted on 15-02-1994. Since then the Committee kept on submitting similar volumes of reports on the understanding that the Cabinet Committee on Administrative Reforms would keep considering these reports as they were being submitted. The Cabinet Committee headed by Mr. Oli Ahmed, then Minister of Communications, did not meet to consider the Committee's recommendations. The Committee submitted 38 volumes of reports in all. Investment of so much time and energy thus remains unutilised and the potential of rationalising the Government as far as practicable remains unrealised, too.

10. The Committee decided to finalise reorganisation of all departments, directorates and other subordinate offices first so that allocation of these organisations could be made to Ministries and Divisions according to the reorganisation plan of Ministries/Divisions. Field offices of government organisations at thana and district levels were found to be mostly of uniform sizes although work-load could considerably vary from one to another. The Committee, therefore, decided to classify thanas and districts for the purpose of proposing varying manpower strength on the basis of this classification. Two studies, namely, a. Classification of Districts and b. Classification of Thanas, made in this connection by Mr. Mohammed Mesbahuddin of the Planning Commission under guidance of the Chairman proved invaluable in the reorganisation of field offices of all Departments.

Effect of Reorganisatio.

11. The Committee sent out questionnaires for information to 267 Government Organisations. Some organisations did not respond to Committee's request for information on various grounds. The Committee did not insist on information from them. Of the 257 organisations, from which information were received at various stages, 7 organisations were recommended to be abolished outright and regrouping and reorganisation by the effect of reduction of 43 other organisations. Seventeen new organisations, some of which were transformed from existing organisations, were created. Thus the total number of organisations was 224 (257-7-43+17) out of 257 organisations under review of the Committee.

12. The effect of the reorganisation on the manpower situation is rather interesting. The existing manpower of the 230 organisations under review was 5,99,657. Of these 33,699 were in class I, 15,323 were in class II, 4,35,291 belonged to class III and 1,15,344 were in class IV. The reorganisation resulted in 34,098 class I, 16,679 class II, 4,01,500 class III and 1,00,274 class IV posts. The total manpower following reorganisation proposals came to 5,52,638. The total surplus of manpower thus works out to 47,019.

13. In the absence of reorganisation for rationalisation in the past, the colonial heritage of having a few decision-makers and lots of supporting staff and MLSS persisted. This situation was acute in the old departments, in particular. Whenever old organisations expanded or new organisations were created, that staffing pattern was followed. The disposal of government business is facilitated by adequate number of decision-makers and competent workers. In the instant reorganisation proposals, emphasis has been given for speedier disposal of business and better quality of public services. Rationalisation and harmonisation of some posts resulted in the increase

of some posts from class III to class II and class II to class I. All these factors accounted for a slight rise in the number of class I and class II officers. The Committee was of the view that the supporting staff could be further reduced and MLSS could nearly be eliminated. The Committee, however, felt that drastic reduction of manpower of those categories will be too harsh and too painful to bear. The goal can be set at that but there has to be a long period of transition. Administrative reform being a part of social reform is best done gradually.

14. The financial implication for reorganisation has been worked out for every organisation. The saving or additional fund needed for redundant or additional manpower were noted in the report with a detailed statement of calculation of saving or additional fund. The net saving in terms of salaries and allowances on account of recommended reorganisation has been estimated at Tk. 175 crore. Actual saving may be at least twice as high as the estimated saving because it does not include accommodation and other fixed recurrent costs.

Procedure for Dealing with Surplus Employees.

15. The Committee has recommended a procedure for dealing with the surplus manpower. One option is to allow natural attrition to readjust the existing manpower to the proposed manpower level. In practice, a good deal of movements across organisations will ensue in the process of absorption of surplus manpower. The surplus stays with full emoluments until they are either absorbed or separated. This is the traditional procedure which combines natural process of attrition with absorption of surplus manpower of one organisation into another or into a number of them. With this may be added permission to retire voluntarily to those who are declared surplus. The Committee have recommended concessional rates of gratuity to induce such employees to retire. It should be cheaper to pay a little higher rates of

gratuity than to carry the burden of surplus without work. The Committee have not recommended to the Government that it should resort to retrenchment of surplus manpower although service rules permit that. Neither is retrenchment called for under the circumstances. The resultant net surplus of 47,019 employees may be viewed against 42,800 vacant posts reported at the beginning of Committee's work. The embargo for three years on employment since the Committee began its work in 1993 has generated much larger size of vacancies. Number of vacancies should far exceed the net surplus. It is estimated that, at least, 24,000 posts have fallen vacant since 1993. The net surplus of 47,019 can all be absorbed in the total vacant posts of 66,800 (42,800+24,000) and still spare over 20,000 posts for fresh recruitment. Nothing can be more fortunate from the standpoint of administrative reform. Even then a process of readjustment will be necessary entailing some movement, relocation and retraining. This is due to the fact that mobility between posts is less than perfect. Yet, the resultant net surplus of class III and class IV can be absorbed across organisations, directly in case of class IV, and with little or no training in case of class III employees.

16. The Committee have also recommended the creation of a wing in the proposed Establishment Division for checking and keeping service records of surplus employees, making payment of salaries from a lump grant instead of by their parent offices, and to process their absorption. The procedures would generate the list of surplus employees, eliminate the possibility of fake surplus and ensure regular salaries to all surplus staff. Nobody in this system should go without his monthly salary. The real grievance of reorganisation arose in the past on account of non-receipt of monthly pay and the protracted process of absorption. In order to solve these problems the Committee have recommended a simple and short process of identification of surplus personnel and regular payment of monthly salaries to them until absorption.

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17. Some of the highlights and observations of reorganisation proposals are presented in the following paragraphs.

Reorganisation of Ministries and Divisions.

18. The trend in the number of Ministries and Divisions for the last 24 years since liberation reveals a wide variation in it. Liberated Bangladesh began with 21 Ministries. It rose to 26 by 1975, fell to 13 after the Fourth Amendment in 1975, but by 1977 it rose again to 30. The Martial Law Government of 1978 reduced the number to 24, but raised it to 34 by 1980. The Country again witnessed the reduction of that number to 19 after the promulgation of Martial Law in 1982. It gradually rose to 33 by 1991 and to the peak of 35 in 1995. It will be observed from the above figures that the number of Ministries and their scope were dependent on the form and nature of Government - whether Parliamentary or Presidential and whether it was a military rule or not. The number of Ministries directly related to the number of Ministers appointed in the Government of the day. Politics thus was the sole determinant of the number of Ministries. From a core number of Ministries, much larger number was created by breaking up the old coherent Ministries.
19. The Committee was of the view that this trend was not at all desirable from the standpoint of stable and robust administration. In the light of the above-mentioned developments and in consideration of (a) close relationship of subjects, (b) work-load, (c) nature of work, (d) optimum size of the cabinet, (e) needed reorganisation of the Government for successful working of the market economy and (f) accountability and transparency in the Government, the Committee recommended 22 Ministries in place of 35 Ministries in 1995; a reduction of 13 Ministries. The Ministries without Divisions added to the Divisions would work out to 35 as compared to 51 in the recent past; a reduction of 16 units of government at the top. The Committee believed that the reorganisation of the Government into fewer Ministries and Divisions was in keeping with the dictates of economy and efficiency in the government.

20. The Committee was aware of the political drive for creation of a larger number of Ministries for accommodating a larger number of Ministers in the Government. The Committee was, however, of the opinion that it should be possible to keep the size of the cabinet to the recommended number of Ministries and still appoint junior Ministers in large Ministries to meet the political compulsion of the party in power. This policy should have the additional advantage of inducting politicians of different ages in the government and will develop junior politicians for higher responsibilities in future.

Reorganised Planning Commission :
National Planning Organisation.

21. The Committee felt that overhaul of the Planning Commission was needed in view of the shift in its working and change in the economic policy of the government. It was also felt that the planning machinery must be brought into the mainstream of the government and integrated with it. Over the years of its working, the Planning Commission has turned mainly into a project-processing agency for the approving authority in the government. Its main functions of planning and formulation of economic and development policies have largely been forgotten. In order to overcome these shortcomings, a much slimmer body designated as the National Planning Organisation (NPO), headed by a Principal Secretary, has been recommended. Its main functions will be generation of economic and development policies and formulation of national plans. It will process only important projects for approval. Ministries and Divisions have accordingly been strengthened to formulate, approve and monitor projects. They will take increasing responsibility for processing projects. On the basis of a study on Manpower Requirements for Development Projects, a hardcore of permanent manpower has been proposed for 51 agencies of the government, so that competent and experienced manpower are available for most of the projects.

from the conception of a project to its final execution. The civil service system which emerges from the reorganised N.P.O., Planning and Development units of Ministries and Divisions and requirements of manpower for 51 agencies mentioned above should enable the Economic Cadre Officers to move between the field and headquarters and in the process shape into a body of well-rounded officers for planning, approval, monitoring and implementation of projects. Useful changes in the procedures of project evaluation have also been proposed to bring about a systematic project evaluation in place of present-day inspection-evaluation by visits only. The restructuring of the organisations involved in planning, execution and monitoring of national plans, programmes and projects and the changes in the manner of its works have been proposed, in response to the terms of reference of the Committee, for re-orienting and rationalising the government for efficiency in planning and development.

Supreme Court Secretariat.

22. The Committee has recommended an organisation structure, designated as Supreme Court Secretariat, for handling all works arising out of separation of the judiciary from the executive in pursuance of the -- declared policy of major political parties in the country. The Committee visualised that all transfers, postings and promotions of subordinate judicial officers would be made by the Supreme Court. This will replace the present system of transfers, postings and promotions by the Government. The Committee did not see any particular merit in the government proposal for transferring the establishment matters of magistrates from One Ministry to another. The separation cannot be meaningful, in the opinion of the Committee, unless the administration of the judiciary vest in the Supreme Court. With an organisation structure in place all that is needed to be done is a decision to transfer the subject to the Supreme Court after passing the necessary legislation.

Separation of Audit from Accounts Function.

23. The Committee has worked out the whole lot of organisation structures following its recommendation to separate audit from accounts function. The Comptroller and Auditor General is left with audit function only. His independence has been further ensured by the proposed reorganisation of his headquarters. Ways and means have been suggested for employing competent personnel including Chartered Accountants and other experts for comprehensive audit in place of the present routinised compliance audit. The proposed composition of audit teams should make it possible to apply the wholesome principle of value for money to audit rather than pursue compliance only. It will save the Government from being drowned with unresolved and unresolvable audit objections of trivial and unproductive nature. Departmentalisation of accounts, complete with the needed administrative machinery, has been proposed for proper and timely accountability and speedy compilation of Appropriation and Finance Accounts. In the proposed system such accounts should remain current in place of years of arrears at present. With timely availability of Finance & Appropriation Accounts, the quality of budgets should most definitely improve and the Principal Accounting Officer will for the first time be enabled to discharge his responsibility as such.

Office of Ombudsman and other Measures of Accountability.

24. The Committee recommended a provisional organisation structure for the office of Ombudsman. This was felt necessary in view of the constitutional provision concerning the Ombudsman and the Ombudsman Act, 1980. The legal framework and the political will are both in place. All that is needed is to implement the legal provision. The Committee has, therefore, given the organisation structure for immediate implementation of the legal provision. This will be an important step towards parliamentary accountability. The Committee has also recommended office assistance to all Members of Parliament and a small fund for investigation so that debates in the Parliament by them are based on facts and findings.

25. Procedures for obtaining government-provided services, fees chargeable and all other relevant information have been recommended to be easily made available by publication of brochures and suitable bill boards at or near the service counter of service-delivering government offices. Help line for instant information on the spot and a departmental mechanism for redress of grievances of citizens have also been recommended for all offices delivering services. Every citizen is entitled to a reply in writing to his grievance made in writing. At present, performance standard with regard to time required for delivery of a service and its quality do not exist. There is, therefore, no yardstick to measure the performance of those who are engaged in delivering services. In other words, norm against which accountability can be enforced, does not exist.
26. The Committee have recommended that Ministries and Divisions should identify services rendered by government offices and determine the service standard with reference to time needed to deliver that service. Periodic inspection and evaluation of services rendered should then ensure accountability. It has also been recommended that citizens should be provided with findings on decisions and the reasons thereof within a month, when applied for by those that are affected by the decisions. This measure should check tendency towards arbitrary decision and shall provide citizens with materials to seek redress of grievances in appropriate cases. None of the foregoing measures outlined in this paragraph is difficult to implement. None will involve much expense and effort. All of them can be implemented right away. These measures, if adopted, should make the Government responsive to the people. Recommendation has been made to suitably amend the Official Secrets Acts, 1924 and relevant portion of the Government Servants' Conduct Rules, so as to create an environment of openness in the Government. Government decisions and actions should be known to the press and the public unless they are marked secret. Transparency is a must in any good government.

Translation of Laws.

27. With the change from English to Bangla as the medium of higher education, the number of English-knowing civil servants in all but the top echelons of the Government is on the decline. Yet the laws, rules and regulations of the Government prepared earlier remain in English. They form the core of the administrative system. The Bangla Translation Cell in the Ministry of Establishment is a feeble attempt at transition from English to Bangla as the official language. It has never undertaken the work of translation. Its achievement lies only in the preparation of a vocabulary of official words. It waits for translated works to come to it from respective Ministries and Divisions and that has never happened. That was never effectively asked for either. It is imperative at this stage to translate into Bangla all laws, rules and regulations of the past. It is, therefore, suggested that the work should be undertaken by the Ministry of Law with the assistance of hired experts. Adequate manpower for the purpose has been proposed. Needed fund should be made available for this priority work.

New Department of Public Prosecution and Defence.

28. The Committee was constrained to observe that the quality of Public Prosecutors and Government Pleaders have deteriorated to an unacceptable low level. The way in which public prosecution of criminal cases are conducted and Government is represented in civil suits leave much to be desired. This is an area of government intervention, which at all times must remain in good order for the sake of peace and harmony in society. This is an area where reform brooks no delay. The Committee has, therefore, recommended a Department of Public Prosecution and Defence. A body of well-educated lawyers should be recruited, trained and assigned to do the job with competence and integrity. Many countries in the world found it useful to have a department of criminal and civil lawyers for guiding investigation of criminal cases and conduct cases in the courts of law. The Government must give up system of adhoc appointments in favour of a systematic approach to conduct of criminal and civil cases.

Reorganisation of Education Departments.

29. Education and Health are two basic necessities of life. Government presence has enormously grown in both these sectors. - Nationalisation of schools and colleges has been pushed relentlessly without consideration of integrating them into the system. Existing government machinery of the Department of Secondary and Higher Secondary Education have been failing even to know precisely the number of teachers in various subjects, needed, to be recruited and assigned, and the facilities that are needed to be continued, far less replaced. The ceaseless push for nationalisation of schools and colleges have apparently benefitted only teachers at a huge cost to the public exchequer. The Department has been failing to cope with the situation. The Committee has recommended in this situation creation of a Department of Secondary Education for the management of secondary schools only, a Department of Colleges for college management and a Department of Madrasah Education. The creation of Madrasah Education Department will bring to an end the dyarchy in the administration of madrasah education. After careful analysis of various processes of work involved in the secondary education examination and workload, the Committee arrived at the conclusion that one Secondary Education Board with its regional offices should be able to conduct the examination for the whole country. The benefits of having one Board are obvious enough.

Health Administration.

30. The growth of the Health sector was as enormous as that of Education and a little more chaotic as every conceivable health problem was sought to be cured by creation of yet another development project. At the end of the project period its remains were allowed to hang loosely on the main body. No serious attempt was made to integrate them into the main body. The personnel administration of about 65,000 employees keeps the Department busy none too successfully. The Committee recommends a few measures to create a minimum required order in the management of this sector.

31. A large number of medical colleges and post-graduate medical institutions have grown since liberation. Considering unbearable work-load for the Department of Health and the necessity for some measure of autonomy for higher medical education and hospitals attached to these institutions, the Committee has recommended a new Department of Medical Education. A good deal of autonomy to medical college and post-graduate medical institutions in expenditure, maintenance and replacement of equipments, and for research have been recommended. These powers shall be exercised under the superintendence of a governing body. A Department of Health will look after all other hospitals, clinics and other health units. One critical weakness of the health administration is the lack of trained doctors in administration. Present practice of putting any doctor to administration of hospitals must end in favour of doctors trained in hospital administration. The feeble attempt at NIPSON to educate doctors in Hospital Administration must be supplemented by training in Hospital Administration in such training institutions as COTA and PATC. Doctors trained in Hospital Administration should be produced in as large a number as possible and employed for the purpose. This group can have an attractive and well-organised career pattern and advancement in administration.

Devolution of Health and Education.

32. As has been indicated central management of education and health are none too satisfactory. Primary Education Department, for example, has been trying to man 37,710 government primary schools in the country. In addition, it has to look after thousands of other private primary and satellite schools. The existing number of government primary school teachers is 1,67,948, which has been recommended by the Committee to be raised to 1,88,550. This by itself is a gigantic task for a single central body to handle even with the assistance of its field offices. The only solution of this problem is to devolve the primary education administration in its entirety to the local government or to create a new local education body in each district for its administration.

Such an attempt was made and even a law was passed to that effect, but it was sent to cold storage. Management of government secondary schools numbering more than a thousand and inspection of thousands of other private schools, grants-in-aid to them, subvention to teachers' pay are under the administrative control of the Department of Secondary & Higher Education now. The Committee have recommended, for the time being, creation of two separate departments for better administration of secondary schools. The Committee, however, feels that government should consider devolution of secondary education to District Board. A Committee may recommend the modalities of the devolution, organization structure, funding and its control arrangements. Another Committee may examine in details the management of thana health complexes, district hospitals and specialised clinics and hospitals and consider the issue of transferring their management to District Boards with necessary funds. The Committee feels that the devolution of these services to local bodies cannot be delayed any further.

Delegation of Powers.

33. A study was undertaken to see the extent of delegation of powers to departments, corporations and other offices under the administrative control of the Ministries. In violation of clear instructions on delegation of powers, Ministries and Divisions were in many instances found exercising powers which were delegated to the Departments. Except his deputies, for example, the head of a department is empowered to transfer and deal with establishment matters of all other officers. This was not followed in practice. The Committee identified the areas which were needed to be delegated to departments and corporations in the interest of efficient administration of public business. A good deal of discontent amongst officers of departments and corporations could be traced to the overbearing and overcentralising postures of the Ministries and Divisions. They feel stifled, humiliated and are unable to function properly. This situation must be corrected without further delay. The Committee have recommended a scheme of delegation of powers to Departments and Corporations based on the study.

34. A related development may be mentioned in this connection. It is the unwholesome practice of putting an officer from outside at the head of a Department without any attempt to find a suitable officer from that Department. In some cases, even the posts of their deputies are held by outsiders. This practice denies legitimate promotion to departmental officers and deprives the public of competent administration. This practice must, therefore, be halted in the public interests and in the interest of harmony in the bureaucracy.
35. The Directorate of Government Transport is at present responsible for providing transport to District Administration, to officers entitled to whole-time transport and to establishments of all Ministries and Divisions. It also keeps a fleet of transports for visiting foreign guests. The Committee, after careful examination of these functions, have recommended for the Transport Directorate to retain the function of providing transports to Secretaries, Additional Secretaries-in-charge, all Ministers including State and Deputy Ministers and to keep a fleet for visiting foreign guests. All other transports together with drivers and other auxiliary staff should be placed at the disposal of the District Administration, offices of those officers who are entitled to whole-time transport and to Ministries and Divisions. Posts of drivers, and mechanics may accordingly be transferred to these offices. It should, however, be seen that duplicate posts are not created in the process. This recommendation, it was believed, would oblige drivers to be better disciplined and more dutiful. Remote control of these employees could never ensure efficiency and discipline. A small pool should then be able to pay good attention to the remaining transports and drivers for Secretaries, Ministers and visiting foreign guests. The Committee has also recommended to do away with the system of 'no objection certificate' for servicing transports outside Government workshop. With no obvious gain, the system became costly as it involves unnecessary waiting.

Tendency to Distortion

36. The Committee observed the unhealthy tendency on the part of a large number of departments to get considerable number of posts sanctioned in both technical and investment projects and press them into their organisations after an interval of several years of adhoc sanctions by the O&M Wing of the Ministry of Establishment. No attention is paid at the time of approving the project to relate the proposed posts into the organisation structure of the proposing department. Not much thought is given, on completion of projects, at the time of making adhoc annual sanction of those posts, either. As a result, serious distortion could occur in the staffing pattern of the organisation. The Committee has recommended a thorough study of manpower requirements of any proposed project with reference to its existing organisation hierarchy (chart). In addition, it has also recommended employment of all project workers, except the core headquarters personnel, on contract. The core personnel for 51 selected agencies has been recommended to be an integral part of the organisation concerned. The Government have already decided to employ project personnel on contract. This was in line with the Committee's recommendation. This is a wholesome decision and must not be reversed on any plea.

Permanent Commission on Organisation and Methods Proposed.

37. The Committee has observed elsewhere in this note the lack of competence of the O&M Wing to perform its functions. Its location in the Ministry of Establishment is also inappropriate in view of the pressure that can be brought to bear on it for agreeing to creation of new posts without proper studies. Neither can the organisation study be made by the kind of officers who are posted there for a short tenure and coming from background totally different from what is needed for the job. The job requires professionals and certainly not anyone from anywhere as is the

present case. This wing, as it is at present organised, is unsuitable for reorganising and rationalising government organisations and recommending improvements in systems and procedures of the government. The Committee have, therefore, recommended a permanent Commission of Organisation and Methods under the direct control of the Prime Minister. It has to be built as a professional body under the chairmanship of a senior civil servant, serving or retired, for bringing about efficiency and economy in the government. It should enjoy the authority of freely agreeing or disagreeing to proposals for expansion on the basis of studies and proposing systems and procedures for improvement on the basis of professional research.

Acknowledgement.

38. The Committee would like to acknowledge the support and co-operation extended by all organisations under its review but for which its task could not have been completed. Special mention may be made of the Local Government Engineering Department which shared some of its facilities with the Committee. The Ministry of Planning made available the services of Mr. Mohammed Mesbahuddin, on a whole-time basis for the entire period of the Committee's work and so did the Comptroller and Auditor General the part-time services of Mr. Mosharraf Hossain Bhuiyan and Mr. Firoz Ahmed, both of whom made valuable contribution to the work of the Committee. The Committee gratefully acknowledges their special support in this regard. In spite of the limitation of the base from which manpower for the Committee was drawn, some of the officers and staff made excellent contribution to Committee's work. The Committee had the services of a single expert Mr. Md. Altaf Kabir, a retired officer of the O&M Wing, employed on contract. His contribution particularly in the preparation of job-description of all class 1 officers and in editing a good number of reports deserve special



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mention. Thanks are also due to all successive Secretaries of the Ministry of Establishment and all other officers particularly of the O&M Wing who had given us logistic support and very valuable assistance in the exercise under guidance of their Joint Secretary, Mr. Maruf Morshed.

N. N. Chowdhury
(M. Nurun Nabi Chowdhury)
Chairman

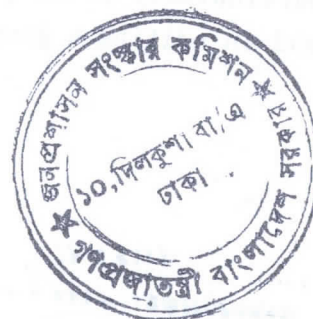
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**LOCAL GOVERNMENT IN BANGLADESH:
AN AGENDA FOR GOVERNANCE**

Prepared for the Government of Bangladesh
by the United Nations
Department for Development Support and Management Services
acting as executing agency for the
United Nations Development Programme

New York, 1996

EXECUTIVE SUMMARY

Introduction

At present Bangladesh lacks a comprehensive and consistent vision of local government. Little progress has been made in building a consensus on the role of local government, institutionalizing democratic processes for managing local issues and agenda, developing structures of local governance at key subnational levels, and clarifying a realistic division of functions and resource allocation between national government and local governments. The existing local government system in Bangladesh is weak in four key areas: financial, managerial, informational, and personnel. Constant changes in its form and process by successive governments have also destabilized the system, so that it is not integrated with the community and society it serves.

Nevertheless, if one examines the constitution of Bangladesh, its preamble, fundamental principles and articles specifically on local governments, clear guidance exists on the role, structure and processes for autonomous local government. An emphasis on the democratic process to realize economic and social justice as a fundamental aim of state policy is noted in the preamble. Fundamental principles of state policy encourage local government institutions (article 9) at all administrative levels in which effective participation by the people through their elected representatives should be ensured (article 11). More specifically, article 59 reiterates that local government should be vested in elected bodies in every administrative unit, and that the scope of local government work should cover administration and the work of public officers, maintenance of public order and preparation and implementation of plans for public services and economic development. To give full effect to the above, article 60 enjoins Parliament to make laws to confer powers to local government bodies, including the power to impose taxes.

Notwithstanding this clear guidance, significant weaknesses in the implementation of constitutional provisions and building of institutional mechanisms and practices has resulted in a local government system which is poorly functioning and much maligned. The existing local government system is viewed as ineffective because of its inability to serve its constitutional purposes.

This is the conclusion of this study on strengthening of local government in Bangladesh. The study is based on an analysis of 56 Pourashavas, 37 Union Parishads, 10 Thanas comprising of 60 additional Union Parishads, interviews with over 400 people as well as extensive literature review of local government documents and publications. The final report is a synthesis of reports prepared by 17 national consultants in the following areas: (1) participation, (2) organizational efficiency and effectiveness, (3) interface among organizations involved in local activities, (4) management and leadership training, (5) resource mobilization, (6) best home grown practices; and (7) role and function of local government.

More importantly, however, the study also found that despite such shortfalls, there exists strong evidence that the art of self-governance (developing and managing programmes and activities)

at the local level reaches far beyond the confines of the formal local government system. Individuals and small groups from all sectors of society are increasingly involved in organizing themselves around primarily economic, but also social and political activities, and managing these activities. The major thrust for organizing and self-governance initially came from initiatives undertaken by such organizations as Gramen and BRAC, as well as a growing number of national and local nongovernmental organizations with increasing participation from international organizations. The self-governance activities seem to be going beyond these organizations and taking on a life of their own. The study found that these activities are transforming the rural and urban communities in Bangladesh.

It is this second finding that guarantees the success of strong and autonomous local institutions and organizations and consequently the viability of an autonomous local government system. This finding and the constitutional provisions discussed above provide a solid basis for articulating a vision of an autonomous local government system in the next section.

Vision of an Autonomous Local Government

An autonomous local government system is fundamental to develop decentralized and democratic governance in order to achieve economic development and social justice in Bangladesh. As in leading democracies of the world, an autonomous and active local government system is necessary not only as a training ground for political leadership in democratic governance, but also indispensable to provide scope for popular participation in local decision-making and to ensure effective delivery of services. While there is an abundance of talk about local government in Bangladesh, the concept and vision has not been fully spelled out. In this section, an outline of the vision is provided, including the basic vision statements, goals and structures, resources and capacities, and linkages with the national governance system. Some specific suggestions will be made to further refine and develop this vision into practical proposals for initiating and developing an integrated and autonomous local government system.

Statement 1

The individual Bangladeshi is capable and resilient, despite adversities, and is deserving of trust and management of public goods and services.

Most Bangladeshis are trapped in poverty and lack the most rudimentary amenities of life. They have no basic education and no access to health and welfare services, nor do they have three square meals a day. Few if any public goods and services reach them. They live in a harsh environment threatened daily by natural and man-made disasters. Yet they are surviving by maximizing the meagre resources at their disposal, recycling materials and goods and carving out a living.

This skill in managing poverty and surviving deep adversities provides the individual Bangladeshi with a capacity, drive and energy that can serve as a building block for autonomous

local government. What is required is belief and trust in their capacity to manage their environment.

An individual is capable

Mr. Siddique, who won a Presidential Award, used to help his father collect fish seeds from the river Haldi, spawn them and sell the fingerlings in the surrounding villages. He took over the trade in 1972 with an initial training in modern methods and began a small hatchery in 1976. Although his first attempt at a fish hatchery failed, he persevered and today his fish hatchery is estimated to be over 400 acres. He and his two brothers and two sons employ nearly 150 permanent workers and an additional 300 on a seasonal basis. Today, Mr. Siddique trains others in fish farming and has trained over 3,000 people. He does not charge them. In 1993 total fish spawn and fingerling production in the private sector was 33,000 kg. and 2,360 million respectively. Mr. Siddique's farm produced 18 percent of the fish fry and nearly 20 percent of the fingerling production. With little or no formal education or scientific knowledge and management training, Mr. Siddique and other members of his family showed a capacity to break out of the cycle of poverty and become contributing members of society, not only increasing their standard of living but also taking on the social responsibility of assisting others to better themselves through his human development programme and training in fish farming.

Statement 2

Self-governance is possible and is desired by people in communities.

In Bangladesh today, the reality is that at the local level there are thousands of small groups who are managing their own affairs, allocating resources and managing debt, making decisions by considering the opinions of all, taking action for the benefit of the entire group, expanding programmes, changing directions, and ensuring a better future for themselves and their children. If we accept the failure of the formal local government system and maintain the position that localities are incapable of governing themselves, we deny the reality that the drive towards self-governance is strong and permeates the local environment. Building on self-governance is what will give rise to a viable and autonomous local government system.

Self-governance, resource mobilization and accountability

One of the findings which corroborates findings of other studies on local government is that local governments cannot or are unwilling to raise revenue. However, the Elongong (North) Union Parishad came up with a very innovative way of raising needed revenue. This Union Parishad does not have an economic base, nor any independent source of income. About 50 percent of its households are landless and very poor. In order to meet its revenue needs this Union Parishad does not follow the local government tax ordinance. Should it use the ordinance, total taxes would have to be increased by 50 percent. This would cause great economic hardship. Instead, the Union Parishad used a collaborative and participatory method to decide how much it needs. Meetings are organized in the three wards. During these meetings, the Chairman and members of the parishad discuss future development projects, maintenance costs of current on-going projects, salaries and administrative costs. The meetings are informed about the amount of taxes to be raised and there is discussion about the amount needed. Their experience shows that taxpayers are willing to pay for programmes and activities that benefit them. In 1984 total tax collection was Tk 29,000. Taxes increased to Tk 34,375 in 1990-91, and Tk 81,562 in 1991-92. Numer-

five percent of the 1990-91 and 1991-92 taxes were realized. Although the economic base has increased, taxes were held to the 1991-92 level for the last three years in order to give the citizens relief. The Union Parishad is considering increasing taxes for 1995-96.

Statement 3

The inclusion of all social groups is fundamental for sustainable autonomous local government.

If the individual is capable and self-governance is possible, then it follows that no individual or group should be denied the right to participate in the functioning of public organization. Because the right to participate is often contradicted by actual practice, the issue of inclusiveness needs to be monitored closely. Strong and understandable mechanisms for inclusion need to be established and consistently implemented in each jurisdiction.

Organizing governance

Bamoi village is located in the Panchthuli Union of Sadar Thana, Comilla. Initially, a cooperative was established to undertake local level planning. Membership grew from 14 to 602. Approximately 275 of 323 households are part of this cooperative. Per capita savings share per male is Tk 2,053, per female Tk 1,158, and per child Tk 311. It has a 9 member governing committee which manages the cooperative and elections are held every two years to elect members of the committee. Weekly meetings where members can inspect accounts, discuss issues, and participate in decision making is the principal management style. In addition, an annual general meeting allow members an additional opportunity to check on finances and progress of different projects. This ensures both accountability and transparency. Implementation of decisions is undertaken by project sub-committees consisting of members of the governing board and general members. In order to ensure smooth operation, the Bamoi Comprehensive Village Development Cooperative maintains both horizontal linkages to other village and local organizations, and a vertical linkage to its federating unit. Its substantive activities include programmes in increasing agricultural production through irrigation, generation of employment, general literacy and education of children, health, nutrition and family planning, livestock and poultry rearing, tree plantation, electrification and law and order. The operating methods of this unit are what should typify a local government body, that is, to carry out its functions in a transparent manner and be responsible to its members.

If local government is to take on an effective and permanent role in Bangladesh society, then it must function in support of programmes and activities taking place in society. More importantly, it must draw its resources from individuals and groups in society and be built around groups and organizations which are involved in managing their own affairs. The study found that in Bangladesh, local government has been used for many purposes and primarily to lead people rather than to aggregate public opinion in order to guide public officials. Rather than primarily function as a unit for centralized planned development projects and programmes, a viable local government needs to provide a supportive climate for all types of initiatives by all types of community members, in order to promote sustainable growth and development.

Statement 4

Local government is an integral part of a comprehensive national governance vision of partnership between central government units and local government units.

A vision of local government needs to be an integral part of the total national governance vision, in which both the central government and local government units work as partners, each carrying out activities with functions and resources assigned within a constitutional and legal framework. Local government units as legal entities can engage in contracts on behalf of their jurisdiction. This vision also provides political, economic and social roles for the local government system and a sharing of financial and administrative powers. The vision also provides a framework for attaining democratic self-governance at both national and local levels.

However, those starting the journey towards an autonomous local government system must consider current realities and make provision for gradual progression towards the goal by local government units, as they acquire experience in political and economic governance. Criteria and rules need to be detailed to allow each local government unit to grow and serve its people according to its capacity, increasing its service and policy-making responsibilities as it meets specified criteria. At the same time, the national government needs to ensure that the provision of basic services and protection of fundamental rights are guaranteed to all individuals in order to ensure justice, equality and equity for all. Similarly, policies of a national scope need to be decided by the national government, which would delegate as far as practicable, decisions about the contents of policy and their implementation to the local government units.

With regard to resources and capacities, local government units must have adequate financial and personnel resources at their disposal to carry out their mandated functions and role, in addition to the resources made available to them by the national government for activities that it wants them to carry out. In most countries, local government units are mandated to be responsible for basic services, regulations and records, such as education, health, water supply, sewage, welfare, birth and death registration, infrastructure and support for economic activities, such as roads, bridges, development of land, irrigation, training for skills and maintaining law and order. The national government has a continuing and important role in these services provided by local government units through setting standards, providing quality controls and ensuring access by all constituents to these services. The national government may also provide a framework for delivery of these services by private and voluntary sources. Even in areas specifically mandated to local government units, the national government plays a key role in providing facilities and services which are usually beyond the capacity of local government, such as large hospitals and universities.

Keeping in view the global experiences and the constitutional provisions, elected locally government bodies should be established at union, thana and district levels, and in towns and cities. Based on past experiences, the composition and constituencies of local bodies at thana and district level can be decided. The composition at the thana level may include one directly elected

chairman, a few commissioners for specific subjects, such as education and health, and chairmen of all Union Parishads as ex-officio members. The District Council may be composed of members elected directly by individual voters from constituencies demarcated only for this purpose. The number of constituencies may vary according to the size and population of the district. The Chairman of the District Council and other chairmen of functional committees should be elected by members only. As ex-officio members of the District Council, chairman of all Pourashavas and mayors of relevant corporations should be included.

The functions of these local government units should be so arranged that each unit is responsible for a well-defined sphere of work. For example, in the area of education, the Union Parishads can be responsible for primary schools, the Thana Parishads for high schools, and the District Councils for colleges, technical schools and training facilities.

Current Realities

The recent history of local government is not conducive to the development of a stable, autonomous local government. This is the end result of structural layering which began when the British first established a system of local government in India. Structural layering has become a standard policy of each successive government in Bangladesh. Previous structures are broken up and new structures are imposed. While the new structures have had little opportunity to develop their roots, the old structures never completely withered away. Consequently what continues to exist is a clutter of structures resembling neither the old nor the new, and unable to generate identification and loyalty in Bangladesh communities. Local communities have repeatedly been given inconsistent signals concerning which unit (district, thana, union) to hold responsible for various services and activities. The structure and processes of local government should not be dependent upon the whims of successive regimes. Rather, participative bodies at each level need to be institutionalized as a framework for government action and an arena for public policy discussion. What is now needed is to agree, through a political consensus supported by major political parties, on a structure of local bodies and key political and administrative levels of the country.

The current processes through which local governments operate is not conducive to the development of a responsive, accountable and transparent local government system. The central and other levels of bureaucracies act as "prescribed authorities": local government accountability and responsibility is therefore focused upwards toward the bureaucracies and the administrative system rather than to the people. The current distribution of power between the central governments and all other sub-national or local governments is overwhelmingly skewed in favour of the central government. Even within local governments, power is skewed towards the Chairman rather than the legislative body. The individual member's accountability and responsibility is focused towards the Chairman rather than the people. This highly centralized power structure environment makes transparency difficult to achieve.

With a clear distribution of functions between the central government and local government and within local government among its various units, further specification is required for the processes by which these functions will be performed. More and more, the responsibility and accountability of local government units will be monitored legally and by voters through political means rather than by the national bureaucracy, which is responsible for monitoring/supervising, planning and implementation of programmes and funds allotted by them.

Finance

Local governments have a weak resource base. The study found that, on the average, the per capita revenue for the Union Parishad is only Tk 4, while the average per capita revenues for Pourashavas A, B and C are Tk 85, 58 and 55 respectively. For local government expenditure, Union Parishads spend Tk 27 per capita, while Pourashavas A, B, and C spend Tk 215, 144, and 182 respectively. Under such a revenue and expenditure pattern, local government cannot be autonomous nor can it undertake all the tasks currently assigned to local government.

Personnel

Similarly, in the area of personnel, the study found that even though the overall numbers of employees are not sufficient, Pourashavas have some flexibility in the size of their personnel, while Union Parishads, irrespective of their size, have the same number of personnel, which comprises only the Secretary and a few village policemen. Staff training is minimal at the Union Parishad level, and it is not much better at the Pourashava level.

It is necessary that local government units receive adequate resources to perform their functions. Adequate financing and staffing of local government would require transferring and allocating to local government units a significant portion of central government resources, including those located/used at various field levels.

Policy and operational information

Local governments have little basic information and understanding about their tasks and responsibilities.

Management

Minimal managerial skills reside at the local government level. Basic skills such as record-keeping, dissemination of information and gathering of information, to more advanced skills in developing of policy and programme information, appropriate decision-making, participatory decision-making, and democratic leadership are minimal at best and severely lacking in most local government units.

Legal framework

Laws, rules and regulations under which the local government system operate are often not clear or precise. Analysis of the Union Parishad and Pourashava ordinances shows many contradictory rules and regulations. Some rules enhance autonomy, independence, participation and responsiveness. Other rules effectively expunge and obliterate these provisions. In the process, the laws, rules and regulations make the local government system weaker and more dependent.

These contradictions create confusion and generally lead to inaction, thereby rendering the local governments weaker and very dependent upon the central government. An urgent need is the compilation and harmonization of all laws, rules and regulations, keeping an eye on redundancy, promotion of autonomy and reducing unnecessary control by the central government.

Participation

The study found that participation at the local level is electoral, rather than continuing. In the electoral process there is high participation. The voter turnout in the latest parliamentary election in 1996 has been officially estimated at 73.5 percent. For instance, the percentage of voters taking part in elections at the local level continues to grow. Voter turnout at the Pourashava election increased from 62.4 percent in 1973 to 80 percent in 1977. Another indicator of participation at the Union Parishad is the number of contestants per seat. In 1964 it was 2.9. It went up to 3.7 in 1973 and 4.5 in 1992. The study, however, found that participation in local government deliberations and in the activities of the committees and sub-committees is negligible.

The study also found that elected representatives to local governments do not represent the full mix of Bangladesh society. Most elected representatives are male and from the wealthier classes. Women have reserved seats, thereby giving them a voice, although the appointment process provides less of a political base than would election. Very few local government chairpersons are women. Representatives from other groups, especially the poor, are not heard in the deliberations of the local government system.

On the other hand, national-level non-governmental organizations (NGOs) though limited in number, are increasingly providing a platform for the under-represented groups to voice their opinions and to participate in development. Increasingly, non-governmental organizations are becoming part of the process of empowering non-represented groups. In addition, a variety of local non-profit organizations are beginning to provide space for participation by those without access to the regular electoral process. It can be expected that groups underrepresented in the formal local government will use the NGOs to voice their concerns and to influence the formal local government policy agenda, thereby eventually leading to greater access to participation in the local government itself.

Empowerment and representation

During the last few years in Bangladesh, a tremendous change has been under way in the empowerment of under-represented groups, especially women. A case in point is the employment of women in income-generating activities. In the garment manufacturing sector, about 90 percent of the labour force are women. With help from NGOs primarily, there exist today over 500 women's organizations with a total membership of 2 million. Of BRAC's target population, 82 percent are women and 74 percent of BRAC's credit is disbursed to them. ASA, another leading NGO, has established education for empowerment centres. Of a total of 11,754 centres, 11,651 are for females and only 63 are for males. The total number of participants in the female centres is 227,969. Male participants are only 1,166. While much more needs to be achieved, this is more than sufficient evidence that with the right incentive under-represented groups can become effective and contributing members. For local government to become an integral part of society, incorporation of under-represented groups becomes critical to its success.

In its current organizational configuration and operational setup, local government strengthening will require a long term commitment on the part of the national government. The national government will need to provide significant transfer of financial and personnel resources, continued managerial and informational support and a gradual process of clarification and delineation between the responsibilities of national and local government.

The study found that individuals, groups and a few communities are deeply involved in discussing local issues and carrying out activities, often bypassing the formal local government system. In taking care of their own problems and in their concern for the community they have shown evidence that there is an inherent capacity within communities to identify issues and carry out appropriate activities. The study found that the most successful activities and programmes involve local initiative, with support from both government and international sources, together with significant cooperation among individuals and organizations operating at the local and national levels.

Co-optation and cooperation

In order to improve the overall growth and development process, the Chairman of the Kasba Union of Brahmanbaria District sought assistance from a variety of sources. The Union Parishad received resources from the following sources: canal excavation from the World Food Programme; improvement of drainage from the Asian Development Bank; power pumps for farmers with less than one acre, and water-sealed latrines from the Rotary Club, Ramna, Dhaka; adult education centre from Manab Unnayan Sangstha, a local NGO; eye treatment and health care from Bangladesh National Society for Blind and Comilla Sadar Hospital; and Union office improvement from the Local Government Division.

Major Thematic Factors

These system-level findings, along with the specific findings detailed in the chapters of this report, lead to the inference that there are three general factors which limit the development of sound, effective and autonomous local government in Bangladesh. Strengthening of these three

factors can create a platform from which an integrated and autonomous local government system can be developed:

Democratic institution-building

For local government to flourish, responsibility for issues relevant to people's lives need to be mandated to communities, and most effectively to community-based local governments whose operations are transparent and accountable to community members. Numerous legal provisions (e.g., Sections 30 and 30 (2) of UPO) provide veto powers to prescribed authorities like the Ministry of Local Government, over the deliberations and actions of local government. These veto powers limit representative democracy at the local level. An example of the lopsided nature of the relationship between the prescribed authority and/or administrative machinery is the finding that in many cases the Union Parishad Chairman will not make any decision without the prior approval of the Thana Nirbahi Officer. Even within the local government system, the centralization of powers in the hands of the Chairman of the local body further limits democratic decision-making. The Chairman is elected with his/her own mandate and is not required to consult the locally elected council to carry out his/her mandate. However, participation, involvement and enthusiasm of council members are little encouraged when the Parishad, in many cases, rubber stamps decisions made by the Chairman.

Lack of awareness of the role and responsibilities of elected officials and permanent officials within a democratic system are also limiting the growth of democratic institutions. Consequently, accountability and responsibility issues are misdirected. Elected representatives, instead of feeling responsive and accountable to the community and citizens, direct their accountability to permanent officials of the central government and district administration. Only during elections do the issues of responsibility and accountability revert back to the citizens.

Participation and representativeness

Although the legal framework provides for participation and representativeness, the current local government system does encourage these values. The system of nominating women members facilitates representation but, at the same time, limits the ability of the women members to be effective in decision-making. Nomination is associated with second-class status and provides for "representatives" without an authentic constituency.

While local governments are mandated to work through committees and sub-committees in which all groups in society, especially the most deprived, are to be represented, the reality is that, on the average, only one or two committees work in each jurisdiction, namely those responsible for resource distribution authority and consequent power and prestige. However, these committees are seldom representative of all social elements in the community. Participation is hampered because there are no avenues for steady and continuous interaction between local representatives, permanent local staff and central government machinery and more especially with citizens at large.

Even people from all walks of life who become members of committees have difficulty in participating. Observation of committees and sub-committees in operation shows that people from under-represented groups speak up less in meetings and chairmen ignore comments contradictory to their point of view. Laws, ordinances and other institutional measures might require council participation, comments and inputs from councillors as well as the general public.

Devolution, deconcentration and reallocation

Although the constitution recognizes authentic local government, authority and responsibility for local government resides, de facto, with the central government. This is especially so when measured in terms of the revenue generation. The central government monopolises virtually all taxes. Without independent resources, local governments are used for a variety of activities not develop autonomy. Currently, local governments are used for a variety of purposes. In some instances they are used to increase participation, in other cases they serve as focal points for mobilization. In other instances they serve as local power bases for development programme objectives. In still other instances they can be responsible for activities that national political parties. Basically, local government units can be responsible for activities that take place within their jurisdiction to meet community needs. The decision allocating responsibility to levels of government needs to be taken openly, transparently and in relation to criteria of capacity. Where communities are able to finance and staff their local government, as well as plan for development needs, they can assume greater responsibilities, thereby leading to greater eventual autonomy.

Local government units are often responsible for tasks that they cannot fund, but are denied responsibility for some tasks that are of essential interest to the community. With a rational allocation of responsibilities, tax sources and professional personnel, local governments can evolve into strong, viable instruments for their community's social and economic development.

While devolution of power, deconcentration of tasks and reallocation of resources are important, it is equally important to note that development of the local government system in Bangladesh is evolutionary, with a continuing role for central and local administration albeit a very different role. Organizational and training efforts are needed to strengthen local government's operational accountability to the citizenry, the regular dissemination of programme activities and information, appropriate financial management and auditing, and proper record-keeping. These will be the key functions of the central administrative units. Providing opportunities to local government officials for professional development and training will be another. In essence, central administrative units will redirect themselves from being controlling authorities which limit growth and autonomy to a supportive and facilitative role in management development and training for local government staff.

Conclusions

More specifically, these limiting factors lead to the following conclusions:

1. Since the role of prescribed authority is a detriment to the development of democratic institution-building at the local level, the role of prescribed authority must be minimized in areas which limit representative democracy and be supportive in areas of general management and service delivery. It is also necessary to explore the benefits of transferring supervision and prescribed authority for local government from a local government ministry to a local government commission which has greater affinity with local government units but avoids the rigidity of a national ministry. The role of central government officials in local government needs to be changed from one of direction and supervision to a supportive and facilitative one. At the same time, without central agencies and field official management and supervisory knowledge and skills, most local governments will not be able to survive.
2. Current power structure in the organization of local government units is counter-productive to democratic practices. Better awareness of the role and responsibilities of public officials, improved distribution of power between the chairman and other members, and vigorous efforts to bring into the local government process all facets of civil society are essential to democratic institution-building.
3. Clarification of laws, rules and regulations which will provide a supportive environment for democratic institution-building is needed to ensure that all the processes are working in a coordinated and cooperative fashion, rather than the current counterproductive fashion.
4. Supervision of operational and managerial practices must be continued and further enhanced in the near future for strengthening managerial and professional capacity at the local level. Such supervision has to be undertaken in local government segments on matters such as the appointment and composition of committees/sub-committees, dissemination of information, regularization of meetings, etc.
5. Participation in decision-making at the local level has to be organized, managed and supervised at the initial stages before participation can become effective. Ensuring diversity and representativeness are keys to participation and current practices impede and obstruct participation, although some scattered examples of effective participation are taking place. Building on these examples through highlighting them should be a key strategic initiative.
6. Establishing a triangular relationship between local representatives, permanent staff and citizens is imperative to institutionalization of democratic practices at the local level. For elected officials, professional development and training in the role and responsibilities (accountability and transparency) of public officials have to be coupled with professional-

ism (management knowledge and skills) among the permanent staff. Cooperative agreements are vital between local government on the one side and individuals and groups in society on the other for consultative decision-making and ensuring appropriate delivery of services.

7. Distribution of work between central government and local government has to be based on capacity and ability, especially in the area of resource mobilization. Central government can serve as a more appropriate level for collection of revenue while local government because of its relative proximity to the people can serve as a more appropriate level for delivery of services. Organizational levels between the central and local levels have to be re-examined for their appropriateness in the development process.
8. While overall managerial capacity has to be enhanced, the area of financial management needs special attention. Proper record-keeping, processing of all financial transactions through the banking system, supervision and management of programme activities and financial audit must be vigorously pursued.
9. Transparency and accountability can only develop through integration of the local government system with the citizenry, regular dissemination of programme activities and information, appropriate financial management and auditing, and realignment of responsibility of representatives from prescribed authority to citizens. Until these changes are effectively carried out, expectations of transparency and accountability will remain elusive and only on paper.
10. Strengthening of local government in Bangladesh cannot take place unless a serious effort is made to develop a multitude of mechanisms of rationalization which will allow the smooth functioning of governance including to a generally accepted constitutional position of local government at the macro-level, regularization of the election process at the mid-level and integration of local government with society at the micro-level.

Recommendations

Recommendations below are arranged under a two-track system: (1) development of an autonomous and integrated local government system covering all key political/administrative units (i.e. district, thana, union, town and city) and systemic relationships with the national level; and (2) improvement of decision-making, management and operations of Union Parishads and Pourashavas themselves. Implementation of the two-track recommendations should be kept separate, as they have different implications and may require different timeables and separate implementing agencies/processes. The system-wide recommendation may be handled by the Prime Minister's Office, since it deals with governmentwide inter-organizational relationships. The recommendations dealing with improvement of local government functioning at the Union and Pourashava level may be assigned to the Ministry of Local Government for implementation.

System-wide recommendation

For the most sustainable strengthening of local government, it is suggested to avoid any ad hoc solutions and instead develop a nationwide consensus on the role, function, structure, resources and relationships of an integrated and autonomous system of local government in Bangladesh. Sufficient ideas and experience are available to develop practical proposals through a deliberative process which could be organized through an ad hoc local government commission. Such a commission should be small, comprising 12 to 15 members, of whom about half should be members of Parliament nominated by ruling and opposition political parties, and the rest from professions (law, education, civil service), NGOs and experienced local government leaders. The commission should be supported by the Prime Minister's Office and should be given between six months and one year to give its recommendations and proposals to the Parliament.

Specific terms of reference for the commission should include, among others, clarification of the role and functions of central government and local government as partners in national governance, composition, functions and resources of specific local government units, delineation of financial and personnel resources between central government and local government units, preparation of draft bills based on consensus proposals, and formation of an autonomous commission with judicial powers (as in the Election Commission) to guide and deal with the operation and development of local government. The ad hoc local government commission should be supported by working groups dealing with the division of financial resources, creation of local government service organizations of various types, relationships between local government units and central government and drafting of specific bills for local government.

Recommendations aimed at union parishads and pourashavas

Recommendations below are grouped in four sections: (1) those dealing with enlarging participation and ensuring representation, (2) those effecting autonomy and resource independence, (3) those increasing accountability, responsibility and oversight, and (4) those improving management and augmenting transparency.

Participation is a function of (a) individuals and groups involvement in the decision-making, formulation, implementation and evaluation of development activities; and (b) the process resulting in interaction, cooperation, and interrelationship between and among organizations—formal and informal, public and private, domestic and international—involved in development activities at the local level. Representation is the process which attempts to embody all segments of society into public organizations. The expectation is that representation of all groups in society in a public organization will bring to bear all the diverse perspectives and take into consideration all diverse needs and bring about ownership for all.

Autonomy refers to the ability of local government to undertake allocated activities and programmes with minimal interference from other levels. To a large extent, autonomy is defined as the ability of local government to have independent financial resources. In the case of

Bangladesh, independent does not necessarily mean separate sources. Rather, it means independent from interference.

Effective local government must be responsible and accountable to its citizens, and its policies and programmes must be subject to oversight and review. Finally, local governments must manage their internal operations in the most efficient manner and in an open and transparent environment. This is essential in any governmental operation, and the local government system is subject to the same requirements.

Developing an effective local government system in Bangladesh will then require the following minimum actions. While some of the recommendations will require legislative actions and consensus building, most of the recommendations fall within the category of "doable" actions, which can be implemented if those involved in the decision-making remind themselves of the fact that the individual is capable and worthy of trust and that self-governance is possible.

1. Enlarge participation and ensure representativeness

Develop public awareness programmes specifically in the operation and management of service delivery activities of local government.

Users and providers of services must form 60 percent of committee membership, especially in such areas as health, education and welfare programmes at the local level.

Institutionalize the practice of seeking citizen volunteers in the operation and management of development projects. Citizen volunteers can be selected from those who have participated at least one year in the citizen forum.

Establish citizen forums at each level of local government. Local government officials and elected representatives, officials from non-governmental organizations, and representatives from other organizations (national, local and international) will present to this committee information about their plans and programmes.

Establish a leadership forum at each level of local government to bring together local government units, field agencies, non-governmental organizations and international community groups. The forum will serve as a platform for exchange and sharing of information regarding development and other activities impacting on the community. The forum can also serve as an informal coordinating body.

Expand the composition of local government to include reserved seats for the landless, women and other deprived groups.

Legislate direct election for reserved seats.

The current law, which does not allow an individual to seek both membership in a local government and Chairmanship of the local government at the same time, is restrictive and should be abolished.

2. Effect autonomy and resource independence

Treat local governments as separate entities of government. Change the reform perspective of local government from administrative mechanisms for central control to evolving a system where the locality and community manage their own affairs.

Implement Constitution of Bangladesh articles 9, 11, 59 and 60.

Letters of resignation by Chairman and members should be submitted directly to UP/PS. Rescind section 12 of LGO (1982).

Establish a procedure to make UP/PS responsible for removal of its chairman. Cancel approval of central government requirement by rescinding section 13(2) of LGO 1982.

Fix a proportion of revenues collected by the central government for automatic transfer to local government bodies as independent revenue.

Update the existing tax schedule to the current economic environment of rural and urban areas by reviewing the Model Tax Schedule of 1960 and Immovable Property Transfer Tax rules.

For demonstrative effect, require all field government agencies to pay back arrears to UP/PS through negotiated payment plans.

3. Increase accountability, responsibility and oversight

Every UP/PS must have a consolidated bank account, and all financial transactions must be made through cheques.

Ensure, through regular inspection, conduct of formal audits of accounts (activate section 50(3) PSO and section 48(3) UPPO) and timely (12 months) publication of reports.

Approval of organogram, creation of part or full time staff positions, and recruitment, promotion and disciplinary actions should be the responsibility of local government units.

Union Parishads should receive government grants directly as with Pourashavas.

Local government units should be solely responsible for development projects funded from their own sources.

Field agency management staff should attend monthly meetings of UP/PS and report on activities of their units (effect section 30 of UPPO and remove sub-clause (2) of section 32 of UPPO).

Invite, once a month, all area NGOs and other local organizations to brief UP/PS on their current and future activities, and inform them about UP/PS programmes and activities.

Local government units should be allowed to approve larger projects and make increasingly higher levels of financial commitment, subject to financial resources and budget.

Provide UP with functional responsibility for the registration of births, deaths, marriages and divorces, which is in tandem with the primary function of settlement of disputes.

4. Improve management and augment transparency

Selections of citizen volunteers to committee/sub-committee are to be made in UP/PS public meetings.

Timely publication of annual reports of UP/PS and their posting in UP/PS office.

Information on all on-going projects to be prominently displayed both at the UP/PS office and project sites.

Monthly status reports on collection of revenues and arrears at UP/PS meetings.

Implement sections 37 and 39(3) of PSO requiring publication of all plans, programmes, budgets, contracts and other development activities through newsletters.

Report irregularities at UP/PS meetings and require correction.

Utilize the Assistant Director Local Government (ADLG) as a resource person for training of UP/PS members. ADLG to offer monthly training sessions for UP/PS members beginning with awareness of basic functions of local government, importance of service delivery, responsiveness to people's needs and demands, and planning of development projects.

Develop contractual mechanisms for utilizing NGOs and other local organizations for service delivery and income generating activities.

Diversify distribution of tender forms from one location to at least three locations.

- Require regular morning hours of office time to allow registration activities to be conducted.
- Link the receipt of grants beyond the basic minimum to higher levels of tax collection, as an incentive.
- In Pourashavas, reduce the number of bank accounts for smoothing out cash flow peaks and bumps.
- Maintain funds in interest-bearing accounts to generate income.
- Improve resource collection by producing a greater volume of service and more efficient delivery of services.
- Re-examine the role of the Chief Executive Officer of the Pourashava in the context of an autonomous and independent local government system.
- Improve information gathering and dissemination capabilities of local government units through systematization of record keeping, compilation of statistical information, and reporting mechanisms.
- Establish a Municipal Improvement Committee to oversee town improvement and beautification programmes.
- In the context of an autonomous local government system, develop appropriate remuneration and compensation packages and ensure regular payment of salaries and benefits.
- Create a training cell to define local training needs, develop local training courses, and identify local training resources.
- Require training institutes like BARD, NILG, RDA, RPATC, BRAC and TARD to concentrate all training efforts towards local government for a period of three years to cover chairpersons, members, staff and beneficiaries. The specific objective is to develop trainers in local government.
- Increase the efficiency of collection of taxes and hire tax collectors on a commission basis
- Implement double-entry accounting for financial transactions and record keeping. Separate capital and operating expenses.
- Change the Municipal Administration Rules of 1960 and reclassify revenue and objects of expenditures to correspond to the current economic environment.

VIII. THE FUTURE OF LOCAL GOVERNMENT IN BANGLADESH

The future of local government in Bangladesh depends on the will of elected representatives of the people and key national policy-makers and decision-makers to make informed and hard choices. This study on Local Government in Bangladesh lays the foundations for making such choices.

Governance includes the cooperation and cooperation of all individuals and groups in society, and not merely activities and functions that governments singlehandedly undertake by themselves. The study found that governance is thriving in all corners of Bangladesh. People are organizing themselves. What governments in the past have attempted to do in local administration, however, has and continues to be of limited significance. *Herin lies the first critical choice.* Policy-makers and decision-makers must make a fundamental choice that at the local level the issue is governance and not government.

Governance refers to a process through which all individuals and groups in society can participate in making choices about social, cultural, economic, and political benefits and costs. Government at the local level, on the other hand, refers to the organizations and structures through which governance takes place. Local government without local governance is of limited use. Tying with local government, as has been done in the past, without ensuring local governance is a ready-made formula for failure.

A Vision for Local Governance

The constitution of Bangladesh through its preamble, fundamental principles and articles provides some guidance for both governance and government. Effective participation of people through elected representatives (article 11) and elected bodies (article 59) provides the essential framework for governance, though not a comprehensive framework. Article 9 requires that governmental institutions be set up at all administrative units to provide for basic local government organizations and structure.

This study complements the constitution of Bangladesh by developing a vision for local governance. Four fundamental vision statements arise out of the analysis and findings of the study. These are:

1. The individual Bangladeshi is capable and resilient, despite adversities, and is deserving of trust and management of public goods and services.
2. Self-governance is possible and is a desirable outcome of democratic institution-building.
3. The inclusion of all social groups is a fundamental necessity for autonomous local government.

4. Local government is an integral part of a comprehensive national governance vision of partnership between central government units and local government units.

Turning Vision into Reality

The convergence of the expressions of the articles in the constitution and the vision evolving out of the study provide a comprehensive framework for initiating a system of governance and government structure at the local level which is not only integrated but also in tune with the emerging democratic system of Bangladesh. To turn the vision into reality will require decision-makers and policy-makers to make fundamental changes in their attitude and thinking about governance and local government.

The principal thought and attitudinal change requires them to think and accept that people at all levels are organizing themselves in the pursuit of all their businesses. Governance is going on at all levels for different purposes. These are at times parallel with the local government structure, at times superseding or subordinate, at times independent, autonomous, self-serving, and at times cooperating and coordinating with the formal local government system. Governance and government join at some points and separate at many other points.

Local government is a part of the governance system and must align itself with evolving trends in governance. The study found that there is a growing sense of empowerment among the people for a variety of reasons. At all levels people in Bangladesh feel that they are able to take care of themselves. There is also an emerging realization that governments at all levels must respond to the needs of the people. If governments do not respond to their needs, the people will withdraw their consent. Governments today in Bangladesh can only rule with the consent of the people. Local and national elections have provided sufficient evidence of this concept. Thus, the second attitudinal change, already institutionalized at the national level, and must be institutionalized at the local level, is that governments can govern only with the consent of the people and that this consent is constantly scrutinized and checked.

As people are organizing themselves in groups, the designs of these organizations are unique and unsymmetrical to fit the purpose of the group activity. Therefore the third attitudinal change requires policy-makers to think of local government not as a single administrative entity but as entities which within a broad framework can show many different shapes, sizes and configurations. One can no longer think of a hierarchical local government system where all are doing the same things, at the same time, in the same format and utilizing the same structures.

Experience with local government in Bangladesh has already established that local governments do not necessarily stay within the bound of the restrictive functions assigned to them, nor do they operate in the standardized structure. Even when the local governments are depoliticized, they remain political. Successful local governments have gone beyond the assigned tax structure to form their own tax systems, or have formed management committees reaching all classes of people to formulate and implement programmes and projects.

The fourth attitudinal change will require decision-makers to realize that different levels of local governments can have different functions, or the same function at different levels, with varying scope. It will also require them to accept that even at the same level, local governments will vary in their functional priority and direction. This understanding of governance is critical for designing an integrated local government system. For example, from a purely organizational design perspective, the Union Parishad, which has an average population of 25,000, can serve as a primary level for the economic development and planning function of local government. On the other hand, for community decision-making, participation and community leadership, the appropriate level may be the village or ward. For resource mobilization and allocation purposes, the appropriate level may be at the upazila level. For local government to serve as a training ground for national political leadership, the district may be the appropriate level of local government. All levels are necessary and important to the overall needs of self-governance.

While the attitudinal changes prepare the policy-makers and decision-makers for the future, certain realities of local government must be, at the same time, acknowledged and incorporated into the design of any future local government system. These include:

Historical, constitutional and legal status

The present local government structure is a legacy of the past. Until 1971, local bodies operated within a federal structure under the provincial government. Local bodies like Union boards, District boards and municipalities were adjuncts to the provincial government for the delivery of municipal services at the local level. After 1971, the independent country of Bangladesh became a unitary republic in which the central government is the only level of government. In the true sense of the term there is no local government. But the institutional framework of local bodies that existed before independence, i.e., prior to 1971, still continues. Thus there is an apparent inconsistency between the legacy and the reality. One indication of this historical legacy is that local bodies have a wide variety of names. Rural local bodies are called Parishads or councils (viz. Zila Parishad, Union Parishad). The urban local bodies are called Shavas or meetings/conferences (poura-shava) and 'corporations' (city corporations). On the other hand, local bodies in three hill Districts of Chittagong go by the name of 'Hill District Local Government Parishad'.

The status of local governments is not well articulated and defined in the Constitution. Although the Constitution provides for local governments at various administrative levels, it does not define local government. It does not identify its structure and functions, and does not recognize local government as a level of government with necessary executive and legislative autonomy and a division of functions between the center and the local. Nor does it provide for protection of local governments against arbitrary action by the central government.

Currently local government is covered by various acts/ordinances, rules and regulations, which result in a very complicated legal framework. These instruments have been subjected to many amendments according to political and administrative exigencies. As a result, many of the instruments and the provisions thereunder have lost context as well as relevance, and many of

them are never applied. Many of the weaknesses in the legal framework are highlighted in the study. There is an urgent need to consolidate, simplify and rationalize laws and regulations on local government.

Functions, autonomy and operation

Theoretically, rural local bodies have an impressive list of functions. But in practice, most have been taken over by various government agencies, which have deployed officials locally to carry them out. So far local bodies have essentially been service delivery organizations, and have acted as important agencies for local planning and development. But local government functionaries remain subordinate to the central officials working in the local area. One example is their position with regard to the police. In the absence of any effective function in enforcement matters they always remain subservient to the local police. A similar situation prevails with regard to development officials like the TNO and the Thana Engineer of LGED — particularly those who command resources to be disbursed and distributed, and have projects to be executed. At the same time, new and emerging functions are being taken over by the NGOs. All this leaves local governments with only activities which show little immediate impact or benefit.

At present local government units are 'governments' in name only. They do not enjoy executive autonomy. Most operational matters are regulated by the central government through various rules and executive orders which curtail the autonomy of local bodies. These rules, and the power to amend them virtually at will by the Ministry, has made local bodies completely subservient to the central bureaucracy. The officials of some central government agencies working at the local level often enjoy more executive freedom than the local bodies. The law does provide for local bodies to devise their own regulations, but in practice none do so.

The existence of numerous government ministries, departments and agencies with elaborate networks is a dominant feature of public administration. But the central agencies have generally failed to develop a community-based and participatory approach to the delivery of services or implementation of development programmes; as a result, these agencies rely on the rural local governments and use them as their agents. Lacking in resources and substantive functions, the Union Parishads are thus obliged to perform the agency role to the neglect of their own statutory functions. It would, however, be possible to harmonize this conflict between statutory and agency functions by transferring many of the agency functions like education and health services to local bodies, and providing them with accompanying resources, secured by specifying roles of central and local government units with respect to each other's services.

Finance and Personnel

Financing the rural local bodies remains an Achilles heel. None of the existing units of rural local bodies (including the TDCC) has been able to generate enough finance. One reason is that the existing base for local resource generation is split among them very thinly. If local taxes, fees and rates realizable by Union Parishads, TDCCs and Zila Parishads were put together, they would come to a sizeable amount. Besides, the tax base was determined a long time back. It is

only logical that if wider services are expected of them, their tax base has to be widened, definitely by transferring or sharing central tax sources. In addition to widening the tax base, there should also be more serious measures for both assessing and collecting taxes, including the option of centralizing assessment and collection by one tier say the District Council or the central government.

Grants from higher levels of government play a significant role. These grants cover specific services that local government is expected to provide for local areas. They also include general budgetary support, often called an equalizing grant, to maintain the level and quality of services for local government bodies which vary in size and affluence. Continuation of grants will be required if the local government system is to become a viable level of government in Bangladesh.

One common argument cited against the local governments in general is that they do not have the capacity or capability to deliver services or perform assigned functions. Lack of personnel, along with severe restraint on financial resources, does not permit most local governments in Bangladesh to be effective units for service delivery. For example, with only one Secretary and few rural police persons in the Union Parishad, the personnel capacity of the Union Parishad is virtually nonexistent. In the local areas, however, numerous government departments and agencies are represented locally by innumerable officials. The officials command resources and control important regulatory functions. Their presence is often awe-inspiring for local government bodies and their functionaries.

Relationships with the central government

There is an unbalanced relationship between the central government and the local governments. The centre-local linkage occurs in the matters of (i) overseeing the functioning of local governments, (ii) providing financial support and (iii) assigning additional functions, as need be, to be performed on behalf of the central government. In most countries the centre-local linkage is formally defined in a spirit of accommodation and partnership between two 'governments' rather than between superior and subordinate, or between patron and client. In Bangladesh, however, local governments operate more as subordinate agencies of the central government. Every effort should be made to make local government bodies operate as autonomous partners.

Presently the central government controls and regulates local governments through various laws and also reserves unhindered authority to supersede a local body or to suspend an elected Chairman. The existing law provides for the suspension of the Chairman of a Union Parishad, but does not specify the process of disposal or the time limit for such disposal. As a result, a Chairman considered recalcitrant for any reason may remain suspended for an indefinite period. There is no provision for appeal against an arbitrary action in this regard. Besides, in such cases the same authority (i.e. the Secretary of the Ministry) acts both as the prosecutor and the judge. There are also many ways in which the bureaucracy at the local level, particularly the Deputy Commissioner, exercises controlling authority over the local bodies and their elected

functionaries. At present local government is treated as a line function, like any other line function of the central government.

Accountability and Transparency

There is a chronic lack of accountability and transparency in the operations of local bodies. Centralization of executive power results in arbitrary use of power and hinders accountability through public discussion. Local government finances are similarly uncontrolled. Accounting systems are poorly maintained, and many local governments, especially at the Union Parishad level, do not maintain a bank account. Budgets are seldom properly prepared or discussed in the council. Drawn up by the officials, they are usually casually approved. Local bodies do not usually prepare an annual report and publicize their activities for public knowledge. In developing an integrated and autonomous local government system, the issues and practices of accountability and transparency deserve serious considerations.

Reality as the Basis for Programmes

In preparing to introduce an integrated and autonomous system of local government in Bangladesh, a systematic and consensual approach is urgently needed. Any temptation to apply ad hoc solutions should be avoided in favour of developing a national consensus on the role, function, structure, resources and relationships of an integrated and autonomous system of local government in Bangladesh, in congruence with the evolving system of democratic governance.

Constitutional and legislative agenda

Sufficient ideas and experience are available to develop constitutional provisions and necessary legislative measures, ensuring that governance belongs to the people and that autonomous government levels can coexist with one another. An ad hoc Constitutional Commission on Local Government, to outline the role, functions and resources of local government and its relationship with the central government, is needed. Such a Commission may comprise between 12 to 15 members, of whom about half should be members of Parliament, nominated by ruling and opposition political parties, and the rest from professions (law, education, civil service), NGOs and experienced local government leaders. Specific terms of reference for the commission should include, among others, position of local government in the overall scheme of governance in Bangladesh, making local government a separate level of government, and allocating local government with adequate financial resources and personnel. The Commission can also determine the modalities for separation of financial and personnel resources between central government and local government units, preparation of draft bills based on consensus proposals, and the formation of a permanent, autonomous Local Government Commission with judicial powers (as in the Election Commission) to deal with local government matters. The ad hoc Constitutional Commission should be supported by working groups dealing with the division of financial resources, creation of local government service organization of various types, determining the relationships between local government units and the central government, and drafting specific bills for the local government system. The concept of constitutional consensus

is an already established practice in Bangladesh politics, and an agreement on local government is a necessity.

One important aspect of the legislative agenda would be to undertake a comprehensive overhaul of all existing laws and ordinances to bring them in tandem with the new order of governance in Bangladesh.

A. Local Government Committee of the Parliament may provide leadership and act as an oversight body to ensure the development of an autonomous local government system. The Local Government Committee can monitor implementation of the recommendations of the Constitutional Commission on Local Government.

The suggestion of a permanent Local Government Commission, as noted above, to be considered by the proposed ad hoc Constitutional Commission, needs some elaboration. It needs to recognize that in preparing to introduce an integrated and autonomous system of local government, it will be necessary to separate political processes from administrative interactions. Matters relating to the dismissal of the elected representatives are basically political or judicial, and should be decided accordingly. Matters relating to discharge of functions and handling of public money are administrative and financial in nature, and they can be dealt with administratively between central bureaucracies and local government. At present, local government is treated as the line function, and all activities relating to local government are the assigned line responsibility of the Ministry of Local Government. The rationale and practicality of considering local bodies as the line function of one particular ministry are debatable.

Local bodies should have access to all ministries on equal terms. The institution with responsibility to supervise, guide, represent, mediate, protect and defend the role and interests of local government cannot be an integral part of the central government. Such an institution needs to be autonomous of the central government and will need to insulate itself from the partisan and short-term political exigencies of the ruling party. One suggestion is to create a permanent Local Government Commission under the national Parliament. Members should be selected from various key walks of life, with a fixed tenure. This Commission will report to the Parliament on the workings of local government. It will have a formal linkage with the Office of the Prime Minister, in which a unit for local government should be established to deal with all matters of jurisdiction, conflict, interpretations and other key matters. The Commission will interact on administrative and financial matters with specific central government ministries.

Executive agenda

While the constitutional and legislative agendas are being addressed, the executive agenda can prepare the groundwork for the future autonomy of the local government system. In this process, the executive agenda may include the following:

- Comprehensive cooperation and management support by the national government to transfer apportioned financial resources to local government.

- Coordination between field offices and local government to develop a strategy for bringing all field offices under the management of local government.
- Developing a local government service.
- Expanding local government services and responsibilities, and providing the financial resources to undertake such responsibilities. A Finance Commission to review periodically (e.g. once in three years) the division of financial resources between the central government and local government may be organized.
- Support the development of an autonomous local government system through appropriate training.
- Organize technical support teams for management and professional development.

In essence, it will be the responsibility of the national government to develop a process through which it will divest itself of many responsibilities that can be better managed at the local level. It should also develop a process through which it will support the local government system in handling its increased responsibilities effectively and efficiently.

In the final analysis, this study reveals that there exists abundance of interest among opinion leaders from all walks of life for an integrated and autonomous system of local government. What has been missing in translating this interest into commitment and support is possibly a clear understanding of what it entails, and the process by which such interest can be articulated, and commitment and support can be mobilized from key institutions and leaders in society. To do this, a vision of local government has been outlined. Various key constraints to current practices and processes of local government have been analyzed throughout the report. At the same time, successes of local governance have been highlighted, from which the vision for local government has evolved.

If an autonomous local government system is the goal, a significant realignment in the thinking of all key actors, a consensus within the political system and cooperation between the executive and legislative branches have to be achieved. While the process is a complex one, the study provides sufficient illustrations to show that an autonomous local government system is not only possible but necessary.

সীমাবদ্ধ



গণপ্রজাতন্ত্রী বাংলাদেশ সরকার

স্থানীয় সরকার প্রতিষ্ঠান শক্তিশালীকরণ

প্রতিবেদন

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বাংলা
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স্থানীয় সরকার কমিশন

মে, ১৯৯৭

মুখবন্ধ

শক্তিশালী স্থানীয় সরকার বাংলাদেশের জনগণের বহুদিনের লালিত আকাঙ্ক্ষা। গণতন্ত্রের ও স্থানীয় সরকারের দাবী সব সময়ই সমান্তরালভাবে অগ্রসর হয়েছে। কারণ একটি আরেকটির পরিপূরক। স্থানীয় সরকারের অনুপস্থিতি অথবা দুর্বল স্থানীয় সরকার জনগণের আশা-আকাঙ্ক্ষা যথাযথ প্রতিপালনে ও বাস্তবায়নে ব্যর্থ হয়। একটি গণতান্ত্রিক আদর্শে উদ্বুদ্ধ স্থানীয় সরকারের প্রতিনিধিরাই জনগণের স্বার্থে সিদ্ধান্ত গ্রহণ করতে পারেন। এ জন্য প্রশাসনের সর্বস্তরে নির্বাচিত জনপ্রতিনিধিগণকে নিয়ে গঠিত স্থানীয় সরকার স্থানীয় পর্যায়ে উন্নয়নের জন্য অপরিহার্য বলে পরিগণিত। জাতির জনক বঙ্গবন্ধুর নির্দেশে বাংলাদেশের মূল সংবিধানে এ ধরনের গণতান্ত্রিক স্থানীয় সরকারের কথা স্পষ্টভাবে উল্লেখিত হয়েছিলো। ১৯৭২ সালে প্রণীত মূল সংবিধানে ১১, ৫৯ এবং ৬০ অনুচ্ছেদে স্থানীয় সরকারের রূপরেখাসহ প্রশাসনের সকল পর্যায়ে নির্বাচিত প্রতিনিধিদের মাধ্যমে জনগণের কার্যকর অংশগ্রহণের উল্লেখ ছিলো। পঁচাত্তর পরবর্তীকালে অগণতান্ত্রিকভাবে সংবিধানের মূল নীতিসমূহের সঙ্গে এই বিধানেরও বিলোপ সাধন করা হয়।

১৯৯১ সালে গণঅভ্যুত্থানের পর বাদশ সংশোধনীর মাধ্যমে মূল সংবিধানের ১১ অনুচ্ছেদ পুনঃস্থাপিত হয়েছে। অনুচ্ছেদ ৯ এবং ১০ এর মাধ্যমে স্থানীয় সরকারে মহিলাদের বিশেষ প্রতিনিধিত্ব দেয়ার অঙ্গীকারও ব্যক্ত করা হয়েছে। ইতিমধ্যে সুপ্রীম কোর্টের ঐতিহাসিক রায়ের মাধ্যমেও স্থানীয় সরকার সম্পর্কে সাংবিধানিক অঙ্গীকারের কথা পুনর্ব্যক্ত হয়েছে। সুতরাং ঐকমত্যের ভিত্তিতে পুনঃস্থাপিত স্থানীয় সরকার পদ্ধতি একাদশ ও দ্বাদশ সংশোধনীর একটি বড় অবদান। এই সংশোধনীর মাধ্যমে বাংলাদেশের সমস্ত রাজনৈতিক দল স্থানীয় সরকার প্রতিষ্ঠায় নিজেদের রাজনৈতিক অঙ্গীকার ব্যক্ত করেছে।

সাংবিধানিক দায়িত্ব ও বাধ্যবাধকতা এবং সকল রাজনৈতিক দলের অঙ্গীকারের ভিত্তিতে একটি শক্তিশালী স্থানীয় সরকার গঠনের জন্য বাংলাদেশের মাননীয় প্রধানমন্ত্রী মহান নেত্রী বঙ্গবন্ধু কন্যা শেখ হাসিনা দৃঢ় সঙ্কল্প প্রকাশ করেছেন। একই সঙ্গে সংবিধানের সপ্তম অনুচ্ছেদ অনুসারে মাননীয় প্রধানমন্ত্রী জনগণের ক্ষমতা জনগণের নিকট একটি শক্তিশালী স্থানীয় সরকার কাঠামোর মাধ্যমে হস্তান্তর করার অভিপ্রায় ব্যক্ত করেছেন। এই উদ্দেশ্যে তিনি একটি উচ্চ ক্ষমতাসম্পন্ন স্থানীয় সরকার কমিশন গঠনের সিদ্ধান্ত প্রদান করেন। এই সিদ্ধান্তের ভিত্তিতে ১লা সেপ্টেম্বর, ১৯৯৬ তারিখে স্থানীয় সরকার কমিশন গঠিত হয়।

কমিশন স্থানীয় সরকার ব্যবস্থার অতীত ইতিহাস, সামগ্রিক অভিজ্ঞতা, সংবিধানের অঙ্গীকার, সকল রাজনৈতিক দলের মধ্যে প্রতিষ্ঠিত ঐকমত্য এবং বর্তমান সরকারের ঐকান্তিক আগ্রহের আলোকে কার্যক্রম শুরু করে। গণমাধ্যমে জনমত যাচাই, সকল পেশা ও শ্রেণীর প্রতিনিধিগণের সাথে আলাপ আলোচনা এবং বৈঠকের মাধ্যমে স্থানীয় সরকার গঠন, নির্বাচন কার্যক্রম এবং পরিচালনার বিভিন্ন দিকের উপর তথ্যাদি সংগ্রহ করা হয়। ইহা ছাড়া স্থানীয় সরকার বিষয়ে দেশ বিদেশের বিভিন্ন অভিজ্ঞতার পর্যালোচনা করা হয়। কমিশন সর্বমোট ৪০টি সভায় মিলিত হয়ে স্থানীয় সরকারের বিভিন্ন দিক নিয়ে আলোচনা করে এবং বাস্তবানুগ সুপারিশ প্রণয়নে ঐকমত্যে উপনীত হয়। সুপারিশগুলির মধ্যে সবচেয়ে গুরুত্বপূর্ণ হলো গ্রাম, ইউনিয়ন, থানা/উপজেলা এবং জেলা পর্যায়ে শক্তিশালী স্থানীয় সরকার প্রতিষ্ঠা এবং গণতান্ত্রিকভাবে স্বায়ত্তশাসনের ভিত্তিতে পরিচালনা। এই প্রতিবেদনে দেশের সকল পেশা ও শ্রেণীর নর-নারীর আশা-আকাঙ্ক্ষার প্রতিফলন ঘটেছে বলে কমিশন মনে করে। তাই কমিশনের সুপারিশ জাতীয় ঐকমত্যের ভিত্তিতে গৃহীত হবে এবং জনগণের বৃহত্তর স্বার্থে এটি স্থায়ী ব্যবস্থা হিসেবে প্রতিষ্ঠিত হবে বলে কমিশন দৃঢ়ভাবে আশাবাদী।

পরিশেষে এই গুরুত্বপূর্ণ দায়িত্ব অর্পণ করে কমিশনের চেয়ারম্যান ও সদস্যদের দেশ ও জনসেবার সুযোগ
দেয়ার জন্য মাননীয় প্রধানমন্ত্রী শেখ হাসিনাকে আন্তরিক কৃতজ্ঞতা ও ধন্যবাদ জানিয়ে কমিশন বিদীতভাবে
প্রতিবেদন পেশ করেছে।

কাজী আজহার আলী (কাজী আজহার আলী)
সাবেক সচিব (এ টি এম শামসুল হক)
ও (বেগম তাহেরুন্নেসা আব্দুল্লাহ)
সদস্য চোয়ারম্যান, শিশু একাডেমী
স্থানীয় সরকার কমিশন

(ডঃ বি কে জাহাঙ্গীর)
উপ-উপাচার্য
জাতীয় বিশ্ববিদ্যালয়
ও
সদস্য
স্থানীয় সরকার কমিশন

(এ এইচ এম আবদুল হাই)
সচিব
স্থানীয় সরকার বিভাগ
ও
সদস্য-সচিব
স্থানীয় সরকার কমিশন

সার-সংক্ষেপ

বিবর্তন

বাংলাদেশে স্থানীয় সরকারের যে বর্তমান কাঠামো রয়েছে তার সূচনা ব্রিটিশ ঔপনিবেশিক আমলে। এর আগে অধিকাংশ গ্রামে পঞ্চায়েত প্রথা নামে যে স্থানীয় সামাজিক প্রতিষ্ঠান ছিলো ধীরে ধীরে তার বিলুপ্তি ঘটে। অর্থনৈতিক, প্রশাসনিক ও রাজনৈতিক কারণে এবং ঔপনিবেশিক প্রশাসনের কর্তৃত্ব দৃঢ় করার জন্য আইনের ভিত্তিতে ১৮৭০ সালে গ্রামাঞ্চলে স্থানীয় সরকারের প্রতিষ্ঠা করা হয়। ১৮৮৫ সালে বঙ্গীয় স্থানীয় স্বায়ত্ত্ব শাসন আইন প্রবর্তনের মাধ্যমে গ্রাম পর্যায়ে ইউনিয়ন কমিটি, মহকুমা পর্যায়ে লোকাল বোর্ড এবং জেলা পর্যায়ে জেলা বোর্ড গঠন করা হয়। এই সব প্রতিষ্ঠানের সদস্যগণ মনোনয়ন এবং নির্বাচন উভয়ের ভিত্তিতেই নিযুক্ত হতেন এবং তাঁদের ওপর সরকারী নিয়ন্ত্রণ ছিলো। পাকিস্তানী আমলে স্থানীয় সরকার প্রতিষ্ঠানের নাম পরিবর্তন হলেও তাদের স্বায়ত্ত্বশাসন বৃদ্ধি পায় নি। বাংলাদেশ স্বাধীন হবার পর স্থানীয় সরকার প্রতিষ্ঠানগুলিকে তিন স্তরে পূর্ণবিন্যস্ত করার উদ্যোগ নেওয়া হয় এবং বিভিন্ন স্তরে মহিলা সদস্য মনোনয়নের ব্যবস্থা করা হয়। ১৯৮২ সালে উপজেলা পরিষদকে একটি নির্বাচিত স্থানীয় সরকার প্রতিষ্ঠান হিসেবে গঠন করা হয়। এর আগে 'গ্রাম সরকার' এবং পরে 'পল্লী পরিষদ' গঠনের উদ্যোগ নেয়া হলেও তা কার্যকর হয় নি। ১৯৯১ সালে উপজেলা পরিষদের বিলুপ্তি ঘটে। ব্রিটিশ ঔপনিবেশিক আমল থেকেই স্থানীয় সরকার প্রতিষ্ঠানগুলির ওপর শান্তি-শৃঙ্খলা রক্ষা, রাস্তা-সড়ক নির্মাণ, রক্ষণাবেক্ষণ, স্বাস্থ্য, শিক্ষা ইত্যাদি খাতে দায়িত্ব দেওয়া হয়। নিজস্ব আয়ের উৎস থাকলেও স্থানীয় সরকার প্রতিষ্ঠানগুলি মূলতঃ সরকারী অনুদানের উপরই নির্ভরশীল ছিলো। বর্তমানে কেবল ইউনিয়ন পরিষদই একমাত্র নির্বাচিত স্থানীয় সরকার প্রতিষ্ঠান। থানা/উপজেলায় স্থানীয় সরকার প্রতিষ্ঠান নেই এবং জেলা পরিষদ আইনগতভাবে স্থানীয় সরকার প্রতিষ্ঠান হলেও তাদের পরিচালনায় নির্বাচিত কোন প্রতিনিধি নেই।

সংবিধান ও স্থানীয় সরকার

গণতান্ত্রিক মূল্যবোধ প্রতিষ্ঠা এবং সামাজিক ও অর্থনৈতিক ন্যায় বিচার নিশ্চিত করার জন্য বাংলাদেশের সংবিধানে রাষ্ট্র পরিচালনার অন্যতম অঙ্গ হিসেবে স্থানীয় সরকার প্রতিষ্ঠানের বিধান রাখা হয়েছে। সংবিধানের সংশ্লিষ্ট অনুচ্ছেদের ব্যাখ্যা করা হলে দেখা যায় যে, স্থানীয় সরকার প্রতিষ্ঠানসমূহকে বিবেচনা করা হয়েছে একই সঙ্গে গণতান্ত্রিক মূল্যবোধে উজ্জীবিত প্রতিষ্ঠান হিসেবে এবং জনগণের অংশগ্রহণের ভিত্তিতে উন্নয়ন কর্মকাণ্ডের কেন্দ্রবিন্দু রূপে। ১৯৭২ সালে প্রণীত সংবিধানে স্থানীয় সরকার প্রতিষ্ঠানসমূহকে আইনগত ভিত্তি ও ক্ষমতা প্রদান করা হয়েছে (৩য় পরিচ্ছেদ-স্থানীয় সরকার)। ১৯৯১ সনে সংবিধানের দ্বাদশ সংশোধনীতে (৩য় অধ্যায়) ৫৯ নং অনুচ্ছেদে উল্লেখ করা হয়েছে যে, প্রজাতন্ত্রের প্রতিটি প্রশাসনিক ইউনিটে আইন অনুযায়ী প্রতিনিধিত্বমূলক সংস্থা থাকবে এবং সংসদের আইন অনুযায়ী স্থানীয় সরকার : (ক) প্রশাসন এবং জনসাধারণের কাজ, (খ) আইন-শৃঙ্খলা রক্ষা এবং (গ) জনসাধারণের জন্য সেবামূলক কাজ এবং অর্থনৈতিক উন্নয়ন সম্পর্কিত পরিকল্পনা প্রণয়ন ও বাস্তবায়ন করতে পারবে। সংবিধানে উল্লেখিত কার্যকর অনুচ্ছেদগুলো হচ্ছে স্থানীয় সরকার প্রতিষ্ঠানের বর্তমান আইনানুগ অনুশাসন। সংবিধানের প্রতি আনুগত্য প্রকাশ করে এবং গণতান্ত্রিক মূল্যবোধ জাতীয় জীবনের সকল স্তরে উজ্জীবিত ও প্রাতিষ্ঠানিকরণের উদ্দেশ্যে সংবিধানে উল্লেখিত সকল স্তরে অবিলম্বে গণতান্ত্রিক পদ্ধতির স্থানীয় সরকার প্রতিষ্ঠানের কার্যকারিতা নিশ্চিত করা প্রয়োজন।

সংবিধানের অধীনে অতীতে স্থানীয় সরকার প্রতিষ্ঠার জন্য যে সকল আইন/অধ্যাদেশ প্রবর্তন করা হয়েছে এবং যে সব বিধি জারী করা হয়েছে সেখানে কিছু অস্পষ্টতা পরিলক্ষিত হয় এবং কোথাও তাদের মধ্যে পরস্পর বিরোধিতা দেখা যায়। বিদ্যমান সকল আইন/অধ্যাদেশ এবং বিধিমালার মধ্যে সামঞ্জস্য আনা প্রয়োজন। ভবিষ্যতে যে সব নতুন আইন/অধ্যাদেশ এবং বিধিমালা প্রণীত হবে সেখানে অস্পষ্টতা ও পরস্পর বিরোধিতা পরিহার করার প্রতি দৃষ্টি দিতে হবে।

১৯

মূল্যায়ন

স্থানীয় সরকারের বিবর্তনের ইতিহাস থেকে দেখা যায় যে, বিভিন্ন সময়ে বিভিন্ন স্তরে এই সব প্রতিষ্ঠিত হয়েছে। কখনো গ্রামে কখনো থানায় আবার কখনো বিভাগ পর্যায়ে স্থানীয় সরকার প্রতিষ্ঠার জন্য আইন প্রবর্তিত হয়েছে। কেবল ইউনিয়ন পরিষদের ক্ষেত্রেই ধারাবাহিকতা অক্ষুণ্ণ থেকেছে। সরকার পরিবর্তনের সঙ্গে সঙ্গে স্তর ভিত্তিক স্থানীয় সরকার

প্রতিষ্ঠানের পরিবর্তন একদিকে যেমন জনমনে বিভ্রান্তির সৃষ্টি করেছে অন্যদিকে এদের স্থিতিশীলতার অবর্তমানে কার্যকর ভূমিকা পালনের সুযোগ পাওয়া যায় নি।

স্তরের ক্ষেত্রে যেমন বিভিন্ন সময়ে ভিন্ন ভিন্ন সিদ্ধান্ত নেওয়া হয়েছে, প্রতিনিধিত্বের প্রশ্নেও একই ধরনের পরিবর্তনশীলতা পরিলক্ষিত হয়। কখনো নির্বাচিত প্রতিনিধির ওপর গুরুত্ব দেওয়া হয়েছে আবার কখনো মনোনয়নের ভিত্তিতে স্থানীয় সরকার পরিচালিত হয়েছে। স্থানীয় সরকার প্রতিষ্ঠানগুলিকে গণতান্ত্রিকভাবে গড়ে না তোলার পেছনে একটা কারণ এদেরকে মনোনীত সদস্য/সদস্যা বা নিয়োগকৃত চেয়ারম্যানের মাধ্যমে নিয়ন্ত্রণের উদ্দেশ্য। এর পেছনে ঔপনিবেশিক আমলের মন-মানসিকতা কার্যকর বলে মনে করা যেতে পারে।

জন্মগত থেকেই বিভিন্ন স্তরে স্থানীয় সরকার প্রতিষ্ঠানগুলির দায়িত্ব ও কার্যক্রমের বেশ ঘন ঘন পরিবর্তন ঘটেছে। কিসের ভিত্তিতে বা কোন কারণে এই সব পরিবর্তন আনা হয়েছে তার কোন সন্তোষজনক বা পূর্ণ ব্যাখ্যা পাওয়া যায় না। অপর দিকে এই সব দায়িত্ব খুব ব্যাপক এবং সাধারণ প্রকৃতির হওয়াতে সংশ্লিষ্ট খাতের (যেমন কৃষি) কোন বিশেষ দায়িত্ব একটি স্তরের স্থানীয় সরকার প্রতিষ্ঠানের ওপর বর্তিয়েছে তা বোঝার উপায় নেই। জনবল, প্রাতিষ্ঠানিক সুবিধা এবং সম্পদের সঙ্গে সম্পর্কিত না করার ফলে কার্যাবলী ও দায়িত্বের নির্ধারণ প্রায় ক্ষেত্রেই পরিনত হয়েছে উচ্চাভিলাষী ইচ্ছার প্রকাশে (Wish list)। এর একমাত্র ব্যতিক্রম উপজেলা পরিষদ যা ১৯৮২ সালে প্রতিষ্ঠিত হওয়ার পর সেই পর্যায়ে সম্পাদিতব্য কার্যাবলীর সুস্পষ্ট বিবরণ এবং তার সম্পাদনে প্রয়োজনীয় জনবল ও সম্পদের বিধান রাখা হয়েছিলো। ১৯৮২ থেকে ১৯৯১ সালে থানা/উপজেলা পর্যায়ে বাস্তবানুগ এবং প্রকৃত বিকেন্দ্রীকরণ (Decentralization) ও ক্ষমতার হস্তান্তর (Devolution) হয়েছিল। কিন্তু সেই সময়ে থানা/উপজেলার উপরে এবং নিচে অবস্থিত স্থানীয় সরকার প্রতিষ্ঠানের ভূমিকা ও গুরুত্ব উল্লেখযোগ্যভাবে খর্ব করার ফলে জেলা ও ইউনিয়ন পরিষদ তুলনামূলকভাবে দুর্বল প্রতিষ্ঠানে পরিনত হয়। এতে করে প্রমানিত হয় যে একটি স্তরকে কেন্দ্র-বিন্দু হিসেবে দেখা হলে অন্য স্তর বেশ অবহেলিত হতে পারে।

বিভিন্ন স্তরে স্থানীয় সরকার প্রতিষ্ঠানগুলিকে নিজস্ব রাজস্ব আদায়ের জন্য আর্থিক ক্ষমতা দেওয়া হলেও জনবলের অভাব, কর ইত্যাদি নির্ধারণে যথাযথ মূল্যায়ন করা, কর আদায়ে জনপ্রিয়তা হারানোর আশঙ্কা, কর দাতাদের কর প্রদান এড়ানোর প্রবণতা, সেবাদির সঙ্গে করের সম্পর্কের অভাবে, আয়ের উৎসের অপ্রতুলতা ইত্যাদি কারণের জন্য স্থানীয় সরকার প্রতিষ্ঠানগুলি কখনই আর্থিকভাবে স্বচ্ছল হতে পারে নি। ফলে সরকারী অনুদানের ওপর এদের নির্ভরশীলতা কেবল অব্যাহত নয় ক্রমে ক্রমে বৃদ্ধিও পেয়েছে।

বিভিন্ন পর্যায়ে স্থানীয় সরকার প্রতিষ্ঠানগুলি জনবল, অফিসের সুবিধা এবং সরঞ্জামাদির দিক দিয়ে কখনো একই পর্যায়ে ছিলো না এবং এখনো নেই। দায়িত্ব ও কার্যাবলীর সঙ্গে এই সব সুযোগ-সুবিধার সামঞ্জস্য না থাকার কারণে স্থানীয় সরকার প্রতিষ্ঠানের কার্যকারিতা বিঘ্নিত হয়েছে। শুধু মাঝে মাঝে এর ব্যতিক্রম ঘটেছে (যেমন-উপজেলা পরিষদ এবং নিকট অতীতে জেলা পরিষদ)।

* বিদ্যমান আইন ও বিধিমালায় স্থানীয় সরকার প্রতিষ্ঠানের উপর সরকারের প্রত্যক্ষ এবং পরোক্ষ নিয়ন্ত্রণ বেশ ব্যাপক ও শক্তিশালী। এর ফলে বিভিন্ন স্তরে স্থানীয় সরকার প্রতিষ্ঠানের স্বায়ত্ত্ব শাসন বিঘ্নিত হয়েছে।*

বর্তমানে কোন একটি স্তরের স্থানীয় সরকার প্রতিষ্ঠানের আওতাধীন এলাকা ও জনসংখ্যার ভেতর যথেষ্ট তারতম্য পরিলক্ষিত হয়। যেহেতু এলাকা ও জনসংখ্যার উপর তাদের কার্যক্রমের ব্যাপকতা ও সফলতা অনেকাংশে নির্ভর করে সেই জন্য এই দুই নিরিখে একই স্তরের স্থানীয় সরকার প্রতিষ্ঠানগুলির ভেতর সামঞ্জস্য বিধানের প্রয়োজন রয়েছে।

প্রস্তাবিত স্থানীয় সরকার প্রতিষ্ঠান : পল্লী/গ্রাম পরিষদ

গ্রামের প্রাপ্তবয়স্কদের ভোটে নিকটতম স্থানীয় সরকার পরিষদ অর্থাৎ ইউনিয়ন পরিষদ গঠিত হলেও দূরত্ব এবং বহু সংখ্যক গ্রাম (১০-১৫টি) নিয়ে গঠিত হওয়ার ফলে ইউনিয়ন পরিষদের দৈনন্দিন কার্যক্রমে এবং তাদের উন্নয়ন প্রয়াসে গ্রামবাসীদের অংশগ্রহণ তেমন কার্যকর নয়। অতীতে একাধিকবার গ্রামীণ জনপ্রতিনিধিত্বমূলক প্রতিষ্ঠান গড়ে তোলার

উদ্যোগ নেওয়া হলেও একাধিক কারনে তা সফল হয় নি। গ্রাম প্রশাসনের ইউনিট না হলেও জনগণের অংশগ্রহণ এই স্তরে যেমন সম্ভাবনাময় অন্য স্তরে ঠিক একইভাবে তার সুযোগ নেই। অপর দিকে উপরের স্তরের স্থানীয় সরকার প্রতিষ্ঠানকে গণতান্ত্রিক পদ্ধতিতে প্রতিনিধিত্বমূলক করে তোলার জন্য যে তৃণমূল সমর্থন ও অগ্রহ থাকা প্রয়োজন গ্রামের কাছাকাছি অবস্থিত প্রতিষ্ঠান গঠিত ও কার্যকর হলে তা নিশ্চিত করা সম্ভব হবে।

১৯৮৩ সালে ইউনিয়ন পরিষদ অধ্যাদেশের ৮ নং ধারাটি ১৯৯৩ সালের ২০ নং আইন দ্বারা সংশোধনের মাধ্যমে প্রতিটি ইউনিয়ন ৩ টির স্থলে ৯ টি ওয়ার্ড নিয়ে গঠিত হয়েছে। বর্তমানে ওয়ার্ডের সঙ্গে স্থানীয় জনগণের সম্পর্ক সুস্পষ্ট নয় এবং তাদের সঙ্গে কর্মসূচী ভিত্তিক নিয়মিত যোগাযোগও অনুপস্থিত। প্রতিটি ওয়ার্ডে পল্লী/গ্রাম পরিষদ গঠিত হলে এই অবস্থার পরিবর্তন হবে এবং গ্রামের জনগণের সঙ্গে নিয়মিত যোগাযোগের একটি মাধ্যম সৃষ্টি হবে। এই বিবেচনায় কমিশন নবগঠিত ওয়ার্ড-ভিত্তিক পল্লী/গ্রাম পরিষদ গঠনের সুপারিশ করেছে। এর গঠন, এলাকা, কার্যাবলী ইত্যাদি হবে নিম্নরূপ :

গঠন

- ১। চেয়ারম্যান : নবগঠিত ওয়ার্ডের প্রাপ্তবয়স্কদের প্রত্যক্ষ ভোটে নির্বাচিত ওয়ার্ড মেম্বর পদাধিকার বলে গ্রাম পরিষদের চেয়ারম্যান হবেন।
- ২। সদস্য : গ্রাম পরিষদে ৯ জন সাধারণ সদস্য থাকবেন এবং এর অতিরিক্ত হিসেবে ৩ জন মহিলা সদস্য থাকবেন। গ্রাম পরিষদের সদস্যগণ গ্রামের প্রাপ্ত বয়স্কদের বৈঠকে নির্বাচিত বা মনোনীত হবেন।
- ৩। ওয়ার্ডে কর্মরত কৃষি কর্মী, স্বাস্থ্য কর্মী, পরিবার পরিকল্পনা কর্মী, সমবায় সমিতি কর্মী, একজন মুক্তিযোদ্ধা, সকল প্রকার সরকারী, আধা সরকারী, স্বায়ত্ত্ব শাসিত সংস্থা এবং আনসার ও ভিডিপিএর একজন করে প্রতিনিধি এক্ষমতের ভিত্তিতে গ্রাম পরিষদের সদস্য হবেন। সিদ্ধান্ত গ্রহণের ক্ষেত্রে তাদের ভোটাধিকার থাকবে না।
- ৪। অন্যান্য : ওয়ার্ডের অন্তর্ভুক্ত গ্রামের পশ্চাৎপদ ও অবহেলিত পেশা বা শ্রেণীর পুরুষ বা মহিলা সকলের (জেলে, তাঁতী, দুঃস্থ মহিলা/পুরুষ, ভূমিহীন শ্রমিক) একজন প্রতিনিধি সদস্য/সদস্যা থাকবেন। সিদ্ধান্ত গ্রহণের ক্ষেত্রে তাদের ভোটাধিকার থাকবে না।

পল্লী/গ্রাম পরিষদের এলাকা

পুনর্গঠিত একটি ওয়ার্ড হবে প্রতিটি পল্লী/গ্রাম পরিষদের এলাকা।

পল্লী/গ্রাম পরিষদের কার্যাবলী

- ১। পল্লী/গ্রাম পরিষদের আওতাভুক্ত সকল গ্রামের পরিবার ভিত্তিক আর্থ-সামাজিক (Socio-economic survey of household) জরিপের ভিত্তিতে প্রতিবেদন তৈরী। এই কাজে ইউনিয়ন পরিষদ সহায়তা দেবে। জরিপের রিপোর্ট পরিকল্পনা ও কর্মসূচী গ্রহণে সহায়ক হবে। পাঁচ বছর পর পর এই জরিপ করা হবে।
- ২। জন্ম-মৃত্যুর রেজিস্টার, বিবাহের রেজিস্টার ইত্যাদি মূল্যবান পরিসংখ্যান (Vital Statistics) সংগ্রহ, সংরক্ষণ করা এবং নিয়মিত ইউনিয়ন পরিষদে প্রেরণ করা।
- ৩। গ্রামের প্রাকৃতিক সম্পদ (যেমন-জমি, পানি, বন ইত্যাদি) সুষ্ঠু ব্যবস্থাপনার জন্য পরিকল্পনা তৈরীতে অংশগ্রহণ এবং যেখানে প্রযোজ্য ও সম্ভব সরাসরি উৎপাদন বৃদ্ধি ও প্রাকৃতিক সম্পদ ব্যবহার উন্নত করার জন্য কর্মসূচী গ্রহণ।
- ৪। প্রাথমিক বিদ্যালয়, মাদ্রাসা, মজুব ইত্যাদির তদারকি। বিদ্যালয়গামী সকল শিশুকে বিদ্যালয়ে প্রেরণের জন্য অভিভাবকদের উদ্বুদ্ধ করা। গ্রামে শিক্ষার প্রসারের জন্য নারী ও বয়স্ক শিক্ষার প্রতি অগ্রহ সৃষ্টি করা।

- ৫। (ক) প্রাথমিক স্বাস্থ্য পরিচর্যা ও স্বাস্থ্য সচেতনতা সৃষ্টি। (খ) পরিবার পরিকল্পনা কর্মসূচী বাস্তবায়নে সাহায্য সহযোগিতা করা এবং মাঠ পর্যায়ে কর্মরত সরকারী কর্মচারীদের কাজ সম্পর্কে ইউনিয়ন পরিষদে প্রতিবেদন পেশ করা। (গ) পানীয় জল সরবরাহ ব্যবস্থা কর্মসূচীর বাস্তবায়নে, বিশেষ করে স্থান নির্বাচনে সহায়তা করা।
- ৬। নারী নির্যাতন, সন্ত্রাস, চুরি, ডাকাতি ইত্যাদি অপরাধ সংগঠিত হওয়ার বিরুদ্ধে প্রতিরোধমূলক ব্যবস্থা গড়ে তোলাসহ সুষ্ঠু আইন-শৃঙ্খলা নিশ্চিত করা।
- ৭। অংশগ্রহণের ভিত্তিতে সিদ্ধান্ত অনুযায়ী স্থানীয় ও কেন্দ্রীয় সরকারের বিভিন্ন কার্যক্রমে অংশগ্রহণ ও বাস্তবায়নে সহযোগিতা করা।
- ৮। (ক) বিভিন্ন ধরনের সমবায় সমিতি গঠনে উৎসাহ দান এবং সকল স্তরের গ্রামীণ জনগণকে বিশেষ করে মহিলাদের সমবায় সমিতির তালিকাভুক্ত করে বিভিন্ন ধরনের আয়-বর্ধক কর্মসূচীতে নিয়োগের মাধ্যমে বেকারত্ব দূরীকরণে উদ্যোগ গ্রহণ ও সহায়তা প্রদান।
- (খ) এনজিও ও অন্যান্য সংস্থা কর্তৃক গঠিত অনানুষ্ঠানিক দলের মাধ্যমে আর্থ-সামাজিক উন্নয়ন কর্মকাণ্ডে সহায়তা প্রদান।
- ১০। স্থানীয় উদ্যোগে এবং স্বেচ্ছাশ্রমে গ্রামের অভ্যন্তরে ছোট রাস্তা নির্মাণ, সংস্কার, কালভার্ট, সাঁকো, ইত্যাদি বাস্তবায়ন এবং আন্তঃগ্রাম রাস্তা উন্নয়ন এবং রক্ষণাবেক্ষণ বিষয়ে পদক্ষেপ গ্রহণ।
- ১১। (ক) পাওয়ার পাম্প, গভীর/অগভীর নলকূপ স্থাপন ও ব্যবহারে সংশ্লিষ্ট কর্মকর্তা/কর্মচারীদের সহায়তা প্রদান। প্রয়োজনে পানির সর্বোত্তম, সুষ্ঠু ও সুযম ব্যবহারে সমন্বয় সাধন।
- (খ) স্থানীয় পর্যায়ে সার, উন্নতমানের বীজ এবং কীটনাশক ঔষধ সরবরাহ সম্বন্ধে নিয়মিত অবহিত থাকা এবং এই বিষয়ে সঙ্কট দেখা দিলে সঙ্গে সঙ্গে ইউনিয়ন পরিষদ ও সংশ্লিষ্ট কর্তৃপক্ষকে অবহিত করা।
- (গ) জৈব সার তৈরীর ব্যাপারে কৃষকদের উদ্বুদ্ধ করা এবং সক্রিয় ভূমিকা পালন করা।
- (ঘ) রাসায়নিক সারের মূল্য বৃদ্ধি পেলে, সরবরাহে ঘাটতি দেখা দিলে এবং যে কোন ধরনের সঙ্কট দেখা দিলে ইউনিয়ন পরিষদ এবং সংশ্লিষ্ট কর্তৃপক্ষকে অবহিত করা।
- (ঙ) এলাকার সকল সরকারী ও আধা-সরকারী কর্মচারীদের সরেজমিনে তৎপরতা সম্বন্ধে ইউনিয়ন পরিষদে প্রতিবেদন প্রেরণ।
- ১২। বিভিন্ন প্রতিষ্ঠানের কর্মসূচীতে সহযোগিতা করা।
- ১৩। খালি জায়গায়, পথের পাশে ও বসতভিটার চারিদিকে বৃক্ষ রোপনের উদ্যোগ এবং ব্যবস্থা নেওয়া।
- ১৪। গ্রামে অবস্থিত পুকুর, জলাভূমি ইত্যাদির উন্নয়নে ও মৎস্য চাষে গ্রামবাসীদের উৎসাহিত করা।
- ১৫। সমবায় ও এনজিওসহ বিভিন্ন সংগঠনের কার্যক্রমে সহায়তা প্রদানের মাধ্যমে স্থানীয় জনগণকে উন্নয়ন কর্মসূচীতে অংশগ্রহণে উদ্বুদ্ধ করা।

অফিস

- গ্রাম পরিষদের চেয়ারম্যান ও সদস্যগণ যেখানে সুবিধা মনে করেন সেখানে অফিস করবেন। এর জন্য কোন সরকারী সহায়তা দেয়া হবে না। তবে ইউনিয়ন পরিষদ থেকে কাগজ-কালি-কলম দেওয়া যাবে।

পরিষদের সভা

- ওয়ার্ডের সকল ভোটারকে নিয়ে বৎসরে অন্তত একবার গ্রাম পরিষদের সাধারণ সভা হবে। এই সভায় পরবর্তী বৎসরের কার্যক্রম, উন্নয়ন প্রকল্প, উন্নয়ন কর্মসূচী ইত্যাদির ওপর গ্রামবাসীদের মতামত/প্রস্তাব শোনার পর অগ্রাধিকার ভিত্তিতে প্রকল্প নির্ধারিত করে পরবর্তীতে সেগুলি ইউনিয়ন পরিষদে পেশ করা হবে। একই সভায় পূর্ববর্তী বৎসরের কাজের খতিয়ান গ্রামবাসীদের অবহিত করা হবে।

গ্রাম পরিষদের সভা কমপক্ষে প্রতি তিন মাস অন্তর অনুষ্ঠিত হবে। সভায় পরিষদকে প্রদত্ত দায়িত্বাবলী, ইউনিয়ন পরিষদ এবং অন্যান্য স্থানীয় সরকার পরিষদ কর্তৃক সংশ্লিষ্ট গ্রাম পরিষদের উপর অর্পিত/সম্পর্কিত কার্যক্রমের অগ্রগতি পর্যালোচনা করা হবে।

সাধারণ সভায় অগ্রাধিকার ভিত্তিক গ্রহীত প্রকল্পের অগ্রগতি পর্যালোচনা করা হবে (যা ইউনিয়ন পরিষদে প্রেরিত হয়েছে)। সভায় সংখ্যাগরিষ্ঠের ভোটে সিদ্ধান্তসমূহ গৃহীত হবে। পরিষদের অর্ধেক সদস্যের উপস্থিতিতে কোরাম হবে। পর্যায়ক্রমে পরিষদের সদস্য/সদস্যগণ সভার কার্যবিবরণী লিপিবদ্ধ করবেন।

স্থায়ী কমিটি

গ্রাম পরিষদে অর্পিত দায়িত্বাবলীর উপর একটি করে স্থায়ী কমিটি গঠন করা হবে এবং একজন সদস্য/সদস্য। কমিটির আহ্বায়ক হবেন। অন্যান্য সদস্য/সদস্যগণ কমিটির সদস্য হবেন। কোন সদস্য/সদস্যই একের অধিক কমিটির আহ্বায়ক হতে পারবেন না। নিম্নোক্ত বিষয়ে স্থায়ী কমিটি হতে পারে :

- (ক) আইন-শৃঙ্খলা
- (খ) স্বাস্থ্য ও পরিবার পরিকল্পনা
- (গ) কৃষি, সেচ ও পরিবেশ
- (ঘ) শিক্ষা, সমাজকল্যাণ, মহিলা ও শিশু উন্নয়ন
- (ঙ) ক্রীড়া, সংস্কৃতি ও যুব উন্নয়ন
- (চ) মৎস্য ও পশু পালন
- (ছ) অন্যান্য

প্রস্তাবিত স্থানীয় সরকার প্রতিষ্ঠান : ইউনিয়ন পরিষদ

বিবর্তন ও পরিবর্তনের সুদীর্ঘ ইতিহাসে ইউনিয়ন পরিষদের নামের যেমন পরিবর্তন হয়েছে একাধিকবার তেমনি পরিবর্তন হয়েছে এর কার্যক্রম ও দায়িত্বাবলী। সকল পরিবর্তনের মধ্যে প্রায় অপরিবর্তিত রয়েছে এই প্রতিষ্ঠানের জনপ্রতিনিধিত্ব করার গণতান্ত্রিক পদ্ধতি। সদস্য/সদস্য সংখ্যা হ্রাস-বৃদ্ধি, তাঁরা নির্বাচিত না মনোনীত হবেন এই বিষয় এবং আয়ের উৎস সম্পর্কে বিধান রাখা ছাড়া প্রশাসনিক এবং রাজনৈতিকভাবে গুরুত্বপূর্ণ কোন নতুন মাত্রা ইউনিয়ন পরিষদের জন্য সংযোজিত হয়নি। তাছাড়া ইউনিয়ন পর্যায়ে স্থানীয় সরকার প্রতিষ্ঠান এবং কেন্দ্রীয় সরকার প্রতিষ্ঠানের

দফতরগুলি সমান্তরালভাবে অবস্থিত যার ফলে ইউনিয়ন পর্যায়ে সরকারী কর্মকর্তাদের উপর ইউনিয়ন পরিষদের কোন নিয়ন্ত্রণ বা তত্ত্বাবধানের বিধান নেই। সংবিধানের আলোকে গণতান্ত্রিক স্থানীয় সরকার প্রতিষ্ঠার লক্ষ্যে ইউনিয়ন পর্যায়ে অবস্থিত সকল সরকারী সংস্থাকে ইউনিয়ন পরিষদের আওতাভুক্ত করে এদের কাজে স্বচ্ছতা, জবাবদিহিতা এবং জনপ্রতিনিধিদের ভূমিকা নিশ্চিত করা প্রয়োজন। এর জন্য ইউনিয়ন পরিষদ ভবনকে রূপান্তরিত করতে হলে একটি কমপ্লেক্সে যেখানে একই স্থানে ইউনিয়ন পরিষদের নির্বাচিত প্রতিনিধি এবং ইউনিয়ন পর্যায়ের সকল সরকারী কর্মকর্তাদের অফিস অবস্থিত হবে।

স্থানীয় সরকার প্রতিষ্ঠানের ঐতিহ্যময় এবং গুরুত্বপূর্ণ স্তর হিসেবে ইউনিয়ন পরিষদের গঠন, প্রশাসনিক ও আর্থিক কর্মতা এবং কার্যাবলী নিম্নলিখিতভাবে পুনর্বিন্যস্ত করার প্রস্তাব করা হচ্ছে :

গঠন

- (১) চেয়ারম্যান : ইউনিয়ন পরিষদের একজন চেয়ারম্যান থাকবেন এবং তিনি ইউনিয়নের প্রাপ্তবয়স্ক ভোটারদের প্রত্যক্ষ ভোটে নির্বাচিত হবেন।
- (২) সদস্য : ইউনিয়ন পরিষদের ৯টি ওয়ার্ড থেকে ৯ জন সদস্য সরাসরি ভোটে নির্বাচিত হবেন।
- (৩) মহিলা সদস্য : ইউনিয়ন পরিষদে ৩টি আসন মহিলাদের জন্য সংরক্ষিত থাকবে। মহিলা সদস্যগণ প্রতি তিন ওয়ার্ড একজন, এই ভিত্তিতে পুরুষ ও মহিলা সকলের সরাসরি ভোটে নির্বাচিত হবেন।
- (৪) কর্মকর্তা সদস্য : ইউনিয়ন পর্যায়ে কর্মরত ইউনিয়ন কৃষি ব্লক সুপারভাইজার, ইউনিয়ন স্বাস্থ্য কর্মী, পরিবার পরিকল্পনাকর্মী/ডাক্তার এবং অন্যান্য সরকারী/আধা-সরকারী দফতরের কর্মকর্তা/কর্মচারী, আনসার/ভিডিপি ইত্যাদি থাকলে তাঁরা সদস্য হবেন। তাদের ভোটাধিকার থাকবে না।
- (৫) অন্যান্য সদস্য : সমবায় সমিতির প্রতিনিধি, মুক্তিযোদ্ধা প্রতিনিধি, পশ্চাৎপদ শ্রেণী/শ্রেণীর প্রতিনিধি (যেমন-জেলে, তাঁতী ভূমিহীন শ্রমিক, দুঃস্থ মহিলা ইত্যাদি)। তাদের ভোটাধিকার থাকবে না।

কার্যাবলী

- ১। একটি সার্বিক ইউনিয়ন উন্নয়ন পরিকল্পনা তৈরী করা এবং আন্তঃওয়ার্ড উন্নয়ন প্রকল্পসমূহ চিহ্নিত করে উন্নয়ন পরিকল্পনায় অন্তর্ভুক্ত করা।
- ২। প্রাথমিক শিক্ষা প্রতিষ্ঠানের উন্নয়নে সহযোগিতা প্রদান করা, শিক্ষার বিস্তার লাভে জনগণকে উৎসাহিত করা এবং এই সকল শিক্ষা প্রতিষ্ঠান তদারকী করা।
- ৩। ইউনিয়ন পর্যায়ে অবস্থিত ইউনিয়ন হেলথ সেন্টারে স্থানীয় জনগণের স্বাস্থ্য সেবা নিশ্চিত করা। পরিবার পরিকল্পনা কার্যক্রম তদারকী ও মনিটর করা। পানীয় জল সরবরাহের ব্যবস্থা করা ও স্যানিটেশন কার্যক্রমের উন্নয়ন সাধন করা।

- ৪। আন্তঃওয়ার্ড রাস্তাঘাট নির্মাণ, রক্ষণাবেক্ষণ, ক্ষুদ্র সেচ ও পানি সম্পদের ব্যবস্থাপনা।
- ৫। ইউনিয়ন পরিষদের আওতাধীন রাস্তা ও বাঁধে ব্যাপক বনায়ন কার্যক্রম বাস্তবায়ন করা।
- ৬। আন্তঃওয়ার্ড বিরোধের শান্তিপূর্ণ মীমাংসা করা।
- ৭। নারী নির্যাতন, সন্ত্রাস, চুরি, ডাকাতি ইত্যাদির বিরুদ্ধে সামাজিক প্রতিরোধ গড়ে তোলাসহ আইন-শৃঙ্খলা পরিস্থিতি উন্নয়নে কার্যকর ভূমিকা গ্রহণ ও প্রশাসনের সঙ্গে সহযোগিতা করা।
- ৮। গ্রাম পরিষদ থেকে প্রাপ্ত তথ্যের ভিত্তিতে জন্ম-মৃত্যু ও বিবাহের রেজিস্টার হাল নাগাদকরণ।
- ৯। আন্তঃওয়ার্ড কৃষি ও মৎস্য উন্নয়নের পরিকল্পনা তৈরীতে উপজেলাকে সহায়তা প্রদান এবং প্রয়োজনে ব্যবস্থা গ্রহণ।
- ১০। ইউনিয়নের এলাকায় বিভিন্ন সংস্থার ঋণ দান কার্যক্রমে সহায়তা/পরামর্শ প্রদান এবং দরিদ্র জনগণকে ঋণ গ্রহণে সহযোগিতা প্রদান করা।
- ১১। মহিলা ও শিশুদের উন্নয়নে সচেতনতা বৃদ্ধি এবং প্রয়োজনে কার্যক্রম গ্রহণ।
- ১২। বিভিন্ন সম্ভাবনাময় খাতে কুটির শিল্পের বিকাশে জনগণকে উৎসাহিত করা এবং বিভিন্ন ধরনের আয়-বর্ধক কার্যক্রমে অবহেলিত ও দরিদ্র জনগণকে সম্পৃক্ত করা।
- ১৩। গ্রাম পর্যায়ে গঠিত সমবায় সমিতি সমূহের কার্যক্রমে উৎসাহ প্রদান করা এবং প্রয়োজনীয় সহায়তা প্রদান।
- ১৪। প্রাকৃতিক দুর্যোগে ক্ষতিগ্রস্ত জনগণের সাহায্যার্থে এগিয়ে আসা এবং স্থানীয়ভাবে উদ্ধার কার্যক্রমসহ সরকারী রিলিফ কার্যক্রমে সক্রিয়ভাবে অংশগ্রহণ করা।
- ১৫। ইউনিয়ন পর্যায়ে কেন্দ্রীয় সরকারের বিভিন্ন উন্নয়নে সহায়তা প্রদান ও প্রয়োজনে বাস্তবায়ন করা।
- ১৬। বিভিন্ন ব্যবসায় ও বৃত্তির লাইসেন্স প্রদান।
- ১৭। উদ্যান, খেলার মাঠ, পশু খোয়াড়ের ব্যবস্থা ও সংরক্ষণ করা, সামাজিক ও সাংস্কৃতিক কর্মকাণ্ড পরিচালনা করা।
- ১৮। পরিবেশ সংরক্ষণের জন্য প্রয়োজনীয় ব্যবস্থা গ্রহণ ও ক্ষতিকর কার্যাদি নিয়ন্ত্রণ করা।
- ১৯। জনগণ কর্তৃক ব্যবহৃত রাস্তা ও অন্যান্য উন্মুক্ত স্থানসমূহ পরিষ্কার পরিচ্ছন্ন রাখা।
- ২০। গণশিক্ষা, পাঠাগার ও ক্লাব গঠনে সহায়তা ও উৎসাহ প্রদান করা।
- ২১। এনজিওদের কার্যক্রমে সহায়তা প্রদান।
- ২২। এলাকাধীন সকল সংস্থার উন্নয়ন কর্মকাণ্ড পর্যালোচনা এবং উপজেলা পরিষদকে সে সম্পর্কে সুপারিশ প্রদান।

ইউনিয়ন পরিষদের কার্যাবলী নিম্নোক্তভাবে সুনির্দিষ্ট করে দেয়া যেতে পারে :

- ১। কৃষি : (ক) সম্প্রসারণ;
(খ) শস্য বীজাগার স্থাপন।
- ২। মৎস : (ক) পোনার চাষ ও বিক্রয়;
(খ) মৎস প্রদর্শনী খামার।
- ৩। পশুপালন : (ক) কৃত্রিম প্রজনন;
(খ) ড্যাকসিনসহ চিকিৎসা;
(গ) উন্নত মানের হাস মুরগীর ডিম ও বাচ্চা সরবরাহের জন্য খামার প্রতিষ্ঠা।
- ৪। স্বাস্থ্য : (ক) স্বাস্থ্য সহকারীদের সাহায্যে প্রাথমিক স্বাস্থ্য পরিচর্যা কার্যক্রম বাস্তবায়ন (প্রতিরোধক);
(খ) মহামারী আকারে রোগের প্রাদুর্ভাব হলে তার মোকাবেলায় থানা/উপজেলা স্বাস্থ্য কেন্দ্রের সঙ্গে সহযোগিতা।
- ৫। পরিবার পরিকল্পনা : (ক) পরিবার পরিকল্পনা কর্মীদের মাধ্যমে এবং নির্বাচিত নেতৃবৃন্দ ও গ্রামীণ নেতৃবৃন্দের সাহায্যে জনসংখ্যা নিয়ন্ত্রণ কার্যক্রমে জনগণকে উদ্বুদ্ধ করা;
(খ) পরিবার পরিকল্পনার দ্রব্য সামগ্রী সরবরাহ, তদারকী এবং স্থায়ী বন্ধাকরণ কর্মসূচী বাস্তবায়নে সহায়তা করা।
- ৬। শিক্ষা : (ক) প্রাইমারী স্কুলের এবং এবতেদায়ী মাদ্রাসার শিক্ষা তদারকী;
(খ) গণশিক্ষা কর্মসূচী বাস্তবায়ন।
- ৭। সেচ ব্যবস্থা : (ক) ক্ষুদ্র সেচ ব্যবস্থার জন্য বাঁধ নির্মাণ, গভীর নলকূপ খনন ইত্যাদি ক্ষেত্রে সমন্বিত পরিকল্পনা।
- ৮। কুটির শিল্প : (ক) কুটির শিল্পের জন্য ঋণের ব্যবস্থা এবং উন্নত ডিজাইন বিষয়ে বিসিকের সঙ্গে যৌথভাবে প্রশিক্ষণ দান;
(খ) দ্রব্য সামগ্রী বাজারজাতকরণে উপজেলা ও জেলার সঙ্গে যোগাযোগ করা এবং তথ্য সরবরাহ।
- ৯। অবকাঠামো : (ক) গ্রামীণ সড়ক, ব্রীজ, কালভার্ট নির্মাণ;
(খ) হাট-বাজার উন্নয়ন।
- ১০। দারিদ্র্য বিমোচন : (ক) দারিদ্র্য বিমোচনের জন্য সরাসরি কর্মসূচী গ্রহণ;
(খ) দারিদ্র্য বিমোচনে নিয়োজিত এনজিও এবং সমবায় সমিতিতে সহায়তা প্রদান।
- ১১। উন্নয়ন প্রকল্প : বিভিন্ন খাতে ক্ষুদ্র আকারের যে সব প্রকল্প ইউনিয়ন পর্যায়ে গ্রহণ সম্ভব সে সব বাস্তবায়ন।

১৯৮৩ সনের অধ্যাদেশের ৩৫ ধারায় বলা আছে যে, সরকার ইচ্ছা করলে সরকারী কোনো সংস্থা বা সরকার কর্তৃক প্রদত্ত কোন সার্ভিস ইউনিয়ন পরিষদের ব্যবস্থাপনায় হস্তান্তরিত করতে পারবে। এই ধারা ব্যবহার করে সরাসরি ইউনিয়ন পর্যায়ের জনবল এবং তাদের কার্যাবলী ইউনিয়ন পরিষদের হস্তান্তর করা যেতে পারে।

পরিষদের কর্মকর্তা ও কর্মচারী

ইউনিয়ন পরিষদের সরকার কর্তৃক নিয়োজিত সার্বক্ষণিকভাবে একজন সচিব থাকবেন। ইউনিয়ন পরিষদের বিভিন্ন কার্যক্রম পরিচালনার জন্য ১ জন মহল্লাদার ও ১ জন দফাদার থাকবেন। ইউনিয়ন পরিষদের উপর অর্পিত বিভিন্ন কর আদায়ের জন্য একজন ট্যাক্স কালেক্টর থাকবেন অথবা একজন সহকারী সচিব এই দায়িত্ব পালন করবেন। তিনি হিসাবরক্ষার কাজও করবেন।

ইউনিয়ন পরিষদের চেয়ারম্যান ইউনিয়ন পর্যায়ে কর্মরত সরকারী কর্মচারীগণের Performance Report অথবা ACR লিখবেন।

ইউনিয়ন পরিষদের অবস্থান ও অফিস

বিদ্যমান ইউনিয়ন পরিষদ ভবনে পরিষদের অফিস হবে। সম্প্রতি গৃহীত সিদ্ধান্ত অনুযায়ী ইউনিয়নের কেন্দ্রস্থলে ইউনিয়ন কমপ্লেক্স ভবন তৈরী করা হলে সেখানে ইউনিয়ন পরিষদের সভার জন্য মিলনায়তন, চেয়ারম্যানের অফিস ছাড়াও ইউনিয়ন পর্যায়ের সকল সরকারী কর্মকর্তা/কর্মচারীর অফিসের স্থান থাকবে।

আর্থিক ক্ষমতা এবং আয়ের উৎস

ইউনিয়ন পরিষদকে যে সমস্ত দায়িত্ব দেওয়া হয়েছে সে সব সুষ্ঠুভাবে পালনে ব্যর্থতার অন্যতম প্রধান কারণ আর্থিক অস্বচ্ছলতা এবং ইউনিয়ন পরিষদকে প্রদত্ত অনুদানে স্বল্পতা।

১৯৮৩ সনের অধ্যাদেশে ইউনিয়ন পরিষদের নিজস্ব আয়ের উৎস ২৮ টির স্থলে কমিয়ে ৫ টিতে সীমাবদ্ধ করা হয়। যেমন- (১) বাড়ী ও দালান-কোঠার উপর কর, (২) গ্রাম পুলিশ রোট, (৩) জন্ম, বিবাহ ও ভোজের উপর ফি, (৪) জনকল্যাণ সহায়ক কাজের জন্য এলাকার প্রাপ্তবয়স্ক ব্যক্তিদের উপর কর, এবং (৫) ইউনিয়ন পরিষদ কর্তৃক পরিচালিত জনস্বার্থে বিশেষ কল্যাণকর কাজের জন্য ফি। ১৯৯৩ সনের সংশোধিত অধ্যাদেশে হাট-বাজার, জলমহাল, ফেরীঘাট ইজারা দিয়ে ইজারা মূল্য আদায়ের জন্য ইউনিয়ন পরিষদকে ক্ষমতা প্রদান করা হয়। ১৯৯৬ সালে সম্পত্তি হস্তান্তর করের শতকরা ১% ইউনিয়ন পরিষদকে দেওয়ার সিদ্ধান্ত হয়েছে। একই সঙ্গে হাট-বাজারের ইজারা পূর্বের টাঃ ৫০,০০০ (পঞ্চাশ হাজার টাকা) এর স্থলে ১ লক্ষ টাকা পর্যন্ত প্রদানের সিদ্ধান্ত গৃহীত হয়েছে। অপর দিকে ২০,০০০ টাকা মূল্যমানের হস্তান্তরিত ফেরীঘাট এবং ৩০,০০০ টাকা মূল্যমানের জলমহালের ইজারা এবং ইজারা লব্ধ আয় ইউনিয়নকে দেয়া হয়েছে। ইউনিয়ন পরিষদের জন্য উল্লেখিত এই সকল অর্থায়নের সুবিধা বহাল থাকবে। ৩,০০,০০০ টাকা পর্যন্ত মূল্যমানের হাট-বাজার, ১,০০,০০০ টাকা পর্যন্ত মূল্যমানের জলমহাল এবং ১,০০,০০০ টাকা পর্যন্ত মূল্যমানের হস্তান্তরিত ফেরীঘাটের ইজারা এবং ইজারালব্ধ আয় ইউনিয়ন পরিষদকে প্রদান করা যেতে পারে। তাছাড়া ভূমি রাজস্বের ৫% ইউনিয়ন পরিষদকে দেয়া যেতে পারে। প্রস্তাবিত ফাইনাল কমিশনের সুপারিশের ভিত্তিতে উপরোক্ত প্রস্তাব সংশোধিত হতে পারে।

ইউনিয়ন পরিষদসহ সকল স্তরে আর্থিক ক্ষমতা প্রদান এবং কেন্দ্রীয় সরকারের রাজস্ব আদায়ের অংশ ভাগের জন্য 'ফাইনাল কমিশন' গঠনের প্রয়োজন। এই 'ফাইনাল কমিশন' প্রতি পাঁচ বছর পর পর স্থানীয় সরকারের প্রতিটি স্তরে কোন্ খাত থেকে কি পরিমাণ রাজস্ব আদায় হবে এবং কেন্দ্রীয় সরকারের কাছ থেকে ইউনিয়ন পরিষদ কি পরিমাণ অর্থ পাবে তা নির্ধারণ করবে।

পরিষদের ব্যয়

- ১। ইউনিয়ন পরিষদের চেয়ারম্যান ও সদস্যদের ভাতা ইত্যাদি (আংশিক বা পূর্ণ সরকারী অনুদান)।
- ২। পরিষদের কর্মচারীদের বেতন (আংশিক বা পূর্ণ সরকারী অনুদান)।
- ৩। আসবাবপত্র, অফিস স্টেশনারী, ইত্যাদি।
- ৪। উন্নয়ন কার্যক্রম বাস্তবায়ন (নিজস্ব আয় এবং সরকারী অনুদান থেকে)।
- ৫। আয়-উপার্জনকারী বিনিয়োগ ব্যয় (নিজস্ব রাজস্ব আয় থেকে)।

সভা

ইউনিয়ন পরিষদ প্রতি মাসে ন্যূনতম একবার সভা করবে।

জবাবদিহিতা

জবাবদিহিতা নিশ্চিত করার লক্ষ্যে ইউনিয়ন পরিষদ স্ব স্ব ইউনিয়নের জনগণের কাছে দায়ী থাকবে। ইউনিয়নের বাজেট গ্রাম পরিষদ থেকে প্রাপ্ত প্রকল্প প্রস্তাবের ভিত্তিতে প্রণীত হবে। বাৎসরিক উন্নয়ন কর্মসূচী প্রণয়নের আগে অর্থ বৎসরের প্রারম্ভে গ্রাম পরিষদের সাধারণ সভায় প্রকল্প গ্রহণের বিষয়ে আলোচনা অনুষ্ঠিত হবে এবং পরবর্তীতে ইউনিয়ন পরিষদ কর্তৃক অনুমোদিত প্রকল্প সম্পর্কে গ্রাম পরিষদে আলোচিত হবে। আলোচনার ভিত্তিতে গ্রাম পরিষদের গৃহীত সুপারিশমালা ইউনিয়ন পরিষদে প্রেরণ করা হলে সে সব গুরুত্বের সঙ্গে বিবেচিত হতে হবে। যে সব সুপারিশ গ্রহণ করা হবে তার বাস্তবায়নের প্রতিবেদন গ্রাম পরিষদের পরবর্তী সভায় উপস্থাপিত হবে এবং যে সমস্ত সুপারিশ গৃহীত হয়নি তার কারণ ব্যাখ্যা করা হবে। এইভাবে তৃণমূলে জবাবদিহিতা নিশ্চিত হবে।

স্থায়ী কমিটি

ইউনিয়ন পরিষদের আওতায় বিভিন্ন বিষয়ে কমিটি গঠিত হবে। ইউনিয়ন পরিষদের চেয়ারম্যান এবং সদস্য ও সদস্যগণ প্রতি বিষয়ে গঠিত কমিটির আহ্বায়ক হবেন এবং অন্য সদস্যরা বা কতিপয় সদস্য সেই কমিটির সদস্য হবেন। যে সব বিষয়ে ইউনিয়ন পর্যায়ে সরকারী, আধা সরকারী ও স্বায়ত্ত্ব শাসিত সংস্থার কর্মকর্তা/কর্মচারী কর্তব্যরত আছেন সেই সব দফতরের জৈষ্ঠতম কর্মকর্তা/কর্মচারী নিজ নিজ বিষয়ভিত্তিক কমিটির সদস্য-সচিব হিসেবে কাজ করবেন। বিদ্যমান কর্মসূচী ও প্রকল্পের বাস্তবায়ন অগ্রগতি পর্যালোচনা ছাড়াও এই সব কমিটি উদ্ভূত সমস্যা বিশ্লেষণ করবেন এবং নতুন প্রকল্প বা কর্মসূচী চিহ্নিত করবেন। নিম্নলিখিত বিষয়সমূহে কমিটি গঠিত হবে :

- (ক) আইন-শৃঙ্খলা
- (খ) স্বাস্থ্য ও পরিবার পরিকল্পনা
- (গ) কৃষি, সেচ ও পরিবেশ
- (ঘ) শিক্ষা, সমাজকল্যাণ, মহিলা ও শিশু উন্নয়ন
- (ঙ) মৎস্য ও পশু পালন
- (চ) অন্যান্য

বাজেট

প্রতি অর্থ বছরের প্রারম্ভে পরিষদ সরকার কর্তৃক অনুমোদিত বাজেট নির্দেশিকা (Guidelines) অনুযায়ী আয়-ব্যয়ের হিসাব সম্পর্কিত বাজেট তৈরী করবে এবং প্রকাশ্য স্থানে জনসাধারণের অবগতির ও মন্তব্যের জন্য প্রদর্শনের ব্যবস্থা করবে। প্রাপ্ত মন্তব্যের ভিত্তিতে পরিষদের সভায় বাজেট পর্যালোচনা করে অনুমোদন করবে। অনুমোদিত বাজেটের এক কপি প্রস্তুতকৃত স্থানীয় সরকার কমিশনের আঞ্চলিক অফিসে প্রেরণ করা হবে। উপজেলা পরিষদে নিয়োজিত বাজেট নিয়ন্ত্রণ কর্মকর্তা অথবা ফাইনাল অফিসার সংশ্লিষ্ট উপজেলার অধীন ইউনিয়ন পরিষদসমূহে বাজেট নির্দেশিকা অনুযায়ী অর্থ ব্যয় হচ্ছে কিনা তা মনিটর করবেন। অনুমোদিত বাজেট ছক থেকে বিচ্যুতি হলে কর্তৃপক্ষ সে সব সংশোধনের অধিকার রাখবে।

উন্নয়ন পরিকল্পনা

মাঠ পর্যায়ের পরিকল্পনা তৈরী শুরু হবে ইউনিয়ন পর্যায়ে। তবে এর জন্য উপাত্ত সংগ্রহ এবং জরিপ গ্রাম পরিষদ পর্যায়ে সম্পন্ন করা হবে। গ্রাম পর্যায়ের উপাত্ত ও তথ্যের ভিত্তিতে এবং অনুমোদিত মডেল পরিকল্পনা ছক অনুযায়ী ৫ বছর মেয়াদী ইউনিয়ন পরিকল্পনা প্রস্তুত করা হবে। এই পরিকল্পনার অন্তর্ভুক্ত হবে :

- ক) ভৌত অবকাঠামো - যেমন রাস্তা-ঘাট, ব্রীজ কালভার্ট, বাঁধ নির্মাণ, বীজাগার, কমুনিটি সেন্টার, ক্লিনিক ইত্যাদি।
- খ) সেচ ব্যবস্থা - খাল খনন, পুনঃখনন, ছোট স্লুইস গেট নির্মাণ।
- গ) শিক্ষা - প্রাইমারী স্কুল ও মাদ্রাসা স্থাপন, ভবন নির্মাণ এবং সংস্কার।
- ঘ) স্বাস্থ্য - ক্লিনিক ও পরিবার কল্যাণ কেন্দ্র স্থাপন ও নির্মাণ।

পাঁচসালী ইউনিয়ন পরিষদ পরিকল্পনায় অগ্রাধিকার ভিত্তিতে প্রকল্পগুলি চিহ্নিত হবে এবং প্রতি বছর এইভাবে প্রস্তুতকৃত পরিকল্পনা বই থেকেই প্রকল্প বাছাই করে বাস্তবায়নের জন্য গ্রহণ করা হবে। পরিষদ বছরের শেষে বার্ষিক উন্নয়ন কর্মসূচী বাস্তবায়ন প্রতিবেদনের কপি ইউনিয়ন পরিষদের প্রকাশ্য স্থানে/নোটিশ বোর্ডে জনসাধারণের জ্ঞাতার্থে রাখবে।

উন্নয়ন প্রকল্প বাস্তবায়নের জন্য প্রয়োজনীয় অর্থের উৎস হবে সরকারী অনুদান, স্থানীয় চাঁদা এবং ইউনিয়ন পরিষদের নিজস্ব উদ্বৃত্ত রাজস্ব আয়।

ইউনিয়ন পরিষদের পাঁচসালী পরিকল্পনার উপর ভিত্তি করে প্রস্তুত করা হবে উপজেলা পর্যায়ের পাঁচসালী পরিকল্পনা।

এইভাবে গ্রাম পরিষদের কাছ থেকে প্রাপ্ত উপাত্ত/তথ্যের (অনেক ক্ষেত্রে প্রকল্প প্রস্তাবনাও হতে পারে) ভিত্তিতে প্রণীত ইউনিয়ন পরিকল্পনা স্থানীয়/পর্যায়ে অংশ গ্রহণের সুযোগ দেবে। বিভিন্ন পর্যায়ে/স্তরে পরিকল্পনার এই গণতান্ত্রিক প্রক্রিয়াকরণের মাধ্যমেই সকল স্তরের স্থানীয় সরকার প্রতিষ্ঠানের মধ্যে একমত্য এবং পারস্পরিক সম্পর্ক স্থাপিত হবে।

হিসাব/অডিট

ইউনিয়ন পরিষদ আয়-ব্যয়ের হিসাব যথাযথভাবে সংরক্ষণ করবে এবং বছরের শেষে আয়-ব্যয়ের হিসাব অডিট করা হবে। অডিট আভ্যন্তরীণ এবং কেন্দ্রীয় সরকারের অডিট কর্তৃপক্ষ দ্বারা হতে পারে।

প্রস্তাবিত স্থানীয় সরকার প্রতিষ্ঠান ৪ থানা/উপজেলা

থানা বা উপজেলা প্রশাসনের একটি গুরুত্বপূর্ণ স্তর। মহকুমা বিলুপ্তির পর এর গুরুত্ব অনেক বৃদ্ধি পেয়েছে। প্রায় এক দশকের অবকাঠামো উন্নয়নের মাধ্যমে প্রায় প্রতিটি উপজেলাই বর্তমানে পূর্ণঙ্গ প্রশাসনিক ইউনিটে উন্নীত হয়েছে। সাংবিধানিক অঙ্গীকার এবং জনস্বার্থে সুশাসনের জন্য থানা বা উপজেলাতে গণপ্রতিনিধিত্বমূলক স্থানীয় সরকার প্রতিষ্ঠান যথেষ্ট যৌক্তিকতা এবং বাস্তব প্রয়োজন দেখা দিয়েছে। সুশাসনের নীতি অনুযায়ী থানা পর্যায়ে সরকারী দপ্তরগুলি তাদের কার্যক্রম জনপ্রতিনিধিদের তদারকীতে এনে জনগণের অংশগ্রহণের পরিধি বিস্তৃত করার প্রয়োজনেও থানা/উপজেলায় স্থানীয় সরকার প্রতিষ্ঠানের প্রতিষ্ঠা বিবেচনার দাবী রাখে।

উপরোক্ত কারণে এবং অতীত অভিজ্ঞতার ভিত্তিতে কমিশন থানা/উপজেলায় একটি স্থানীয় সরকার প্রতিষ্ঠান প্রতিষ্ঠার সুপারিশ করছে।

গঠন

- ১। উপজেলার প্রাপ্তবয়স্ক ভোটারদের সরাসরি ভোটে উপজেলা পরিষদের চেয়ারম্যান নির্বাচিত হবেন।
- ২। উপজেলা পরিষদে প্রতি ইউনিয়ন থেকে ১ জন সাধারণ সদস্য এবং মোট সাধারণ সদস্যের এক তৃতীয়াংশ (সংরক্ষিত আসনে) মহিলা সদস্য উপজেলার প্রাপ্তবয়স্ক ভোটারদের সরাসরি ভোটে নির্বাচিত হবেন।
- ৩। ইউনিয়ন পরিষদের চেয়ারম্যান এবং পৌরসভার চেয়ারম্যান পদাধিকার বলে উপজেলা পরিষদের সদস্য হবেন।
- ৪। উপজেলায় কর্মরত বিভিন্ন বিভাগের কর্মকর্তাগণ কর্মকর্তা সদস্য/সদস্যা থাকবেন। থানার অফিসার ইন-চার্জ ছাড়াও সংশ্লিষ্ট সহকারী পুলিশ তত্ত্বাবধায়ক কর্মকর্তা পরিষদের সদস্য হবেন। উপজেলা নির্বাহী অফিসার উপজেলা পরিষদের নির্বাহী কর্মকর্তার দায়িত্ব পালন করবেন।
- ৫। উপজেলা মুক্তিযোদ্ধা কমান্ডার পদাধিকার বলে পরিষদের সদস্য হবেন।
- ৬। উপজেলা সমবায় সমিতি ফেডারেশনের চেয়ারম্যান পদাধিকার বলে এবং উপজেলা এনজিওদের প্রতিনিধি পরিষদের সদস্য/সদস্যা হবেন।

উপরে ৩, ৪, ৫ ও ৬ নম্বরে উল্লেখিত সদস্য/সদস্যাদের ভোটাধিকার থাকবে না।

কার্যাবলী

- ০১। সকল ইউনিয়ন পরিষদের পাঁচসালা পরিকল্পনা সমন্বিত করে একটি উপজেলা পাঁচসালা পরিকল্পনা তৈরী করা।
- ০২। উপজেলায় সরকারের বিভিন্ন দপ্তরের কর্মসূচী বাস্তবায়ন করা।
- ০৩। উপরে ১ ও ২ এর অধীনে আন্তঃইউনিয়ন সংযোগকারী রাস্তা নির্মাণ, মেরামত ও রক্ষণাবেক্ষণ করা।

- ০৪। উপরে ১ ও ২ এর অন্তর্গত বিষয় হিসাবে ভূ-উপরিস্থ পানি সম্পদের সর্বোত্তম ব্যবহার নিশ্চিত করার জন্য ক্ষুদ্র সেচ প্রকল্প গ্রহন ও বাস্তবায়ন (সুইচ গেট, সংযোগ খাল, ক্রস বাধ, সেচ নাল্লা, ব্লক তৈরী ইত্যাদি)।
- ০৫। (ক) উপরে ২ এর অধীনে জনগণের স্বাস্থ্য সেবা নিশ্চিতকরণ, স্যানিটেশন ও পয়ঃনিষ্কাশন ব্যবস্থার উন্নতি সাধন এবং সুপেয় পানীয় জলের সরবরাহ ব্যবস্থা বাস্তবায়ন।
- (খ) উপজেলা হেলথ কমপ্লেক্সের তদারকী ও মনিটরিং।
- ০৬। (ক) উপজেলা পর্যায়ে শিক্ষার প্রসার লাভের জন্য উদ্বুদ্ধকরণ এবং সহায়তা প্রদান।
- (খ) মাধ্যমিক শিক্ষা এবং মাদ্রাসা শিক্ষা কার্যক্রম তদারকী ও মনিটরিং।
- ০৭। উপরে ১ ও ২ এর অধীনে কুটির ও ক্ষুদ্র শিল্পের বিকাশে ও স্থাপনে কার্যক্রম গ্রহন করা।
- ০৮। সমবায় সমিতিসমূহ ও এনজিওদের কাজে সহায়তা প্রদান ও তাদের কাজ সমন্বয় করা।
- ০৯। মহিলা, শিশু ও সমাজ কল্যাণ এবং ক্রীড়া ও সাংস্কৃতিক কার্যক্রমে সহায়তা প্রদান এবং বাস্তবায়ন করা।
- ১০। উপরে ১ ও ২ এর অধীনে কৃষি, গবাদি পশু ও মৎস্য এবং বনজ সম্পদ উন্নয়নে কার্যক্রম গ্রহন ও বাস্তবায়ন।
- ১১। উপজেলায় আইন-শৃঙ্খলা পরিস্থিতির উন্নয়নসহ পুলিশ বিভাগের কার্যক্রম আলোচনা এবং নিয়মিতভাবে প্রতিবেদন উর্ধ্বতন কর্তৃপক্ষের কাছে প্রেরণ।
- ১২। উপরে ১, ২ ও ৮ এর অধীনে আত্ম-কর্মসংস্থান সৃষ্টি এবং দারিদ্র্য বিমোচনের জন্য সহায়তা প্রদান, বিদ্যমান কর্মসূচীর সমন্বয় করণ এবং নিজ উদ্যোগে কর্মসূচী গ্রহণ।
- ১৩। ইউনিয়ন পরিষদের কার্যক্রম সমন্বয় করা, সহায়তা প্রদান এবং মনিটরিং করা।

পরিষদের কর্মকর্তা ও কর্মচারী

উপজেলা পর্যায়ে সকল সরকারী দপ্তরের (পুলিশ ও বিচার বিভাগ ব্যতিরেকে) কর্মকর্তা ও কর্মচারীদের উপজেলা পরিষদে হস্তান্তর করতে হবে। যে পর্যন্ত উপজেলায় তারা কর্তব্যরত থাকবেন সে পর্যন্ত তাদেরকে প্রেষণে প্রেরণ করা হবে, তাদের বেতন ভাতা ইত্যাদিসহ রাজস্ব বাজেট উপজেলা পরিষদের কাছে হস্তান্তর করা হবে। পরিষদের নিজস্ব কর্মকর্তা ও কর্মচারী থাকবে যার মধ্যে ১ জন সচিব, ১ জন সহকারী সচিব, ১ জন হিসাব রক্ষণ কর্মকর্তা, ১ জন নোংরা-প্রহরী ও ১ জন সুইপার। চেয়ারম্যানের জন্য একজন স্টেনো-টাইপিষ্ট, একজন পিওন, ১ জন ড্রাইভার থাকবে। এছাড়াও পরিষদের ফাইন্যান্স ও বাজেট কর্মকর্তা এবং একাউন্টস কর্মকর্তা, একজন করে সহকারী ও পিওনের ব্যবস্থা থাকবে। উপজেলা চেয়ারম্যান উপজেলায় প্রেষণে ন্যাস্ত কর্মকর্তাদের বার্ষিক Performance Report প্রদান করবেন এবং তাদের ACR স্ব স্ব বিভাগীয় উর্ধ্বতন কর্তৃপক্ষ প্রদান করবেন।

উপদেষ্টা

উপজেলায় নির্বাচিত মাননীয় সংসদ সদস্য পরিষদের উপদেষ্টা হিসেবে দায়িত্ব পালন করবেন।

পরিষদের আয় ও তহবিল গঠন

১। নিজস্ব রাজস্ব আয় : আয়ের উৎস আইন দ্বারা গঠিত প্রস্তাবিত ফাইন্যান্স কমিশন কর্তৃক নির্ধারিত হবে এবং প্রতি ৫ বছর পর পর পুনঃ নির্ধারণ করা হবে। যে পর্যন্ত ফাইন্যান্স কমিশনের সুপারিশ না পাওয়া যায় এবং গৃহীত না হয় সে পর্যন্ত তিন লক্ষ টাকার উর্ধ থেকে সাত লক্ষ টাকা পর্যন্ত মূল্যমানের হাট-বাজার, এক লক্ষ টাকার উর্ধ থেকে তিন লক্ষ টাকা মূল্যমানের জলমহাল এবং এক লক্ষ টাকার উর্ধ থেকে তিন লক্ষ টাকা পর্যন্ত মূল্যমানের হস্তান্তরীত ফেরীঘাটের ইজারা এবং ইজারালব্ধ আয় উপজেলা পরিষদকে প্রদান করা যায়। ইহাছাড়া জেলা পরিষদ এবং ইউনিয়ন পরিষদের মত সম্পত্তি হস্তান্তর করের ১% এবং ভূমি রাজস্বের ৫% উপজেলা পরিষদকে প্রদান করা যায়। ফাইন্যান্স কমিশনের সুপারিশের ভিত্তিতে উপরোক্ত প্রস্তাব সংশোধিত হতে পারে।

২। সরকারী অনুদান :

- ক) প্রশাসনিক ব্যয়ের জন্য;
- খ) উন্নয়নমূলক কাজের জন্য।

৩। স্থানান্তরিত সরকারী দপ্তরসমূহের রাজস্ব বাজেট

পরিষদের ব্যয়

- ১। উপজেলা পরিষদের চেয়ারম্যান ও সদস্যদের ভাতা, ইত্যাদি
- ২। সরকারী কর্মকর্তা ও কর্মচারীদের বেতন
- ৩। গাড়ীর জ্বালানী তেল, অফিস স্টেশনারী ইত্যাদি
- ৪। উন্নয়নমূলক কার্যক্রম বাস্তবায়ন
- ৫। আয় উপার্জনকারী বিনিয়োগ ব্যয়

সভা

পরিষদের সভা প্রতি মাসে ন্যূনপক্ষে একটি হবে।

স্থায়ী কমিটি

প্রশাসনিক এবং উন্নয়নমূলক প্রতিটি খাতে একটি করে কমিটি গঠিত হবে। এই কমিটির চেয়ারম্যান হবেন পরিষদের একজন সদস্য/সদস্যা (এক তৃতীয়াংশ মহিলা) এবং সদস্য হবেন সংশ্লিষ্ট সরকারী দপ্তরের কর্মকর্তা ও অন্যান্য সংশ্লিষ্ট ব্যক্তিগণ। কমিটি সংশ্লিষ্ট খাতের কার্যক্রম পর্যালোচনা করবে এবং সুপারিশসহ পরিষদের মাধিক সভায় পেশ করবে। নিম্নোক্ত কমিটিসমূহ গঠন করা হবে :

- ক) আইন-শৃঙ্খলা
- খ) স্বাস্থ্য ও পরিবার পরিকল্পনা
- গ) কৃষি, সেচ ও পরিবেশ
- ঘ) শিক্ষা, সমাজকল্যাণ, মহিলা ও শিশু উন্নয়ন
- ঙ) ক্রীড়া, সংস্কৃতি ও যুব উন্নয়ন
- চ) মৎস ও পশু পালন, ইত্যাদি
- ছ) অন্যান্য

বাজেট

প্রতি অর্থ বছরের প্রারম্ভে পরিষদ সরকার কর্তৃক অনুমোদিত বাজেট নির্দেশিকা (Guidelines) অনুযায়ী আয়-ব্যয়ের হিসাব সম্পর্কিত বাজেট তৈরী করবে এবং প্রকাশ্য স্থানে জনসাধারণের অবগতি ও মন্তব্যের জন্য প্রদর্শনের ব্যবস্থা করবে। প্রাপ্ত মন্তব্যের ভিত্তিতে পরিষদের সভায় বাজেট পর্যালোচনা করে অনুমোদন করবে। অনুমোদিত বাজেটের কপি প্রকাশ্য স্থানে জনসাধারণের অবগতির জন্য ঝুলিয়ে রাখা হবে। বাজেটের কপি প্রস্তাবিত স্থানীয় সরকার কমিশনের আঞ্চলিক অফিসে প্রেরণ করা হবে। পরিষদে নিয়োজিত বাজেট নিয়ন্ত্রণ কর্মকর্তা অথবা ফাইনাল অফিসার(যে নামেই অভিহিত হোক) বাজেটের নির্ধারিত খাত অনুযায়ী বাজেট নির্দেশিকার ভিত্তিতে ব্যয় নিয়ন্ত্রণ করবেন। অনুমোদিত বাজেট ছক থেকে বিচ্যুত হলে কর্তৃপক্ষ সেসব সংশোধনের অধিকার রাখবে।

উন্নয়ন পরিকল্পনা

১। পাঁচসালা উন্নয়ন পরিকল্পনা তৈরীর জন্য ইউনিয়ন পরিষদের চেয়ারম্যান ও সদস্য, সমবায়, এনজিও ও অন্যান্য আগ্রহী ব্যক্তিদের নিয়ে আলোচনা করবে। এইভাবে প্রণীত পরিকল্পনা বইয়ের আকারে পরিষদ অফিসে সকলের জ্ঞাতার্থে রাখা হবে।

২। বছরের শেষে বাৎসরিক উন্নয়ন কর্মসূচী বাস্তবায়ন সম্পর্কে প্রতিবেদন তৈরী করে প্রতি ইউনিয়ন পরিষদে এবং প্রকাশ্য স্থানে জনসাধারণের জ্ঞাতার্থে রাখা হবে।

হিসাব/অডিট

উপজেলা পরিষদের আয়-ব্যয়ের হিসাব যথাযথভাবে রাখার জন্য বিভিন্ন খাতা-পত্র ব্যবহার করা হবে। বছরের শেষে আয়-ব্যয়ের হিসাব অডিট করা হবে। অডিট অভ্যন্তরীণ এবং কেন্দ্রীয় সরকারের অডিট কর্তৃপক্ষ দ্বারা হতে পারে।

প্রস্তাবিত স্থানীয় সরকার প্রতিষ্ঠান : জেলা পরিষদ

একটি পুরাতন ও গুরুত্বপূর্ণ ঐতিহ্যময় স্থানীয় সরকার প্রতিষ্ঠান হিসেবে জেলা পরিষদের পুনরুজ্জীবন অত্যাবশ্যকীয়। গণতন্ত্রায়ন, প্রশাসন বিকেন্দ্রীকরণ এবং সুশাসনের জন্য জেলা পরিষদকে পুনর্গঠিত করে তার যথাযথ মর্যাদা এবং যথোপযুক্ত ক্ষমতা প্রদান করা হলে সরকারের অনেক দায়িত্ব ও কার্যক্রম আরো সুচারুরূপে সম্পাদিত হতে পারবে। স্থানীয় সরকার পদ্ধতি শক্তিশালীকরণের অন্যতম প্রধান পদক্ষেপ হিসেবে দেখা যেতে পারে নবতর বিন্যাসে জেলা পরিষদকে। এই স্তরের স্থানীয় সরকার প্রতিষ্ঠানের গঠন, কার্যক্রম, দায়িত্বাবলী ও অন্যান্য বিষয়ে নিম্নোক্ত সুপারিশ করা হচ্ছেঃ

গঠন

১। জেলা পরিষদের চেয়ারম্যান জেলার প্রাপ্তবয়স্কদের ভোটে সরাসরি নির্বাচিত হবেন।*

* সমস্ত জেলার প্রাপ্তবয়স্কদের ভোটে জেলা পরিষদ চেয়ারম্যান নির্বাচনের বিষয়ে আর্থিক সংশ্লেষ ও অন্যান্য জটিলতা এবং বিভিন্ন দেশে ইলেক্টরাল কলেজের মাধ্যমে জেলা পরিষদের চেয়ারম্যানের নির্বাচন হওয়া ইত্যাদির বিচার বিশ্লেষণে বিকল্প পদ্ধতি হিসেবে জেলা পরিষদ চেয়ারম্যানের নির্বাচনের ক্ষেত্রে ইলেক্টরাল কলেজ ব্যবহারের সম্ভাবনা নিয়ে কমিশনের সভায় বিস্তারিত আলোচনা অনুষ্ঠিত হয়। এ বিষয়ে পুণ্ডানুপুণ্ড আলোচনা, সংবিধানের ৭ এবং ১১ অনুচ্ছেদ তথা সংবিধানের দ্বাদশ সংশোধনী এবং গণতান্ত্রিক, রাজনৈতিক, সংস্কৃতির আলোকে কমিশন জেলা পরিষদ চেয়ারম্যান জনগণের ভোটে নির্বাচিত হওয়ার স্বপক্ষে সুপারিশ রাখার সিদ্ধান্ত গ্রহণ করে।

- ২। জেলার প্রতি থানা থেকে দুই জন সদস্য জনগণের প্রত্যক্ষ ভোটে নির্বাচিত হবেন।**
- ৩। মোট সদস্যের তিরিঞ্চ এক-তৃতীয়াংশ মহিলা (সংরক্ষিত আসনে) সদস্য জনগণের প্রত্যক্ষ ভোটে নির্বাচিত হবেন।
- ৪। সংশ্লিষ্ট জেলার আওতাভুক্ত উপজেলা পরিষদ চেয়ারম্যানগণ এবং পৌরসভার চেয়ারম্যানগণ পদাধিকারবলে জেলা পরিষদের সদস্য হবেন। তাদের ভোটাধিকার থাকবে না।
- ৫। জেলা পর্যায়ের সকল সরকারী কর্মকর্তা (বিচার বিভাগীয় কর্মকর্তা ব্যতীত) পদাধিকারবলে জেলা পরিষদের সদস্য হবেন। তাঁর ভোটাধিকার থাকবে না।
- ৬। সংশ্লিষ্ট জেলায় অস্থিত এনজিওদের একজন প্রতিনিধি তাদের সংগঠন কর্তৃক নির্বাচিত হয়ে সদস্য হবেন।
- ৭। জেলা পরিষদের চেয়ারম্যানের পদবী হবে ডিস্ট্রিক্ট মিনিষ্টার/জেলা পরিষদ চেয়ারম্যান। তাঁর পদমর্যাদা হবে প্রতিনিধীর সমতুল্য।
- ৮। জেলা প্রশাসক পদাধিকারবলে জেলা পরিষদের নির্বাহী কর্মকর্তার দায়িত্ব পালন করবেন।
- ৯। সংশ্লিষ্ট জেলার মাননীয় সংসদ সদস্যগণ ঐ জেলা পরিষদের উপদেষ্টা হবেন।

জেলা পরিষদের কার্যাবলী

- ১। জেলা পরিষদের বর্তমান কার্যাবলী জেলা পরিষদের দায়িত্বে থাকবে।
- ২। জেলার সকল উপজেলার উন্নয়ন সম্মেলন ও প্রয়োজনের ভিত্তিতে একটি জেলা পরিকল্পনা তৈরী এবং সংশ্লিষ্ট দপ্তর দ্বারা যার যার আওতাভুক্ত কর্মসূচীর সুবায়ন নিশ্চিত ও সমন্বয় করা।
- ৩। উপজেলা পরিষদের কার্যক্রম মনিটরিং করা।
- ৪। জেলা পর্যায়ে অবস্থিত কলেজ ও ত. নীচে শিক্ষা প্রতিষ্ঠানের কার্যক্রম তদারকী ও মনিটরিং করা।
- ৫। জেলার অন্তর্গত আস্তানা সংযোগকারী সড়ক সেতু/কালভার্ট নির্মাণের প্রস্তাবনা তৈরীর পর জেলা পরিকল্পনায় অন্তর্ভুক্ত করে সংশ্লিষ্ট বিভাগে বাস্তবায়নের জন্য প্রেরণ করা।

** বিকল্প ব্যবস্থা হিসেবে ২ থানাবিশিষ্ট জেলায় প্রতি থানায় ৪ জন; ১ থানাবিশিষ্ট জেলায় প্রতি থানায় ৩ জন; ৪, ৫, ৬ ও ৭ থানাবিশিষ্ট জেলায় প্রতি থানায় ২জন এবং ৮ ও তদূর্ধ্ব থানাবিশিষ্ট জেলায় প্রতি থানায় ১ জন করে সদস্য জনগণের সরাসরি ভোটে নির্বাচিত হতে পারেন।

৬। জেলা পর্যায়ে অবস্থিত সরকারী হাসপাতাল, পরিবার পরিকল্পনা ক্লিনিক ইত্যাদির কার্যক্রম তদারকী ও মনিটরিং করা।

৭। কেন্দ্রীয় সরকারের বিভিন্ন কার্যক্রমে সহায়তা প্রদান এবং বিভিন্ন মন্ত্রণালয়ের সঙ্গে যোগাযোগ রক্ষা করা।

৮। শিল্প ও বাণিজ্যের প্রসার লাভের জন্য সহায়তা প্রদান এবং ক্ষেত্র বিশেষে সরাসরি বিনিয়োগসহ বিভিন্ন প্রয়োজনীয় কার্যক্রম গ্রহণ।

৯। জেলায় সার্বিক আইন-শৃঙ্খলা পরিস্থিতির উন্নয়ন সাধনে সহায়তা, সন্ত্রাস প্রতিরোধে সুপারিশমালা প্রণয়ন এবং পুলিশের কাজের তদারকী করা।

সরকারী সংস্থা হস্তান্তর

বিচারের কোর্ট ও বিচারকবৃন্দ ব্যতীত জেলা পর্যায়ে পুলিশসহ সকল সরকারী দপ্তর জেলা পরিষদের কাছে অর্পিত (Transferred) হবে। এই সকল দপ্তরের সরকারী কর্মকর্তাদের জেলা পরিষদে প্রেরণে দেয়া হয়েছে বলে গণ্য হবে এবং তারা জেলা পরিষদের তত্ত্বাবধানে কাজ করবে। তাঁদের ACR স্ব স্ব বিভাগীয় উর্ধ্বতন কর্তৃপক্ষ লিখবেন। তাঁদের কাজের ওপর Performance Report জেলা পরিষদের পক্ষে চেয়ারম্যান দ্বারা লিখিত হবে (বিকল্প হিসেবে কর্মকর্তাদের ACR জেলা পরিষদের চেয়ারম্যান লিখবে)।

কমিটি

কয়েকটি স্থায়ী কমিটি গঠন করা হবে এবং জেলা পরিষদের একজন সদস্য বা সদস্যা এর সভাপতি হবেন। নিম্নলিখিত বিষয়ে কমিটি গঠিত হবে :

- ১। আইন-শৃঙ্খলা বিষয়ক কমিটি;
- ২। গণপূর্ত, সড়ক ও জনপথ, স্থানীয় সরকার প্রকৌশল অধিদপ্তর ও ফ্যাসিলিটিজ সংক্রান্ত কমিটি;
- ৩। স্বাস্থ্য ও পরিবার পরিকল্পনা, পানীয় জল ও স্যানিটেশন কমিটি;
- ৪। সমাজকল্যাণ ও মহিলা বিষয়ক, যুব উন্নয়ন ও ক্রীড়া বিষয়ক কমিটি;
- ৫। কৃষি ও সেচ, সমবায়, মৎস্য ও পশুপালন বিষয়ক কমিটি;
- ৬। শিক্ষা বিষয়ক কমিটি;
- ৭। ত্রাণ ও দুর্যোগ ব্যবস্থাপনা, এনজিও কার্যক্রম ও আত্ম-কর্মসংস্থান কর্মসূচী সংক্রান্ত কমিটি।

প্রয়োজনে আরো কমিটি হতে পারে অথবা উপরোক্ত কমিটিগুলি পুনর্বিন্যস্ত হতে পারে।

আর্থিক ক্ষমতা ও আয়ের উৎস

১। আইনের অধীনে জেলা পরিষদকে আর্থিক ক্ষমতা দেয়া হবে এবং নির্ধারিত খাতে কর, সেসু, রেট, টোল আদায়ের ক্ষমতা দেয়া হবে। জেলা পরিষদ আইন, ১৯৮৮ এর মাধ্যমে প্রদত্ত বিদ্যমান আর্থিক ক্ষমতা ও আয়ের উৎস পরিবর্তন না হওয়া পর্যন্ত জেলা পরিষদের নিম্নোক্ত আয়ের উৎসসমূহ বহাল থাকবে :

- (ক) জেলা পরিষদ কর্তৃক কর, রেইট, টোল, ফিস এবং অন্যান্য দাবী বাবদ প্রাপ্ত অর্থ;
- (খ) জেলা পরিষদের উপর ন্যস্ত এবং তৎকর্তৃক পরিচালিত সকল সম্পত্তি হতে প্রাপ্ত আয় বা মুনাফা;
- (গ) সরকার বা অন্যান্য কর্তৃপক্ষের অনুদান;
- (ঘ) স্থানীয় কর্তৃপক্ষ বা অন্য কোন প্রতিষ্ঠান বা ব্যক্তি বিশেষ কর্তৃক প্রদত্ত অনুদান;
- (ঙ) জেলা পরিষদের উপর ন্যস্ত সকল ট্রাস্ট হতে প্রাপ্ত আয়;
- (চ) জেলা পরিষদের অর্থ বিনিয়োগ হতে মুনাফা;
- (ছ) জেলা পরিষদ কর্তৃক প্রাপ্ত অন্য যে কোন অর্থ;
- (জ) সরকারের নির্দেশে জেলা পরিষদের উপর ন্যস্ত অন্যান্য আয়ের উৎস হতে প্রাপ্ত অর্থ।

বর্তমানে জেলা পরিষদকে প্রদত্ত স্থাবর সম্পত্তি হস্তান্তর খাতের আয়ের ১% বহাল থাকবে। ইহা ছাড়া ভূমি রাজস্ব আয়ের ৫% জেলা পরিষদকে প্রদান করা যেতে পারে। জেলা পরিষদের নিজস্ব হাট-বাজার, ফেরী ঘাট এবং জলমহাল ছাড়া সাত লক্ষ টাকার উর্ধ্বে হাট-বাজার, তিন লক্ষ টাকার উর্ধ্বে ফেরী ঘাট, আন্তঃজেলা ফেরীঘাট (যে কোন মূল্যমানের) এবং তিন লক্ষ টাকার উর্ধ্বে জলমহাল এর ইজারা এবং ইজারালব্ধ আয় জেলা পরিষদের অনুকূলে দেয়া যেতে পারে। ফাইনাল কমিশনের সুপারিশের ভিত্তিতে উপরোক্ত প্রস্তাব সংশোধিত হতে পারে।

২। যথাশীঘ্র সম্ভব আইন দ্বারা ফাইনাল কমিশন গঠন করে কমিশন কর্তৃক জেলা পরিষদসহ সকল ত্তরে স্থানীয় সরকার প্রতিষ্ঠানের আয় নির্ধারণ করা হবে।

৩। আয়-ব্যয়ের পদ্ধতি আইনের অধীনে প্রশাসনিক মন্ত্রণালয় কর্তৃক প্রণীত বিধিমালা অনুযায়ী নির্ধারিত হবে।

পরিষদের ব্যয়

- ১। জেলা পরিষদের চেয়ারম্যান ও সদস্যগণের সম্মানী/ভাতা ইত্যাদি (আংশিক বা সম্পূর্ণ সরকারী অনুদান)।
- ২। পরিষদে ন্যস্তকৃত সরকারী কর্মকর্তা ও কর্মচারীদের বেতন (আংশিক অথবা সম্পূর্ণ সরকারী অনুদান)।
- ৩। গাড়ীর জ্বালানী, অফিস স্টেশনারী, আসবাবপত্র ইত্যাদি।
- ৪। উন্নয়ন কার্যক্রম বাস্তবায়ন (সরকারী অনুদান ও নিজস্ব আয় থেকে)।
- ৫। ধর্মীয় এবং শিক্ষা প্রতিষ্ঠানে অনুদান প্রদান।
- ৬। আয়-উপার্জনকারী বিনিয়োগ ব্যয় (নিজস্ব রাজস্ব আয় থেকে)।

বাজেট

প্রতি অর্থ বছরের প্রারম্ভেই জেলা পরিষদ সরকার কর্তৃক অনুমোদিত বাজেট নির্দেশিকা (Guideline) অনুযায়ী আয়-ব্যয়ের হিসাব সম্পর্কিত বাজেট তৈরী করবে। বাজেট প্রস্তুতের সময় জেলা পরিষদের আওতাভুক্ত বিভিন্ন বিভাগের বাজেট বিবেচনায় রেখে জেলা পরিষদের বাজেটে তার প্রতিফলন ঘটাতে হবে। অগ্রাধিকার বিবেচনায় জাতীয় পঞ্চ বার্ষিক পরিকল্পনা এবং দীর্ঘ-মেয়াদী পরিকল্পনার আলোকে উন্নয়ন প্রকল্প গ্রহণ করে বার্ষিক উন্নয়ন কর্মসূচীতে অন্তর্ভুক্ত করতে হবে। জেলা পরিষদ কর্তৃক প্রণীত বাজেট প্রস্তাবিত স্থানীয় সরকার কমিশনের কাছে প্রেরণ করা হবে। অনুমোদিত বাজেটের কপি প্রশাসনিক মন্ত্রণালয়েও প্রেরণ করা হবে। পরিষদে নিয়োজিত বাজেট নিয়ন্ত্রণ কর্মকর্তা অথবা ফাইনাল অফিসার (যে নামেই অভিহিত হোক) বাজেটের নির্ধারিত খাত অনুযায়ী বাজেট নির্দেশিকার ভিত্তিতে ব্যয় নিয়ন্ত্রণ করবেন। অনুমোদিত বাজেট ছক থেকে বিচ্যুত হলে কর্তৃপক্ষ সে সব সংশোধনের অধিকার রাখবে।

উন্নয়ন পরিকল্পনা

জেলা পরিষদ জাতীয় অগ্রাধিকার বিবেচনা করে স্ব স্ব জেলার উন্নয়ন পরিকল্পনা গ্রহণ করবে। দীর্ঘ মেয়াদী এবং পঞ্চ বার্ষিক পরিকল্পনায় জেলার উন্নয়ন প্রকল্প অন্তর্ভুক্তির জন্য জেলা পরিষদ স্ব স্ব জেলার প্রকল্পসমূহ অনুমোদনের পর প্রশাসনিক মন্ত্রণালয়ের মাধ্যমে পরিকল্পনা কমিশনে প্রেরণ করবে। জেলা পরিষদ উন্নয়ন প্রকল্প প্রণয়ন এবং বাস্তবায়নের ক্ষেত্রে পরিকল্পনা কমিশনের নির্দেশিকা অনুসরণ করবে।

হিসাব/অডিট

জেলা পরিষদ স্ব স্ব পরিষদের আয়-ব্যয়ের হিসাব যথাযথভাবে সংরক্ষণ করবে। বছর শেষে আয়-ব্যয়ের হিসাব অডিট করা হবে। ইহা ছাড়া প্রয়োজনে অন্তর্বর্তীকালীন অডিট করা যেতে পারে। জেলা পরিষদ বার্ষিক হিসাব নিরীক্ষা প্রতিবেদনের কপি স্থানীয় সরকার কমিশন ও প্রশাসনিক মন্ত্রণালয়ে প্রেরণ করবে। জেলা পরিষদ অডিট আপত্তি নিষ্পত্তির প্রয়োজনীয় ব্যবস্থা গ্রহণ করবে এবং অডিট প্রতিবেদন বা সুপারিশের ভিত্তিতে প্রয়োজনীয় কার্যক্রম গ্রহণ করবে। অডিট আভ্যন্তরীণ এবং কেন্দ্রীয় সরকারের অডিট কর্তৃপক্ষ দ্বারা হতে পারে।

পার্বত্য জেলা স্থানীয় সরকার পরিষদ

যেহেতু দেশের পার্বত্য ৩টি জেলায় স্থানীয় সরকার পরিষদ (জেলা পরিষদ) ভিন্ন ভিন্ন আইনে গঠিত এবং পরিচালিত হচ্ছে সেই বিবেচনায় ভবিষ্যতে এ আইনের সংশোধন বা পরিবর্তন না হওয়া পর্যন্ত জেলা পর্যায়ে বিদ্যমান স্থানীয় সরকার কাঠামো বহাল থাকতে পারে। উপজেলা/থানা এবং ইউনিয়ন পরিষদসমূহ বর্তমানে অন্যান্য জেলার মত গঠিত ও পরিচালিত হচ্ছে। সুতরাং উপ-জেলা/থানা, ইউনিয়ন এবং গ্রাম পরিষদের গঠন ও পরিচালনার জন্য কমিশন যে সমস্ত সুপারিশ করেছে সে সব এ ৩টি জেলার উপজেলা/ থানা, ইউনিয়ন এবং গ্রাম পরিষদের জন্য প্রযোজ্য হবে। তবে ইউনিয়ন পরিষদ পরিচালনা কমিটিতে 'হেডম্যান' পদাধিকারবলে সদস্য থাকতে পারে।

স্থানীয় সরকার শক্তিশালীকরণ : অর্থায়ন ও আর্থিক ব্যবস্থাপনা

স্থানীয় সরকার প্রতিষ্ঠানের দায়িত্বাবলীর সঙ্গে অর্থায়নের সম্পর্ক সামঞ্জস্যপূর্ণ হওয়া উচিত। অন্তর্বর্তীকালীন ব্যবস্থা হিসেবে প্রতিবেদনে বিভিন্ন স্তরের প্রতিষ্ঠানের জন্য উল্লেখিত আর্থিক ক্ষমতা ও আয়ের উৎস ব্যবহার করা যেতে পারে। একটি সন্তোষজনক ও স্থায়ী পদ্ধতি নিরূপণের জন্য আইনের দ্বারা ফাইন্যান্স কমিশন গঠন করে কেন্দ্রীয় সরকার থেকে শুরু করে সকল স্তরের স্থানীয় সরকার প্রতিষ্ঠানের আর্থিক ক্ষমতা ও রাজস্ব আয় প্রাপ্তির জন্য সিদ্ধান্ত গ্রহণ করা প্রয়োজন। ফাইন্যান্স কমিশনের সুপারিশ প্রতি পাঁচ বছর পর রিভিউ করে মোট জাতীয় রাজস্ব আয়ের এই বন্টন পুনর্নির্ধারণ করতে হবে। ফাইন্যান্স কমিশন রাজনৈতিক ব্যক্তিত্ব এবং বিশেষজ্ঞদের দ্বারা গঠিত হবে। গঠনের ছয় মাসের মধ্যে কমিশন তাদের সুপারিশ তৈরী করে কর্তৃপক্ষের অনুমোদনের জন্য পেশ করবেন। এই সুপারিশমালায় বিভিন্ন স্তরের স্থানীয় সরকার প্রতিষ্ঠানগুলিকে আর্থিক ক্ষমতা প্রদান এবং তাদের জন্য আয়ের উৎস নির্ধারণ করা ছাড়াও কেন্দ্রীয়ভাবে আহরিত রাজস্ব স্থানীয় সরকার প্রতিষ্ঠানের মধ্যে বন্টনের ফর্মুলাও থাকা উচিত হবে।

যেসব খাত থেকে স্থানীয়ভাবে রাজস্ব আদায়ের দায়িত্ব ও ক্ষমতা স্থানীয় সরকার প্রতিষ্ঠানকে দেয়া হবে সে সব ক্ষেত্রেও রাজস্ব আদায় কেন্দ্রীয়ভাবে হলে এবং পরবর্তীতে সে অর্থ সংশ্লিষ্ট স্থানীয় সরকার প্রতিষ্ঠানের প্রাপ্যতা অনুযায়ী তাদের মধ্যে বন্টন করা হলে বর্তমানে স্থানীয় সরকার প্রতিষ্ঠানসমূহের কর আদায়ে যে অদক্ষতা এবং অসম্পূর্ণতা রয়েছে তা অতিক্রম করা যাবে। পরবর্তীতে সে সব পর্যায়ে স্থায়ী ব্যবস্থা হিসেবে সকল স্থানীয় সরকার প্রতিষ্ঠানকেই নিজস্ব রাজস্ব আদায়ের জন্য দক্ষতা গড়ে তুলতে হবে এবং প্রয়োজনীয় প্রশাসনিক অবকাঠামো সৃষ্টি করতে হবে।

অনুদান প্রদানের জন্য স্থানীয় সরকার প্রতিষ্ঠানের আওতাধীন জনসংখ্যা ও এলাকার আয়তন অবশ্যই বিবেচনায় আনতে হবে। একই সঙ্গে স্থানীয় সরকার প্রতিষ্ঠানের উপর অর্পিত দায়িত্ব ও তাদের গৃহীত কার্যক্রমের পরিধিও গুরুত্বের সঙ্গে দেখতে হবে। স্থানীয়ভাবে কর আদায়ের সফলতার স্বীকৃতিস্বরূপ অন্তর্বর্তীকালে অনুদানের একটি অংশ চিহ্নিত করে রাখা যেতে পারে, তবে এ অংশ খুব বড় না হওয়াই বাঞ্ছনীয়।

বিদ্যমান রাজস্ব প্রদানের ক্ষমতা ও আয়ের উৎসের বিবরণী থেকে প্রতীয়মান হয় যে বেশ কয়েকটি খাতে একাধিক স্তরের স্থানীয় সরকার প্রতিষ্ঠান আয় করে থাকে বা আদায়ে ক্ষমতাপ্রাপ্ত। এই সকল খাতে কোন্ স্তরের প্রতিষ্ঠান আয়ের কতভাগ পাবে তা যুক্তিসঙ্গতভাবে নির্ধারিত হওয়া প্রয়োজন।

বর্তমানে স্থানীয় সরকার প্রতিষ্ঠানে বাজেট তৈরীর বিধান থাকলেও এটি একটি আনুষ্ঠানিকতায় পর্যবসিত হয়েছে। বাজেট তৈরী আরো গুরুত্বের সঙ্গে গ্রহণ করতে হবে। আর্থিক বছর শুরু হওয়ার অনেক আগেই খসড়া বাজেট তৈরী করে এলাকার জনসাধারণের অবগতির জন্য বাজেট প্রকাশ্য স্থানে প্রদর্শিত হতে হবে এবং এর জন্য প্রচারণা করতে হবে। বাজেট অনুমোদন সহজতর হবে এবং এর ওপর আমলাতান্ত্রিক নিয়ন্ত্রণ প্রত্যাহার করে ন্যূনতম পর্যায়ে আনা প্রয়োজন।

ব্যয়ের ক্ষেত্রে প্রশাসনিক খাতে ব্যয় সঙ্কোচনের জন্য সদা সতর্ক থাকতে হবে এবং এই খাতে ব্যয় বৃদ্ধির অনুমোদন সতর্কতার সঙ্গে দিতে হবে। যেসব প্রতিষ্ঠানের প্রশাসনিক ব্যয় নিম্নস্তরে এবং যারা ব্যয় স্থিতিশীল রাখতে সক্ষম হবে তাদেরকে উৎসাহ অনুদান (Incentive Grant) প্রদানের ব্যবস্থা রাখা যেতে পারে। নির্দিষ্ট সময়সীমার মধ্যে (পাঁচ বছর) প্রতি স্তরের প্রশাসনিক ব্যয় নিজস্ব রাজস্ব খাত থেকে মেটানোর লক্ষ্যমাত্রা রাখা যেতে পারে।

স্থানীয় সরকার শক্তিশালীকরণ : প্রশাসনিক পুনর্বিन্যাস

কেন্দ্রীয় সরকারের কাছ থেকে প্রশাসন এবং উন্নয়নমূলক কর্মকাণ্ডের ক্ষমতা ও দায়িত্ব স্থানীয় সরকার প্রতিষ্ঠানের কাছে হস্তান্তর করতে হলে প্রশাসনিক বিকেন্দ্রীকরণ (Decentralisation) ও ক্ষমতা অর্পণ (Devolution) অত্যাবশ্যকীয়। এটা না হলে কাগজে কলমে যাই থাকুক না কেন বাস্তবে ঈঙ্গিত লক্ষ্য অর্জিত হবে না। স্থানীয় সরকার শক্তিশালীকরণের

এখন সবায়ের আহন সংশোধনের পর পর সরকার নিবাহী ক্ষমতা ব্যবহার করে জেলা, থানা ও ইউনিয়ন পর্যায়ে অবস্থিত সরকারী দফতরগুলি তাদের জনবল, কার্যক্রম ও বাজেট বরাদ্দসহ জেলা, থানা ও ইউনিয়ন পরিষদের কাছে হস্তান্তর করতে পারে। সরকারী কর্মকর্তা ও কর্মচারীগণ যতদিন এভাবে হস্তান্তরিত (Transferred) বিষয়ে স্থানীয় সরকারের বিভিন্ন স্তরে কাজ করবেন তারা সে সময়কাল পর্যন্ত প্রেমুণে থাকবেন বলে ধরে নেয়া হবে।

তাৎক্ষণিকভাবে বিভিন্ন স্তরে (জেলা, থানা, ইউনিয়ন) বিদ্যমান বিকেন্দ্রিত কার্যক্রম হস্তান্তর করার পর পর্যালোচনা করে দেখতে হবে বিভিন্ন মন্ত্রণালয় এবং তাদের অধীনস্থ বিভিন্ন দপ্তরের হেড অফিস রাজধানীতে অবস্থিত থেকে কি কি কার্যক্রম গ্রহণ করে এবং যেসব কেন্দ্রীয়ভাবে বাস্তবায়িত হয়। পর্যালোচনায় এসব কার্যক্রমের মধ্যে যেসব কাজ সরকারের বিভিন্ন স্তরে হস্তান্তর করা সম্ভব তা চিহ্নিত করতে হবে। এখানে যে নীতি কার্যকর হবে তা হলো 'অবশিষ্টাংশ নিয়ে থাকা' (Principle of Subsidiarity) অর্থাৎ স্থানীয় সরকার প্রতিষ্ঠানগুলি দিয়ে যেসব কাজ করানো সম্ভব সেসব হস্তান্তর করে বাকীগুলো কেন্দ্রীয় সরকারের আওতায় রাখা।)

কেন্দ্রীয় সরকারের কাছ থেকে কোন্ কোন্ কাজ বিভিন্ন স্তরের স্থানীয় সরকারের কাছে হস্তান্তরিত করা যেতে পারে সে সম্বন্ধে সুপারিশমালা রাখার জন্য একটি স্বল্পকালীন প্রশাসনিক পুনর্বিন্যাস কমিটি গঠন করা যেতে পারে। সরকার যেসব বিষয় হস্তান্তর করবে (Transferred Subjects) এবং যেসব বিষয় সরকারের কাছে সংরক্ষিত থাকবে (Retained Subjects) এ কমিটি তার তালিকা প্রস্তুত করবে।

স্থানীয় সরকার প্রতিষ্ঠানের কাছে প্রশাসনিক এবং আর্থিক ক্ষমতা হস্তান্তরের প্রক্রিয়া পর্যালোচনা ও তদারকীর জন্য উচ্চ পর্যায়ে একটি কমিটি থাকা উচিত। এ কমিটি সরেজমিনে অভিজ্ঞতা, বাস্তব অবস্থা এবং বিভিন্ন কর্তৃপক্ষের প্রতিবেদন, মতামত, প্রস্তাবনা বিবেচনা করে স্থানীয় সরকার বাস্তবায়ন পরিকল্পনা অনুযায়ী অগ্রসর হচ্ছে কিনা তা নিশ্চিত করবে। এটি পরবর্তী ঘোষণা না দেয়া পর্যন্ত স্থায়ী কমিটি হিসেবে বিবেচিত হবে।

স্থানীয় সরকার শক্তিশালীকরণ : জনবল ও প্রতিষ্ঠান

প্রস্তাবিত স্থানীয় সরকার কাঠামোর বিভিন্ন স্তরে দু' শ্রেণীর কর্মকর্তা/ কর্মচারী থাকবে :

১। স্থানীয় সরকারের নিজস্ব জনবল।

২। সরকার কর্তৃক হস্তান্তরিত বিভিন্ন সংস্থা/ অধিদপ্তর এর কর্মকর্তা ও কর্মচারী।

যেহেতু, প্রায় প্রতিটি স্তরেই সংশ্লিষ্ট সরকারী সংস্থা/ অধিদপ্তর হস্তান্তরিত হবার পর তাদের বিদ্যমান জনবলসহ সংশ্লিষ্ট স্থানীয় সরকার প্রতিষ্ঠানের অন্তর্ভুক্ত হবে সে জন্য স্থানীয় সরকার প্রতিষ্ঠানের নিজস্ব জনবল খুব বৃদ্ধি করার প্রয়োজন নেই।

নিজস্ব জনবলের বেতন-ভাতার ভার শেষ পর্যন্ত সংশ্লিষ্ট স্থানীয় সরকার প্রতিষ্ঠানকেই গ্রহণ করতে হবে। তবে আয় বৃদ্ধির জন্য যুক্তিসঙ্গত সময় দিয়ে ৫ (পাঁচ) বছর পর্যন্ত বেতন-ভাতার জন্য সরকারী অনুদান প্রদান অব্যাহত থাকতে পারে।

নতুন কলেবরে এবং প্রেক্ষিতে কার্যক্রম পরিচালনার জন্য সরকারী সংস্থা ও অধিদপ্তরের প্রেমুণে প্রেরিত কর্মকর্তা এবং স্থানীয় সরকার প্রতিষ্ঠানের নিজস্ব জনবল উভয়েরই দক্ষতা বৃদ্ধির ও মানসিকতা পরিবর্তনের প্রয়োজন হবে। সরকারী কর্মকর্তা ও কর্মচারীদের ক্ষেত্রে মানসিকতা পরিবর্তনের জন্য উদ্বুদ্ধকরণ, প্রশিক্ষণ এবং দক্ষতা বৃদ্ধির (আর্থিক ব্যবস্থাপনা, হিসাব রক্ষণ, পরিকল্পনা তৈরী, প্রকল্প তৈরী, অফিস ব্যবস্থাপনা ইত্যাদি) জন্য সকলকে দ্রুততম সময়ে প্রশিক্ষণ প্রদানের ব্যবস্থা করতে হবে। একই সঙ্গে নির্বাচিত প্রতিনিধিদেরও বিভিন্ন বিষয়ে (সার্বিক ব্যবস্থাপনা, তদারকী, পরিকল্পনা প্রণয়ন,

বাজেট প্রণয়ন, জনসংযোগ সমন্বয় সাধন, ইত্যাদি) স্বল্পকালীন প্রশিক্ষণ প্রদান করা হলে তারা নিজ নিজ ভূমিকা যথাযথভাবে এবং আস্থার সঙ্গে পালন করতে পারবেন। স্থানীয় সরকার প্রতিষ্ঠানের নিজস্ব কর্মকর্তা ও কর্মচারীদের জন্যও যেসব বিষয়ে দক্ষতা অর্জনের জন্য প্রশিক্ষণের প্রয়োজন হবে তার মধ্যে অফিস ব্যবস্থাপনা, হিসাবরক্ষণ, কর আদায় ও প্রকল্প তৈরী অন্তর্ভুক্ত থাকা উচিত।

স্থানীয় সরকার শক্তিশালীকরণ : অংশগ্রহণ ও জবাবদিহিতা

জনসাধারণের অংশগ্রহণই স্থানীয় সরকারের কার্যক্রমে প্রাণ প্রতিষ্ঠা করে যার অভাবে এই সব কার্যক্রম পরিণত হয় রুটিনে অথবা হয়ে যায় মুষ্টিমেয়ের স্বার্থে পরিচালিত। সংজ্ঞার দিক দিয়েও স্থানীয় সরকার আর অংশগ্রহণ প্রায় সমার্থক। কেননা 'স্থানীয়' বলতে কেবল ভৌগোলিক এলাকা নয়, জনগোষ্ঠীকেও বোঝানো হয় এবং 'স্থানীয় সরকার' কথাটি অর্থবহ হয় স্থানীয় জনগণের সক্রিয় অংশগ্রহণে।

যেহেতু প্রস্তাবিত স্থানীয় সরকার প্রতিষ্ঠানগুলির বিভিন্ন স্তর রয়েছে এবং এ সব স্তর গ্রাম থেকে জেলা পর্যন্ত বিস্তৃত, সে জন্য অংশগ্রহণের ক্ষেত্রে প্রত্যক্ষ এবং পরোক্ষ উভয় কৌশলেরই ব্যবহার বাঞ্ছনীয় এবং বাস্তবানুগ হবে। অভিজ্ঞতা এবং বাস্তবতার নিরিখে প্রতিটি কর্মসূচী উদ্যোগের জন্য অংশগ্রহণের প্রকার ও চরিত্র নির্ধারণ করতে হবে। স্তর বিশেষে অংশগ্রহণের এসব প্রকার ও চরিত্রের তারতম্য হবে।

সুষ্ঠু ও পূর্ণ অংশগ্রহণের মাধ্যমে একই সঙ্গে জবাবদিহিতাও নিশ্চিত করা যেতে পারে। সিদ্ধান্ত গ্রহণ যদি জনগণের আশা-আকাঙ্ক্ষা এবং তাদের প্রয়োজন প্রতিফলিত করে তাহলে তার ফলে জবাবদিহিতার শর্তও অনেকটা পূরণ হয়ে যায়। স্থানীয় সরকার প্রতিষ্ঠান শক্তিশালীকরণ কর্মসূচীতে অংশগ্রহণ এবং জবাবদিহিতার ব্যবস্থা অগ্রাধিকারমূলক পদক্ষেপ হিসেবে বিবেচিত হতে হবে।

স্থানীয় সরকার শক্তিশালীকরণ : সম্পর্কের প্রসঙ্গ

আন্তঃস্থানীয় সরকার সম্পর্ক

প্রতিটি স্তরের স্থানীয় সরকারই আইনের অধীনে প্রতিষ্ঠিত। জনপ্রতিনিধিত্বমূলক প্রতিষ্ঠান হিসেবে এরা কেউ কারো অধীনস্থ নয়। কিন্তু যেহেতু প্রতিষ্ঠানগুলি নিয়ে একটি শৃঙ্খলাবদ্ধ পদ্ধতি (Network) গড়ে উঠেছে এবং তাদের উদ্দেশ্য অভিন্ন সে জন্য তাদের মধ্যে সহযোগিতার ও পরস্পরের সমর্থনের সম্পর্ক স্থাপিত হওয়া প্রয়োজন। সহযোগিতার পাশাপাশি থাকা প্রয়োজন সমন্বয় যার অভাবে শুধু মূল্যবান সময়ই নয় সীমিত সম্পদেরও অপচয়ের সম্ভাবনা থাকে। নতুন যে আইনে/ অধ্যাদেশে প্রস্তাবিত স্থানীয় সরকার কাঠামো গঠনের প্রস্তাব করা হচ্ছে তার মাধ্যমে সম্পর্কগুলি বিশদভাবে ব্যাখ্যা করতে হবে এটা বললেই যথেষ্ট হবে না। এর ভিত্তি হিসেবে প্রতিটি স্তরের প্রতিষ্ঠানগুলির জন্য সে সব দায়িত্ব ও ক্ষমতা দিতে হবে যা বাস্তবানুগ, কার্যকর, ব্যয় হ্রাসকারী এবং সুশাসনের জন্য প্রয়োজনীয়। নিখুঁত বিশ্লেষণ এবং সুবিবেচনা করেই স্তর নির্ধারণ ও প্রতিটি স্তরে দায়িত্ব ও ক্ষমতা বন্টন করা প্রয়োজন। কমিশন এটা মনে রেখেই চারটি স্তরের উল্লেখ করেছে এবং কোন্ স্তরে কি কি দায়িত্ব এবং ক্ষমতা প্রদান করা উচিত সে সম্বন্ধে সুপারিশ রেখেছে। সঙ্গে সঙ্গে এটাও বলা হয়েছে যে এ দায়িত্ব ও ক্ষমতার বিভাজন আরো সুষ্ঠু ও সন্তোষজনকভাবে করার প্রক্রিয়াটি দীর্ঘস্থায়ী না হলেও মধ্য মেয়াদী এবং এ উদ্দেশ্যে অন্তর্বর্তীকালীন ব্যবস্থার পাশাপাশি কমিটি (প্রশাসনিক পুনর্গঠন) ও কমিশন গঠন (ফাইন্যান্স কমিশন) করে আন্তঃসম্পর্কের বিষয়টি চূড়ান্তভাবে সমাধা করতে হবে।

কেন্দ্রীয় সরকারের সঙ্গে সম্পর্ক

সংবিধানের ৫৯ নং অনুচ্ছেদে যে তিনটি প্রধান দায়িত্ব কেন্দ্রীয় সরকারের কাছ থেকে স্থানীয় সরকারের কাছে হস্তান্তরের উল্লেখ করা হয়েছে তার মাধ্যমেই কেন্দ্রের সঙ্গে স্থানীয় সরকারের সম্পর্ক নির্ধারিত হয়ে গিয়েছে। সংবিধানের এ বিধান অনুসরণ করে এর পরিপূর্ণ বাস্তবায়ন অপরিহার্য এবং কোন যুক্তিতেই এ পদক্ষেপ স্থগিত করার অবকাশ নেই। রক্তক্ষয়ী স্বাধীনতা সংগ্রামের পর জনগণের আশা-আকাঙ্ক্ষা এবং গণতান্ত্রিক পদ্ধতিতে শাসন করবার যে অঙ্গীকার সংবিধানে বিধৃত তার প্রতি আনুগত্য রেখে বিশ্বস্ততার সঙ্গে কেন্দ্র-স্থানীয় সরকার সম্পর্ক স্থায়ী ভিত্তিতে স্থাপিত হওয়া একান্ত প্রয়োজন।

অন্যান্য সংস্থার সঙ্গে সম্পর্ক

বিভিন্ন স্তরে সরকারী ছাড়াও বেসরকারী সংস্থা (NGO) এবং স্বেচ্ছাসেবী প্রতিষ্ঠান বিভিন্ন কার্যক্রম পরিচালনা করছে। সংশ্লিষ্ট স্থানীয় সরকার প্রতিষ্ঠান এ সব সংস্থার কার্যক্রম সমন্বয় করবে এবং প্রয়োজনে সহযোগিতা প্রদান করবে। এলাকাধীন সকল সংস্থা তাদের কার্যক্রম সম্পর্কে স্থানীয় সরকার প্রতিষ্ঠানকে অবহিত রাখবে।

জাতীয় সংসদ সদস্যগণের সঙ্গে সম্পর্ক

জাতীয় সংসদের মাননীয় সদস্যগণ সংসদে আইন প্রণয়নের জন্য নির্বাচিত হলেও তাঁরা নিজ এলাকার উন্নয়ন এবং বিবিধ সমস্যা নিয়ে সংসদে আলোচনা করে থাকেন এবং বিভিন্ন মন্ত্রণালয়ের মাধ্যমে নিজ এলাকার উন্নয়নমূলক কর্মসূচী বাস্তবায়নে আগ্রহ দেখান। সঙ্গত কারনেই তাঁরা মনে করেন যে এই আগ্রহ প্রকাশ ও উন্নয়ন কর্মকাণ্ডের বাস্তবায়নে তাদের উদ্যোগ গ্রহণ এলাকাবাসীর কাছে তাঁদের প্রদত্ত অঙ্গীকার বিশেষ। একই বিবেচনায় বিভিন্ন স্তরের স্থানীয় সরকার প্রতিষ্ঠানের উন্নয়ন কার্যক্রমে তাঁরা আগ্রহ প্রকাশ করে থাকেন।

জাতীয় সংসদের মাননীয় সদস্যদের মর্যাদা এবং দেশের রাজনীতিতে তাঁদের প্রথাসিদ্ধ ভূমিকার কথা স্মরণ রেখে তাঁদেরকে নিজ নিজ এলাকার উপজেলা ও জেলা পরিষদের উপদেষ্টার ভূমিকা দেওয়া প্রয়োজন। সংশ্লিষ্ট পরিষদ তাঁদের সঙ্গে পরামর্শ করবেন এবং তাঁদেরকে পরিষদের কার্যক্রম সম্পর্কে অবহিত রাখবেন। মাননীয় সংসদ সদস্যগণ নিজ নিজ এলাকায় উন্নয়ন কার্যক্রম ও প্রকল্প নির্বাচন সম্পর্কে তাঁদের মূল্যবান মতামত ও পরামর্শ দেবেন।

স্থানীয় সরকার শক্তিশালীকরণ : স্থানীয় সরকার কমিশন

স্থানীয় সরকার প্রতিষ্ঠানসমূহ পর্যবেক্ষণ, তদারকী ও নিয়ন্ত্রণের জন্য নির্বাচন কমিশনের মত সরকারের নির্বাহী শাখা বহির্ভূত একটি স্বাধীন ও নিরপেক্ষ কমিশন গঠনের প্রয়োজনের কথা অতীতে একাধিকবার উল্লেখিত হয়েছে। এই প্রতিবেদনে অন্যত্র অনুরূপ একটি স্থানীয় সরকার কমিশন গঠনের প্রয়োজনীয়তার উপর জোর দিয়ে এটি গঠনের সুপারিশ করা হয়েছে। প্রস্তাবিত এই কমিশন স্থানীয় সরকার প্রতিষ্ঠানের স্বায়ত্তশাসনের লক্ষ্যেই শুধু নয়, তাদের সার্বিক শক্তিশালীকরণের জন্যও গুরুত্বপূর্ণ অবদান রাখতে পারবে।

স্থানীয় সরকার প্রতিষ্ঠানের সঙ্গে সম্পৃক্ত মন্ত্রণালয় সময়ে সময়ে তাদের সুষ্ঠু পরিচালনার জন্য আইন/অধ্যাদেশ প্রণয়নে উদ্যোগ নেবে এবং জাতীয় সংসদের মাধ্যমে সে সব পাস করার আইনানুগ পদক্ষেপ নেবে। আইনের অধীনে বিধিমালা তৈরীও এ মন্ত্রণালয়ের দায়িত্ব হবে যা তারা আইন ও সংসদ বিষয়ক মন্ত্রণালয়ের সহায়তায় ও পরামর্শে সম্পন্ন করবে। মন্ত্রণালয় স্থানীয় সরকার প্রতিষ্ঠানের রাজস্ব বাজেট ও উন্নয়ন বাজেটের অর্থ ছাড়ের ব্যবস্থা করবে। প্রকল্প তৈরী ও অনুমোদন গ্রহণে মন্ত্রণালয় স্থানীয় সরকার প্রতিষ্ঠানগুলিকে সহায়তা করবে এবং মন্ত্রণালয়ের মাধ্যমেই এ সব উন্নয়ন প্রকল্প প্রক্রিয়াজাত করা হবে।

স্থানীয় সরকার কমিশন আইনের ও বিধিমালার অধীনে স্থানীয় সরকার প্রতিষ্ঠানগুলি নিয়মিত কার্যক্রম পরিচালনা করছে কিনা তা পর্যালোচনা করবে এবং আইনের পরিপন্থী কোন কাজ করা হলে সংশ্লিষ্ট স্থানীয় সরকার প্রতিষ্ঠানের নির্বাচিত প্রতিনিধির বিরুদ্ধে আইনানুগ শৃঙ্খলামূলক ব্যবস্থা নেবে (সাময়িকভাবে বরখাস্ত, বরখাস্ত, দুর্নীতি দমন বিভাগ দ্বারা তদন্ত, ইত্যাদি)। কমিশন স্থানীয় সরকার প্রতিষ্ঠানগুলির আর্থিক শৃঙ্খলার প্রতি বিশেষ করে দৃষ্টি দেবে। কমিশন অডিট রিপোর্ট সমন্বিত করে আর্থিক ব্যবস্থাপনার ওপর প্রতিবেদন প্রতি বছর জাতীয় সংসদে পেশ করবে।

কমিশন আইনের অধীনে গঠিত একটি বিধিবদ্ধ সংস্থা হবে এবং এর কার্যকলাপের উপর মন্ত্রণালয়ের নিয়ন্ত্রণ বা প্রশাসনিক কর্তৃত্ব থাকবে না। কমিশনে মন্ত্রী বা প্রতিমন্ত্রীর মর্যাদাসম্পন্ন একজন চেয়ারম্যান এবং একজন সদস্য থাকবেন। এরা অবসরপ্রাপ্ত বিচারক, সরকারী কর্মকর্তা, অধ্যাপক, আইনজ্ঞ বা জাতীয় পর্যায়ে পরিচিত সমাজ কর্মী হতে পারেন।

স্থানীয় সরকার শক্তিশালীকরণ : আইন প্রণয়ন/সংশোধন

যে সব স্তরে বর্তমানে স্থানীয় সরকার প্রতিষ্ঠান নেই সেখানে নতুনভাবে স্থানীয় সরকার প্রতিষ্ঠান গড়ে তুলতে হলে নতুন আইনের প্রয়োজন হবে।

গ্রাম পরিষদ একটি নতুন স্তর, যদিও একে পূর্ণাঙ্গ স্থানীয় সরকার প্রতিষ্ঠান বলা যাবে না। গ্রাম পরিষদ সৃষ্টির জন্য নতুন আইন প্রবর্তন করতে হবে। এই আইনে গ্রাম পরিষদের গঠন, এলাকা, নির্বাচন/মনোনয়ন, দায়িত্ব ও কার্যক্রম এমনভাবে বিন্যাস করতে হবে যেন এসব ইউনিয়ন পরিষদের সম্পূরক হয়।

থানা/উপজেলা পরিষদ গঠনের সুপারিশ গৃহীত হলে এর জন্য প্রয়োজনীয় আইন প্রবর্তন করতে হবে। এই আইনে থানা/উপজেলা পরিষদের গঠন, এলাকা, নির্বাচন/মনোনয়ন, দায়িত্ব ও কার্যক্রম সুস্পষ্টভাবে উল্লেখ করতে হবে।

বর্তমানে ইউনিয়ন পরিষদ এবং জেলা পরিষদ অধ্যাদেশ বিদ্যমান রয়েছে। এইগুলি বেশ কয়েকবার সংশোধন করা হয়েছে। প্রস্তাবিত ইউনিয়ন ও জেলা পরিষদের রূপরেখা, কার্যাবলী ও দায়িত্ব ইত্যাদির আলোকে বিদ্যমান আইনগুলি সংশোধন করতে হবে।

নতুন আইন প্রণয়ন এবং পুরাতন আইনের সংশোধন এমনভাবে করতে হবে যেন এর কোনটির ধারা পরস্পর বিরোধী না হয়।

কেন্দ্রীয় সরকার এবং স্থানীয় সরকারের মধ্যে রাজস্ব আয় বন্টনের উদ্দেশ্যে সুপারিশ রাখার এবং নীতিমালা তৈরীর জন্য নতুন আইন প্রবর্তন করে একটি ফাইন্যান্স কমিশন গঠন করতে হবে। এই আইনে কমিশনের গঠন, দায়িত্ব, কার্যপ্রণালী ও ক্ষমতা এবং মেয়াদ বিস্তারিতভাবে উল্লেখিত হতে হবে।

স্থানীয় সরকার প্রতিষ্ঠানের কার্যক্রম তদারকী এবং প্রয়োজনে নিয়ন্ত্রণ ও শৃঙ্খলামূলক ব্যবস্থা গ্রহণের জন্য আইনের মাধ্যমে একটি স্থায়ী স্থানীয় সরকার কমিশন বা কাউন্সিল গঠন করতে হবে। আইনে কমিশন/কাউন্সিলের গঠন, কার্যক্রম ও দায়িত্বাবলী, কার্য পদ্ধতি, ক্ষমতা, জনবল, বাজেট ইত্যাদির উল্লেখ থাকতে হবে।

স্থানীয় সরকার প্রতিষ্ঠান শক্তিশালীকরণের জন্য কমিশন কর্তৃক পেশকৃত যে সব সুপারিশ সরকার গ্রহণ করবেন তাদের বাস্তবায়ন, পর্যালোচনা ও পরিবীক্ষণের জন্য একটি উচ্চ ক্ষমতা সম্পন্ন কমিটি গঠন করতে হবে যা আইন/অধ্যাদেশ অথবা নির্বাহী আদেশে গঠিত হতে পারে।

UPDATE ON PUBLIC ADMINISTRATION REFORM IN BANGLADESH

The Public Administration Reforms Commission (PARC) was constituted in December 1996. In October 1997 the Commission was reconstituted by including more members and reformulating its TOR. The government has given utmost importance to the PARC and accorded its chairman the status of a full Cabinet Minister. The Commission comprises Member of Parliament and experienced members encompassing, representatives from private sector, academic community, NGOs and government officials.

So far the Commission held nineteen meetings and finalized and submitted to the Government twenty-eight recommendations. These are as follows:

1. Certain Measures for Improving the Accountability and Service Standard of the Government Organizations;
2. System of Receipt of Letters in the Secretariat and Their Acknowledgement; Disposal of Files within a given Time Frame.
3. Early Retirement with Incentives;
4. Appointment of Ombudsman;
5. Simplification of Payment of Travel Tax;
6. Capping on the Existing Level of Manpower in Revenue Budget;
7. Simplification of Payment Procedure of Pension;
8. Monetization of the Vehicle Entitlement of the Officers;
9. Modernization of Land Administration in Bangladesh;
10. Institutional Arrangement for Implementation of Recommendations of Public Administration Reforms Commission;
11. One Stop Utility Bill Payment System;
12. Simplification of Issuance of Passport;✓
13. Simplification of Issuance of Driving License;✓
14. Formation of Work Improvement Team in the Ministries/Divisions and Other Government Offices;
15. Introduction of Transparency in Public Administration;
16. Enhancement of Security of the Members of the Public in the Highways and Improvement of Traffic System;

17. Recommendation to Abolish and Merge Some Departments/Offices;
18. Application/Implementation of Existing Acts, Rules, Regulations, Orders, Instructions, etc.;
19. Proposal for Grade-Wise Identification of the Employees instead of Class-Wise;
20. Slogan on Administrative Reforms;
21. Declaration of Three Year Old Domestic Utility Bills as Time Barred for Payment;
22. Designing the Performance-based Annual Reporting System by the Ministries/Divisions;
23. Performance Standard and Citizen's Charter;
24. Liberalization of Quota System in the Government Service in favour of Merit;
25. A few measures for improvement of Law and Order;
26. Establishment of an Effective Organization to Curb Corruption at all levels of Public Administration;
27. Electronic Government, introduction of all Modern Technologies and their optimal use in the Government functioning;
28. Institutional arrangement for implementation of recommendations on matters of reform by setting up Public Administration Reforms Monitoring Commission (PARMOC).

The first recommendation captioned "Certain Measures for Improving the Accountability and Service Standard of the Government Organizations" contains the proposal for better delivery of services to the people. All service oriented departments and organizations should publicly display signs or boards saying what kind of services are available, where those are available, where necessary forms for applications are available, where money should be deposited, where to make a complaint, etc. Those departments and organizations receiving money for services should make available booklets containing the above information either free of cost or at a token fee. All offices providing services should have an information both headed by an official with his name and designation placed on his desk.

The second recommendation "System of Receipt of Letters in the Secretariat and their Acknowledgement; Disposal of Files within a Given Time Frame" concerns early disposal of

letters, queries, etc. The final decision on a letter to the government sent by any citizen or party on any subject matter has to be communicated normally within the stipulated time (i.e. two weeks) as mentioned in the existing Secretarial Manual. To help reduce sufferings of people coming to the Secretariat to seek redress to their problems, the Commission recommended that there should be a mail receiving center at the entrance of the Secretariat which will remain open during office hours and provide acknowledgement of receipt on behalf of concerned ministries/departments.

The third recommendation of the Commission "Early Retirement with ⁷atives" has suggested provision for voluntary retirement by public servants after completing 20 years of service instead of 25 years with full benefits. Options for voluntary retirement after 15 years of service could also be taken by the public servants with 64% of pension and benefits.

The fourth recommendation is on "Appointment of Ombudsman" deals with the setting up of the office of Ombudsman with appropriate manpower. There is a provision in the Constitution (Article 77) of the People's Republic of Bangladesh to set up an office of Ombudsman. Accordingly the Commission proposed to create the post of Ombudsman and set up an office for this purpose with a manpower of 35 personnel and necessary facilities of infrastructure.

The fifth recommendation is regarding "Simplification of Payment of Travel Tax" which aims to reducing the suffering of Bangladesh citizens travelling abroad in respect of payment of travel tax. It was suggested to incorporate the travel tax in the ticket instead of the existing cumbersome system of making payment to the bank at the time of departure.

In the sixth recommendation on "Capping on the Existing Level of Manpower in Revenue Budget" the Commission has proposed that during the leisure of the Commission except for some essential and technical posts, other vacant posts should be filled up nor any new post created except with approval of the Minister-in-charge of the Ministry of Establishment. Post lying vacant for a year or more should be abolished.

The seventh recommendation "Simplification of Payment Procedure of Pension" the Commission has suggested some measures to simplify payment of pension to the retired government servants. Although the government has already simplified the payment of pension, there are still some barriers, which could be removed. The Commission has identified these problems and suggested removing them. The Commission has emphasized on the

implementation of the government decisions already taken and recommended for training of the concerned officials in this regard. It has also suggested to create environment for timely disposal of pension cases and those who will be responsible for any negligence will be liable for punishment.

In the eighth recommendation on "Monetization of the Vehicle Entitlement of the Officers", the Commission has recommended to provide loan of Tk. 4 (four) lakhs to government servants for purchasing vehicle of their own instead of providing full time vehicle to the officers who are entitled to it. The government would provide an allowance of Tk. 8 (eight) thousand for maintaining the vehicle.

✓ In the ninth recommendation on "Modernization of Land Administration in Bangladesh", the Commission has recommended some measures to modernize the land administration in Bangladesh. For simplifying the present system of land ownership, it has been proposed to introduce certificate of land ownership to be provided to the owners of land. Instead of family based khatian (Record of Rights), plot based khatian has been proposed to introduce. Simplification of forms and language for preparing the documents, placement of Assistant Commissioner (Land), Sub-registrar and Assistant Settlement Officer in the same vicinity, amendment of all laws and rules in connection with modernization of land, etc. are also envisaged.

The tenth recommendation "Institutional Arrangement for Implementation of Recommendations of Public Administration Reforms Commission" contains the interim institutional arrangement for implementation of the recommendations of PARC. The Commission as per its charter submits all its recommendations to the Prime Minister (PM). The PM may directly approve some recommendations. These recommendations would be sent to Ministries/Divisions by the PM's office for implementation and the progress of their implementation would also be regularly monitored by the PM's office. Some recommendations may require the approval of the National Implementation Committee for Administrative Reorganization (NICAR), while some others of the Cabinet. The Cabinet Division would send these recommendations as per the existing procedure to the concerned Ministries/Divisions for implementation. The Cabinet Division would monitor the progress of implementation of these recommendations.

The eleventh recommendation is about the "One Stop Utility Bill Payment System"; it has been noticed that the consumers of utility services spend their valuable time in paying various utility bills in different banks at different times. Besides, it was also found that consumers are harassed by the utility organizations and sometimes by the Banks on many pretexts and unnecessary details. To simplify the utility bill payment system and reduce harassment of the consumers it was recommended to introduce 'One Stop Utility Bill Payment System' where any consumer can pay all his utility bills in any one bank or post office of his choice in a zone. The utility providing organizations would give commission of Tk. 5 per bill to the bill receiving organizations. This commission of Tk. 5 per bill would not be shifted on to the consumers. At the first stage the system would be introduced on pilot basis in one zone and depending on its success it would be replicated in Dhaka City and subsequently throughout the country.

The twelfth recommendation is regarding the "Simplification of Issuance of Passport". At present the process of issuing passport is lengthy and cumbersome. The Commission has recommended simplifying the forms and procedures. Better queuing system, abolition of police verification system, issuance of passport on the basis of voter ID card and birth registration system, introduction of Machine Readable Passport (MRP), computerization of the whole system, etc. are the specific recommendations in this regard. As simplified version of form for applying for passport has also been developed and proposed in this recommendation.

In the thirteenth recommendation "Simplification of Issuance of Driving License" it has been proposed to introduce new mode of driving licenses in the form of a high quality plastic laminated card type with embossed photographs and enhanced security features has been proposed. Increase the validity period of driving licenses, exemption of fitness certificates for all private cars not older than 10 years, simplification of forms and procedures, etc. are the other features of this recommendation.

The fourteenth recommendation "Formation of Work Improvement Team in the Ministries/Divisions and Other Government Offices" envisages the formation of a team comprising of mid-level and junior officers who would take initiatives to introduce new technology to improve the working procedures and ultimately improve the efficiency of the individual officers and the office as a whole.

In the next recommendation "Introduction of Transparency in Public Administration" certain steps have been proposed to bring transparency in the government offices. In the first stage, it has been recommended that all government publications except some classified documents, which concern the security of the state and may have grave political implications, should be open to the members of the public and, therefore, captions like "Secret", "Top Secret", "For Official Use Only" written on many public documents should henceforth be discontinued.

The sixteenth recommendation is about "Enhancement of Security of the Members of the Public in the Highways and Improvement of Traffic System" aims at improvement of traffic system and security of the members of the public on highways. Regular highway patrolling, introduction of traffic week at least once in a month, strict enforcement of traffic rules are the main features of this recommendation.

In the seventeenth proposal "Recommendation to Abolish and Merge Some Departments/Offices", it has been suggested to abolish and merge some Departments/Offices which have also been recommended by previous Commissions/Committees like PARC. The Commission carefully examined the previous reports regarding the abolition and merger of the departments and recommended the following 4 (four) departments to be abolished as their functions have been transferred to other departments:

- a. Bangladesh Bureau of Educational Information and Statistics (BANBEIS)
- b. Supply and Inspection Directorate
- c. Textile Directorate
- d. Department of Dhaka Mosquito Control

In this recommendation it has been proposed to merge 8 (eight) departments into 4 (four). These are as follows:

- a. Department of Patent Design and Trademarks to be merged with Copy Right Department
- b. Energy Monitoring and Reservation Centre with Directorate of Power Advisor and Chief Power Inspector
- c. Directorate of Tax Commission (Intelligence and Inspection) with Taxes Inspection Department

d. Bangladesh Film Archives with Directorate of Film and Publications.

In the eighteenth recommendation on “Application/Implementation of Existing Acts, Rules, Regulations, Orders, Instructions, etc.” it has been suggested to apply and implement the existing rules and regulations in the public sector organizations very strictly. It has been noticed that the existing rules and regulations are not being followed in the public sector organizations and there is a convincing view that if the existing rules and regulations are followed properly, 60% of the problems could be resolved. The Commission recommends strictly following the existing rules and regulations in the government offices and ensuring their application and implementation in the functions of the Ministries/Divisions/Departments and other government offices.

The nineteenth recommendation is on the “Proposal for Grade Wise Identification of the Employees instead of Class Wise” it has been proposed to identify the employees according to the grade of National Pay Scale instead of class. At present the employees are identified within four classes from 1-IV. The Commission feels it strongly that this colonial legacy needs to be abolished to dignify the employees. Abolition of class system also commensurate with the principles of the constitution. The Commission recommends dividing the employees within the categories of gazetted and non-gazetted and identifying them according to the grades of National Pay Scale.

In the twentieth recommendation “Slogan on Administrative Reforms” it has been proposed to stick a slogan on administrative reforms in all offices from Union to Secretariat level to motivate and create awareness among the members of the administration about the delivery of service to the citizens and among the members of the public about their rights to the government organizations. The Prime Minister of Bangladesh used a slogan “Administration for Service to People” during the international seminar of PARC held in March 1999 to carry the fruits of administration to the doors of the people. The Commission has decided to recommend this slogan to stick at all levels of administration from Union to Secretariat.

In the twenty-first recommendation “Declaration of Three Year Old Domestic Utility Bills as Time Barred for Payment” the Commission has proposed to declare the three-year-old domestic utility bills as time barred for payment under the following conditions:

- a. Collection of all the arrear bills has to be completed before 1st July 2000. After this date the 3 (three) year old arrear bills will be time barred for payment;
- b. No disputed or subjudice bills shall fall within the purview of this declaration;
- c. Any consumer under self-assessment system, who does not pay deliberately, will also not fall within this purview.

This was recommended with a view to reducing the unnecessary harassment that the users of utilities face even after due payment on the pretext of lack of evidence in support of payment of old bills (which the users usually does not retain for long and the utility organizations fall to enter into their books), and at the same time to make the concerned officials of the organization more responsible for prompt collection and proper record in their books.

The twenty-second recommendation "Designing the Performance-based Annual Reporting System by the Ministries/Divisions" deals with the annual reporting system by the Ministries/Divisions to the Cabinet Division. The existing reporting system is very subjective and input oriented rather than performance-based. The Commission has designed a formal in which the objectivity of the activities of the Ministries/Divisions would be reflected. For this the Ministries/Divisions and their subordinate offices need to introduce performance standard/indicators.

In the twenty-third recommendation on "Performance Standard and Citizen's Charter" the Commission suggested to use the draft performance standard prepared for three Ministries and performance indicators/standards for five important organizations as samples for preparation of such standards in other organizations. The Commission has also prepared draft Citizens' Charters for seven service-oriented organizations to be used as specimen. These may also be followed by other organizations to prepare Citizen's Charter.

The twenty fourth recommendation on "Liberalization of Quota System in the Government Service in Favour of Merit" suggests that the existing quota system should be amended gradually and merit should be preferred in the civil service. At present 45% of the civil servants in the category of Class-I officers enter into the service on merit basis. For the time being the Commission has proposed to increase this merit-based selection by 10% for Grade-IX (Class I service). Below IX the present system will remain unchanged.

In the twenty-fifth recommendation regarding "A Few Measures for Improvement of Law and Order", several measures have been suggested to improve the present deteriorating

situation of law and order. Among them the most important recommendations are the inspection of Thana by District Magistrates/Additional District Magistrates, training of the members of the law enforcing agency, establishment of model Thana, setting up of preventive wing in the Thana accountability of PPs, APPs, Court Police Inspectors and CSIs, gradual computerization of the Thanas and procurement of sophisticated equipment for investigation.

The twenty-sixth recommendation on "Establishment of an Effective Organization to Curb Corruption at All Levels of Public Administration" proposes to set up an Anti-corruption Commission instead of the present Anti-corruption Bureau. A new structure with adequate degree of independence has been proposed for the Commission, which will have a Council for regulating the activities of the Commission.

"Electronic Government : Introduction of All Modern Technologies and Their Optimal Use in the Government Functioning" is the twenty-seventh interim recommendation of the Commission, which suggests to make compulsory computer education at all training institutions and secondary schools and setting up of computer labs in these schools and institutions; introduction and optimal use of fibre optics communication to improve and extend the telecommunication, encouragement of private sector to participant in the development of this sector, utilization of telephone, e-mail, fax and other means of modern communication in the functioning of the administration, having own web-site of every Ministry, maintenance of files through computerizing/micro filming/CD, networking of offices through computerization, preparation of an IT policy and its reflection in the annual budget.

The twenty-eighth recommendation is about the "Institutional arrangement for Implementation of Recommendations on Matters of Reform". The Commission has proposed to set up a "Public Administration Reforms Monitoring Commission (PARMOC)" for a period of 3 (three) years after the completion of the tenure of the present Commission. The main objective of the proposed Commission will be to help implement the recommendations and monitor their progress. At the same time PARMOC will modify the recommendations, if required, during implementation and formulate new/amended recommendations as and when desired by the government. PARMOC has been proposed to be constituted by two full-time Members and thirteen part-time Members and a Member-Secretary. The chairman of the proposed Commission will be a full Minister or of the rank and status of a full Minister. Like the present Commission, PARMOC would be a flat organization and a core group of officers will provide

expert services to help implement the recommendations through a process consultation with concerned implementing agency.

Implementation Status of the Recommendations

The cabinet has already approved three recommendations – the first two and the eleventh recommendation on “One Stop Utility Bill Payment System” and instructed the relevant Ministries/Agencies to take necessary steps to implement them as early as possible. Implementation of the fifth recommendation on “Simplification of Payment of Travel Tax” has also started to from September 1, 1999. With regard to the appointment of the Ombudsman, the government is searching for a person to hold the office of Ombudsman. Other formalities are almost completed in this regard. Some of the recommendations are set to relevant Ministries/Divisions for comments/views. Other recommendations will also be placed in phases for consideration of the Cabinet.

Source : PARC, January 2000

Public Administration for 21st Century

Report of the Public Administration Reform Commission

Volume 1

***Presented to the Hon'ble Prime Minister of the
Government of the People's Republic of Bangladesh***

June 2000

REPORT BY THE PUBLIC ADMINISTRATION REFORM COMMISSION

It is with great pleasure that we present to you in the first phase three volumes of the Report of Public Administration Reform Commission (PARC) which was constituted in January 1997 to ensure good governance with a view to achieve rapid socio-economic development of the country.

The task given to PARC is to recommend on improving transparency, efficiency, accountability, effectiveness and dynamism; institutional and procedural changes necessary to attract investment; prevention of wastage and improvement of service delivery to ensure value for money; reorganization of local government bodies consistent with existing local government legislation aiming at decentralisation and devolution of authority; combating corruption; rationalisation of existing institutions and manpower; and strengthening of parliamentary oversight on the executive organ of the state. It is also within the purview of the Commission to suggest legal, regulatory and procedural changes that will be necessary to implement the reform proposals including an institutional arrangement for implementation of recommendations of the Commission.

The Commission adopted the strategy of developing an approach based on broad consensus towards formulating reform proposals. It decided to formulate recommendations on matters of administrative improvement first rather than on major reform programme to generate interest in and facilitate creation of awareness among the concerned quarters and the public in general. Through a process of interactions with different socio-political groups, it tried to foster consensus on matters of reform. It particularly adopted a multi-partisan approach, acceptable to all irrespective of parochial considerations, to work out some important and major recommendations in order to facilitate their subsequent implementation. For this purpose it consulted a wide range of groups including the stakeholders, representatives of political parties, private sector and NGOs, academics, journalists, women groups, associations of different cadres of civil servants and members of the civil society in general. It also published a questionnaire in the newspapers and Commission's website; organised national and international seminars, workshops, forums; arranged exchanges of views; undertook study tours; participated in national and international seminars/conferences; and appointed national and international consultants to help prepare and finalise the recommendations incorporated in the Report.

The Government set up the Commission on the eve of the 21st century when the whole world was moving fast to the concept of *New Public Management (NPM)* i.e. performance-based and result-oriented administration with *outsourcing* and *contracting out* wherever possible and upholding the citizen's rights for better and cheaper service. The recommendations incorporated in this Report have been formulated in line with the concept of NPM. These are mainly on improvement of service delivery, creation of functional clusters of Ministries for developing professionalism and Senior Management Pool (SMP) for doing away with inter cadre rivalries and facilitating fast track promotion; introduction of strictly merit-based recruitment and promotion in public service; decentralisation and devolution of governmental authority and reorganization of local government bodies; rationalisation of institutions and manpower; creation of a powerful (and ultimately independent) Anti-Corruption Commission; effective parliamentary oversight on administration; promotion of private investment; and creation of a Public Administration Reform Monitoring Commission (PARMOC) for continuity of the reform agenda of the Government and implementation of reform proposals numbering 137 (Interim 30, Short-term 70 and Long-term 37)

contained in this Report. The impact of these recommendations will be felt only on their implementation which is the most crucial and difficult part of any reform agenda. Incidentally, about twenty one reports prepared since independence by different Commissions/Committees instituted by Government or prepared at the instance of development partners of Bangladesh have remained largely unimplemented creating a situation where Bangladesh has lagged far behind many other countries in matters of administrative reform. We hope that the Government will take stronger steps to implement these recommendations to adapt the administration to the needs and requirements of the 21st century. Mentionably, a good beginning has been made towards their implementation through the decision of the Government to gradually consider the interim recommendations of PARC in the cabinet meetings in order to facilitate their implementation.

Administrative reform is a long-term continuing exercise and calls for solid political support.

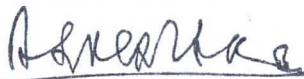
If the ongoing reform process gets stalled or stopped on the way, the momentum created, experience gathered and expertise developed would be lost. We are hopeful that due attention would be paid by the Government to this crucial aspect.

The Terms of Reference (TOR) of the Commission cover a wide range of reform issues virtually encompassing all matters connected with administration. To prepare a Report covering the entire TOR within a two year period is a daunting task. It has been possible to prepare the present three volumes on administrative reform due to hard work of the members of the Commission and the small number of officers and staff working in it as well as support from UNDP and other development partners. Yet the Commission could not complete all the tasks entrusted to it. The unfinished work, which *inter alia* includes reform proposals on corporations and autonomous bodies, will be incorporated in the next phase of the Report.

No report is free from limitation. We take responsibility for any deficiencies occurring in this Report despite our best efforts.

We are thankful to the Government of Bangladesh for entrusting us, in this age of information technology, with the responsibility to furnish our considered views and prioritised recommendations on administrative reform befitting the dawn of the new century and millennium.

Signed: 25 June 2000



ATM Shamsul Haque
Chairman

Members

Khandaker Asaduzzaman



Qazi Shamsul Alam



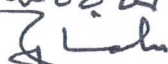
Syed Yusuf Hossain



Dr. Akbar Ali Khan



Syed Manzur Elahi



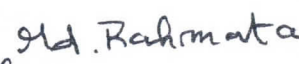
Dr. Nazmunnesa Mahtab



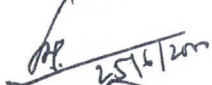
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Aminul Islam



LIST OF ABBREVIATIONS & ACRONYMS

ACC	: Anti- Corruption Commission
ACMM	: Additional Chief Metropolitan Magistrate
ACR	: Annual Confidential Report
ADM	: Additional District Magistrate
ADP	: Annual Development Programme
APRA	: Annual Performance Report Appraisal
ARC	: Administrative Reorganisation Committee
ASRC	: Administrative and Services Reorganisation Committee
BAC	: Bureau of Anti-Corruption
BCAS	: Bangladesh Centre for Advanced Studies
BCS	: Bangladesh Civil Service
BCSIR	: Bangladesh Council for Scientific and Industrial Research
BEPZA	: Bangladesh Export Processing Zones Authority
BIWTA	: Bangladesh Inland Water Transport Authority
BOI	: Board of Investment
BPATC	: Bangladesh Public Administration Training Centre
BRTC	: Bangladesh Road Transport Corporation
BSCIC	: Bangladesh Small and Cottage Industries Corporation
BTTB	: Bangladesh Telegraph & Telephone Board
BWDB	: Bangladesh Water Development Board
C&AG	: Comptroller and Auditor General
CBA	: Collective Bargaining Agent
CEO	: Chief Executive Officer
CIS	: Commonwealth of Independent States
CJC	: Criminal Justice Commission
CLI	: Cost of Living Index
CMM	: Chief Metropolitan Magistrate
CPD	: Centre for Policy Dialogue
CSP	: Civil Service of Pakistan
DESA	: Dhaka Electric Supply Authority
EC	: Estimate Committee
ECNCST	: Executive Committee of the National Council for Science and Technology
ECNEC	: Executive Committee of National Economic Council
EPZ	: Export Processing Zone
FBCCI	: Federation of Bangladesh Chambers of Commerce and Industries
FDI	: Foreign Direct Investment
FEMA	: Fair Election Monitoring Alliance
FIA	: Freedom of Information Act
FMA	: Financial Management Academy

FY	: Financial Year
GDP	: Gross Domestic Product
GOB	: Government of Bangladesh
GP	: Gram Parishad
HQ	: Head Quarter
IAS	: Indian Administrative Service
ICAC	: Independent Commission Against Corruption
ICS	: Indian Civil Service
ICU	: Independent Control Unit
IGP	: Inspector General of Police
IIM	: Indian Institute of Management
IMED	: Implementation Monitoring & Evaluation Division
IO	: Investigating Officer
IPS	: Institute of Policy Studies
IR	: Interim Recommendation
IT	: Information Technology
ITU	: Information Technology Unit
LAN	: Local Area Network
LGC	: Local Government Commission
LGED	: Local Government Engineering Department
MAMPU	: Malaysian Administrative Modernisation and Planning Unit
MAU	: Management Account Unit
MCCI	: Metropolitan Chamber of Commerce & Industries
MLSS	: Member of the Lower Subordinate Staff
MM	: Metropolitan Magistrate
MOE	: Ministry of Establishment
MOF	: Ministry of Finance
MOE&F	: Ministry of Environment and Forest
MOFA	: Ministry of Foreign Affairs
MP	: Member of Parliament
MWCA	: Ministry of Women and Children Affairs
NBR	: National Board of Revenue
NCB	: Nationalised Commercial Bank
NCRG	: National Commission for Reforming Government
NGO	: Non Government Organisation
NIP	: New Industrial Policy
NNGSP	: New National Grade and Scales of Pay
NPM	: New Public Management
NPR	: National Performance Review
NRB	: Non Resident Bangladeshi
O&M	: Organisation & Management
P& S C	: Pay and Service Commission

PAC	: Public Accounts Committee
PAES	: Public Administration Efficiency Study
PARC	: Public Administration Reform Commission
PARMOC	: Public Administration Reform Monitoring Commission
PC	: Planning Commission
PDB	: Power Development Board
PLAGE	: Policy Leadership and Advocacy for Gender Equality
PM	: Prime Minister
PMO	: Prime Minister's Office
PP	: Public Prosecutor
PSC	: Public Service Commission
PUC	: Public Undertaking Committee
R & D	: Research and Development
RAJUK	: Rajdhani Unnayan Karttripakha
RD	: Rural Development
REB	: Rural Electrification Board
RIBEC	: Reforms in Budget and Expenditure Control
SEC	: Security and Exchange Commission
SMP	: Senior Management Pool
SOE	: State Owned Enterprise
SP	: Superintendent of Police
SRO	: Statutory Regulatory Order
SSB	: Superior Selection Board
SSP	: Senior Services Pool
TIB	: Transparency International, Bangladesh
TOR	: Terms of Reference
TU	: Trade Union
UK	: United Kingdom
UNDP	: United Nations Development Programme
UNO	: Upazila Nirbahi Officer
UP	: Union Parishad
US	: United States
UZDCC	: Upazila Development Coordination Committee
UZP	: Upazila Parishad
VDP	: Village Defense Party
VFM	: Value for Money
VGD	: Vulnerable Group Development
WAN	: Wide Area Network
WASA	: Water and Sewerage Authority
WFP	: World Food Programme
WTO	: World Trade Organisation
ZP	: Zila Parishad

EXECUTIVE SUMMARY

The Public Administration Reform Commission (PARC) was constituted in January 1997 with the mandate to recommend policies, programmes and activities to improve the level of efficiency, effectiveness, accountability and transparency in public organisations and to enable them fulfil the government's commitment to ensure socio-economic development and reach out its benefits to the people.

Key Issues Addressed and the Commission's Recommendations

The Commission was of the view that some issues could be addressed without delay and extended research. This would have an immediate impact on public service delivery without much of a financial implication. It found it expedient to submit to the Government a number of interim recommendations to resolve such issues instead of waiting until the Commission submits its report at the end of its tenure. A total of 30 such recommendations have already been submitted; they dealt with a host of different topics covering issues of varying magnitude. Modernisation of land administration in Bangladesh; measures for improving the accountability and service standards in government organisations; appointment of an Ombudsman; formation of an effective Anti-corruption Commission; establishment of one-stop utility (gas, water, electricity, telephone, etc.) bill payment system; gradual abolition of quotas in government service; simplification of issuance of passport, driving license and payment of travel tax; introduction of performance standard in service-providing organisations; designing a performance-based annual reporting system to be implemented by Ministries/Divisions; and establishment of an institutional mechanism to implement reform programmes are examples of the interim recommendations. Of these, six recommendations viz., improving accountability and service standard of public organisations, one-stop utility bill payment system, simplification of payment of travel tax, formation of Work Improvement Team (WIT) in the government offices, system of receipt of letters in the Secretariat and their acknowledgement, and dissemination of the slogan 'Administration for Service to People' have been approved by the Government and are under process of implementation with the assistance of the Commission.

PARC addressed the issues causing low levels of efficiency, effectiveness, accountability, transparency and dynamism in public agencies and examined the options to improve delivery of public services (Chapter 2). It found that the factors that have contributed to this situation are: (a) lack of operational definitions of public agencies' missions, functions and roles; (b) absence of a formal public policy and system to ensure that such definitions be made available to the public; (c) culture of secrecy in public service; (d) high degree of centralisation of decision-making; (e) weak instruments of control and accountability; (f) poor utilisation of information technology and; (g) attitudinal constraint and issues of personnel management, including low level of compensation. The Commission made both interim and final recommendations to address these issues. **Determination of Missions and functions of the public offices; affirmation of professionalism in the civil service; introduction of performance monitoring and result -oriented performance audit of Ministries/Divisions/Departments/Directorates and other public agencies; delegation of powers to subordinate and field offices; introduction of only three hierarchical positions in all government organisations to reduce levels of decision-making process; availability of the reports of all Commissions/ Committees for the sake of transparency and accountability; separation of judiciary from the executive with the establishment of a Supreme Court Secretariat; separation of audit from accounts; introduction of performance standard and citizen's charter; simplification of outdated laws, rules, regulations and forms; amendment of Official Secrets Act 1923; preparation of the draft of a proposed Freedom of Information Act; introduction of IT and establishment of Local Area Network (LAN) and Wide Area Network (WAN); and introduction of**

market-based salaries for the Government employees are among the important recommendations.

The question of reforming the Civil Service in general and services reorganisation in particular has occupied the authorities for a long time. The Commission approached this question by first analysing the recruitment policies which are at the core of service inefficiency (Chapter 3). The major discrepancy between the Constitutional right of equality of opportunity for all citizens in respect of employment and what is actually taking place justifies the recommendation for the gradual abolition of the quota system. This should also help establish the principle of meritocracy in matters of recruitment and promotion in line with the *New Public Management (NPM)*. The analysis of the complex inter cadre problems and conflict between generalist and specialist led to the recommendation of specialisation from the level of Deputy Secretary at the Secretariat and also for introduction of functional clusters of related Ministries of allied nature in addition to the formation of a professional policy-making group, namely, Senior Management Pool (SMP) which should facilitate fast track promotion. Government may allow lateral entry upto 15% in the posts of the level of Secretary and upto 10% in the posts of Deputy Secretary and above. The above posts and the posts of all heads of corporations and subject to the provisions under the concerned recruitment rules, posts of heads of other Government Departments/Directorates, etc. may be filled up through competition for a fixed tenure. All government officers upto two steps below the posts to be filled in and candidates from the private sector with prescribed qualification will be eligible to compete for such posts. The posts of Deputy Secretaries would be filled up from all cadres through open competition. Other related issues have also been discussed: employment of women and the need to create an enabling environment for them, the imperatives of linking promotion to performance, raising superannuation age from 57 to 60 years and stopping appointment on contract to any duty post, adequate compensation and fringe benefits as well as training and job enrichment. The examination of civil servants' grievance redress machinery led to the recommendation of creation of more than one Administrative Tribunal especially in Dhaka for expeditious disposal of cases. Recommendation has also been made for the creation of three Public Service Commissions (PSCs) – general, technical and education services – in place of the existing one.

Institutional reorganisation and manpower rationalisation (Chapter 4) remains one of the crucial problem areas in public administration affecting efficiency, performance, service delivery and accountability. The chapter starts with a presentation of the historical background and the reasons, for the present over-sized organisations and overstaffing in the Ministries, Divisions, Departments, Directorates and Subordinate Offices (231 government offices including 36 Ministries). PARC has recommended necessary reduction in the number of government organisations and manpower strength. In its exercise, the Commission has examined the report of Administrative Reorganisation Committee (ARC) and made relevant use of it. The key recommendations are merger of four Divisions and reduction of the number of Ministries from 36 to 25, abolition of six organisations; setting up of two new organisations viz. (i) Supreme Court Secretariat, and (ii) Office of the Ombudsman; creation of 4068 additional posts (+1759 and +2309 for class I and II respectively) and reduction of 29974 manpower (- 13176 and - 16798 in class III and IV respectively), making a total surplus of 25906 (4.46%) against the existing number of posts. The proposed manpower restructuring will result in annual saving of more than Tk. 75 crore. But net redundant workforce calculated on the basis of sanctioned strength is 122223 (18.05%) which will result in much higher saving. The surplus personnel have been mainly identified in those functional areas where activities can be easily contracted out for improving efficiency and enhancing cost-effectiveness and accountability. Considering better economic management the Commission has also recommended reorganisation of the Planning Commission and strengthening the Planning Cells of the Ministries/Divisions with capacity and authority. In

the proposed rationalisation of manpower, PARC does not recommend retrenchment of any serving government employee.

Reorganisation of field administration and decentralisation (Chapter 5) addresses the pressing issues and problems of devolution and delegation in section I and section II respectively. The on-going local government reform is aiming to create a democratic local government structure at four levels — village, union, upazila and district. A detailed examination of the reform package detects considerable obstacles which are preventing local government bodies from becoming truly autonomous, it is also observed that the scheme is being implemented rather slowly; however it has the potential to empower local councils with devolved authority and functional jurisdiction. On restructuring field administration, the key long-term recommendations include: reorganisation of divisional level set up based on the recommendations of the Local Government Commission on transferred subjects. **Local government authorities will employ their own personnel** and undertake development projects. The role of MPs as Upazila Advisors may be reviewed and he/she may be involved only in planning matters relating to his jurisdiction. The existing Upazila Parishad Act may be amended in this connection. As short-term strategies, new guidelines may be prepared after reviewing existing guidelines for preparation of Plan Books of local government bodies; functions, personnel and budget of seven departments may be transferred to Zila Parishads (ZPs) and those of nine departments to Upazila Parishads (UZPs). The officials of the concerned departments should be placed on deputation in ZPs and UZPs; **the Parishads at the District, Upazila and Union levels should be given the overall authority of co-ordinating all development activities.** Section II of the chapter, which deals with delegation, shows that the key problem remains to be central control i.e., intervention by Ministries in the functioning of implementing agencies reducing their administrative and financial autonomy. **The Rules of Business should be the firm basis for the working of the government. It has to be ensured that the powers of Departments and other Subordinate Agencies are not encroached upon by any Ministry and Division.** The proposed PARMOC could study the present state of delegation of powers and suggest improvement in this regard.

The ever-crucial issues of **combating corruption** are addressed in Chapter 6. The manifestations of corruption in different spheres are depicted and the root causes identified, including the poor remuneration of public servants and their concomitant low self-motivation, weak enforcement of laws and regulations, lack of transparency, abuse of discretionary power of civil servants and the failure of present institutional mechanisms for the prevention of corruption. The functions and poor achievements of the Bureau of Anti-Corruption (BAC) received particular attention and the recommendations include the need to accelerate the **appointment of an Ombudsman, the need to curb the monopoly of public agencies over the provision of services through privatisation, reduction of discretionary powers of public authorities and the establishment of a powerful institutional mechanism for prevention of corruption viz., an Independent Commission Against Corruption (ICAC) and a Criminal Justice Commission (CJC) to deal solely with police corruption.** For the long-term, it was recommended that a new “code of conduct” be developed for the public as well as for the appointed officials; the consideration of an Act regulating contributions to political parties and increasing transparency in political transactions and the introduction of electronic communication to provide information to the public were also recommended.

The need for **reduction of wastage and promoting value for money in public agencies** (Chapter 7) was emphasised by all and sundry. The major causes of wastage were identified, particularly, in financial resource management in public sector organisations, in the methods of designing and implementing development programmes, in providing grants for educational and R&D institutions and the food-for-work programme as well as in the procurement of goods and services. Overspending in administrative offices, the waste inherent in the current unscientific management of human resources, the provision of public

service benefits (particularly for housing, vehicles and telephone) and wasteful management of public properties, including land, are discussed and recommendations made to strengthen and update auditing of the public sector organisations, **monetise public service benefits, ensure benefits to target population under food for work scheme, privatise all the State Owned Enterprises (SOEs), stop irrational system losses in different sectors, e.g., power, water, etc., update the existing procurement laws for reducing wastage and enact a consumer protection law to ensure value for money.**

The exercise of **parliamentary oversight**, a major element in instilling accountability in the public service was found to be weak. The Committee system defined in the Constitution of Bangladesh is the creation of only a few years; it still needs to gather experience to yield the desired results (Chapter 8). At present the relationship between the executive and the legislative organs of the state is influenced by the traditional concept of the supremacy of the executive which works in an environment where transparency is sacrificed at the altar of secrecy. The role of the Public Accounts Committee (PAC) was particularly analysed. Recommendations were made to strengthen the oversight functions of the Parliamentary Committees including PAC through providing their members with necessary training and supportive work environment. Involving the media in open meetings of the committees may help increase transparency and public awareness. **Each Member of Parliament should be given an office, a computer, a personal staff with computer literacy and a small fund to collect information and prepare briefs for facilitating due discharge of his/her responsibilities. The personal staff will hold office during the incumbency of the concerned MP.** Besides, recommendations are made for opposition MPs to head some Parliamentary Committees and for inclusion of at least one woman MP in each Parliamentary Committee.

✓ Chapter 9 focuses on the role of **public administration in facilitating private investment**. The overall scenario in local and foreign private investment in Bangladesh is not very encouraging. Apart from political unrest, the key problem lies in the implementation of policy decisions where public organisations play a critical role. These agencies also have organisational, procedural, legal and systemic problems. Board of Investment (BOI) and Bangladesh Export Processing Zones Authority (BEPZA), the two key institutions, suffer from operational problems and constraints including dependence on Ministries and other parastatal organisations; lack of co-ordination; failure to set target and meet deadlines; inadequate autonomy; lack of professionalism; poor monitoring and weak data management system. There are serious law and order and social problems such as extortion, *mastani* (muscle power) and ransom. All these problems cause tremendous frustration for both local and foreign investors. In the security market, fraud and malpractice pose the greatest challenge. Major recommendations include: effective measures for law enforcement and assurance of security for the investors; curbing all illegal labour union practices under existing laws; promotion of congenial working environment for women workers; updating all laws covering investment and improvement of the lengthy and cumbersome dispute settlement procedures; strategic delegation of powers to members of the "one stop service" team in BOI; continuation of the on-going banking reform; promoting private firms for providing advisory services to prospective entrepreneurs; contracting out services including utility billing, security management, mini utility services in the export processing zones and other industrial parks; entrusting the Bangladesh Missions abroad to project a positive image of the country and changing them from being only the Office of Diplomats to the Office of economic ambassadors as well; introduction of e-trade and e-commerce to ensure security of transactions and prevent fraud and forgery and strengthen the institutional capacity of business organisations.

Chapter 10 examines various issues and problems with regard to implementation of administrative reform in general and implementation mechanisms for the recommendations of PARC in particular. The proposed **Public Administration Reform Monitoring Commission**

(PARMOC) submitted to the Government is endorsed in this chapter (IR No. 28). PARMOC is proposed to be set up for a period of three years to help implement the recommendations of the Commission. Institutionally, it will be located in the Prime Minister's Office. There will be 16 (sixteen) Members of the Commission (3 full-time and 13 part-time). The Chairman of the proposed Commission will be a Cabinet Minister or a person with the rank and status of a Minister. The main task of the proposed Commission will be to render direct assistance to the Ministries/Divisions in reform process and monitor the implementation of reform programmes.

The Commission made three types of recommendations: (a) Interim Recommendations which have already been submitted to the government for consideration and implementation, (b) Short-term recommendations which could be implemented in 0-2 years, and (c) Long-term Recommendations which may need longer than 2 years for implementation.

In Volume 2 of this report the 30 Interim Recommendations are incorporated.

The summary of the Interim Recommendations and chapter-wise summary of the 70 short-term and 37 long-term recommendations are given below:

Interim Recommendations

1. *Measures for Improving the Accountability and Service Standard of the Government Organisations* contains the proposal for all service oriented departments and organisations to publicly display signs/boards or publish booklets about the services provided by them.

2. *Receipt of Letters in the Secretariat, their Acknowledgement and Disposal of Files within a Given Time Frame* recommends a mail receiving centre at the entrance of the Secretariat and early disposal of letters, queries, etc.

3. *Early Retirement with Incentives* suggests provision for voluntary retirement with full benefits of public servants on completion of 20 years instead of 25 years of service.

4. *Appointment of Ombudsman* deals with the setting up of the office of Ombudsman with necessary manpower and infrastructure.

5. *Simplification of Payment of Travel Tax* suggests incorporation of the travel tax in the price of the ticket instead of making payment to the bank at the time of departure for abroad.

6. *Capping on the Existing Level of Manpower in Revenue Budget* proposes not to fill up any vacant post or create any new post without approval of the Minister-in-Charge of the M/o. Establishment except for some essential and technical posts and abolition of posts lying vacant for a year or more.

7. *Simplification of Payment Procedure of Pension* suggests some measures to simplify payment of pension to the retired government servants.

8. *Monetisation of the Vehicle Entitlement of the Officers* proposes a loan of Tk. 4 (four) lakh to entitled government servant for purchasing vehicle of his own instead of availing official vehicle and an allowance of Tk. 8 (eight) thousand per month for maintenance.

9. *Modernisation of Land Administration in Bangladesh* proposes simplification of the procedures for land ownership and introduction of certificates of land ownership to the owners of land.

10. *Institutional Arrangement for Implementation of Recommendations of Public Administration Reform Commission* contains the proposed interim institutional arrangement for implementation of the recommendations of PARC.

11. *One Stop Utility Bill Payment System* proposes the payment of all utility bills at one counter at a time instead of the existing system of payment at different times and places.

12. *Simplification of Issuance of Passport* recommends to simplify the forms and procedures of issuance of passport.

13. *Simplification of Issuance of Driving License* proposes to simplify the forms and procedures of issuance of driving licenses.

14. *Formation of Work Improvement Team in the Ministries/Divisions and Other Government Offices* envisages the formation of a team comprising 3/4 mid-level and junior officers to improve the working procedures and efficiency and to provide incentive for innovative ideas.

15. *Introduction of Transparency in Public Administration* suggests certain steps to bring transparency in the government offices by making available to the members of the public government documents and publications except those which concern the security of the state.

16. *Enhancement of Security of the Members of the Public in the Highways and Improvement of Traffic System* aims at improvement of traffic system and security of the members of the public on highways and elsewhere.

17. *Recommendation to Abolish and Merge Some Departments/Offices* suggests abolition of four Departments/Offices and merger of eight Departments/Offices into four.

18. *Application/Implementation of Existing Acts, Rules, Regulations, Orders, Instructions, etc.* reiterates strict application and implementation of the existing rules and regulations in the public sector organisations.

19. *Proposal for Grade-wise instead of Class-wise Identification of Employees* envisages identification of employees according to their grades.

20. *Slogan on Administrative Reform* aims at disseminating the slogan "Administration for Service to People" from the highest to the lowest levels of administration.

21. *Declaration of Three-Year Old Domestic Utility Bills as Time-Barred for Payment* proposes to declare the three-year old domestic utility bills as time-barred for payment subject to some conditions.

22. *Designing the Annual Reporting System of the Ministries/Divisions* proposes introduction of performance-based annual reporting system by the Ministries/Divisions.

23. *Performance Standard and Citizen's Charter* suggests using the draft Performance Standard prepared for three Ministries and Performance Indicators/Standards for five important organisations as models for preparation of such standards/indicators in other organisations.

24. *Liberalisation of Quota System in Government Service in Favour of Merit* suggests 10% increase in the existing merit-based recruitment quota in Class I and Class II posts by amending the existing quota system from 45% to 55%.

○ 25. *Measures for Improvement of Law and Order* recommends the inspection of Thana (Police Station) by District Magistrates/Additional District Magistrates; adequate and modern training of the members of the law enforcing agency; establishment of model Thana and setting up of separate investigation and preventive wings in the Thana.

26. *Establishment of an Effective Organisation to Curb Corruption at All Levels of Public Administration* proposes to set up an Anti-Corruption Commission with more independence and authority instead of the present Anti-Corruption Bureau.

○ 27. *Electronic Government: Introduction of Modern Technologies and Their Optimal Use in the Government Functioning* suggests compulsory computer education in all training institutions and secondary schools; optimal and increased use of fibre optics; improvement of telecommunication, utilisation of telephone, e-mail, fax and other means of modern communication in the functioning of all spheres of public administration.

28. *Institutional Arrangement for Implementation of Recommendations on Matters of Reform* proposes to set up a "Public Administration Reform Monitoring Commission (PARMOC)" for a period of three years after completion of the tenure of the present Commission to help implement the recommendations of PARC and monitor their progress.

✓ 29. *Reduction of Delay in Project Implementation* recommends to minimise delay in project implementation mainly in areas where outsourcing and contracting out are possible and convenient. These areas as identified are recruitment of personnel, procurement of equipment and vehicles, construction of houses for project staff, survey, research work, maintenance, etc.

○ 30. *Use of A4 Size Paper in the Government Offices* proposes to introduce A4 (21x29.7 cm) size paper in the government offices instead of the present 21.8x43.3 cm size.

Short-term and Long-term Recommendations

CHAPTER 2: IMPROVING THE DELIVERY OF PUBLIC SERVICES

Short-term Recommendations

- i^o All public offices should define their missions and functions and prepare job descriptions for each position regardless of rank.
- ii Professionalism in civil service must be ensured.
- iii Performance monitoring of the Ministries/Divisions and Departments should be introduced.
- iv Appropriate administrative and financial authority should be delegated to subordinate/field level offices.
- v Every Ministry and all other Government offices must delegate adequate powers to the officers at various levels in such a way that no decision entails more than three tiers. The relevant paras of the Secretariat Instruction 1976 should be amended accordingly to give effect to this recommendation.
- vi For the sake of transparency and accountability the reports of all Commissions/Committees of national importance should be made available to the public.
- vii Judiciary should be separated from the executive in the light of the provisions of the Constitution of Bangladesh. Supreme Court Secretariat should be established and administration of Judiciary including magistracy should be vested in the Supreme Court. The supervisory role of Judiciary including magistracy over the police as provided for has to be strengthened.
- viii^o Result - oriented performance audit should be introduced in all offices of the government, semi-government and autonomous bodies.
- ix For establishment of intra-departmental computer network Local Area Network (LAN) should immediately be introduced.

Long-term Recommendations

- i Accounts should be separated from the audit. Audit should be empowered to perform its duties independently.
- ii Training process, content and methodology should be radically changed to impart new skills, develop knowledge and change attitudes of public servants.
- iii With the introduction of Information Technology (IT) a basic unit of a public office e.g., a section in the Ministry may be manned by one officer and a computer literate support personnel instead of four at present - an officer and three support personnel. A support personnel of 20th grade may be given appointment in a branch to do the functions of a messenger and other jobs. At the beginning this may be introduced in the Bangladesh Missions abroad. The ratio of officer and staff should be 1:1 there. In this way a huge amount of foreign currency is expected to be saved.

- iv Outdated laws, rules, regulations and forms should be updated and simplified.
- v ☐ **Citizen's charter** should be introduced in all service-rendering public organisations.
- vi Media organisations should develop programmes to educate the public about its rights to public services, its rights to express grievances, and its rights to obtain satisfactory redress.
- vii Necessary steps should be taken to enact **Freedom of Information Act** and amend Official Secrets Act 1923, the sections 123 and 124 of the Evidence Act 1872 and clause 19 of the Government Servants (Conduct) Rules 1979.
- viii For establishment of inter-departmental computer network **Wide Area Network (WAN)** should be introduced.
- ix **Market – based salaries** should be given to all officials and this should be linked to rightsizing the government. Moreover, this should be based on the principle of hiring and firing obtaining in the private sector. Such market-based salary can be introduced on a pilot basis following an agreement between the concerned employer and the employee.

CHAPTER 3: REFORMING THE CIVIL SERVICE

Short-term Recommendations

- i ☒ **Merit should be the basis for appointment, posting and promotion at all levels in all spheres of public administration.**
- ii **Discipline should be enforced in all spheres of Public Administration.**
- iii **In the Secretariat three clusters of closely related Ministries, namely, General, Economic, and Socio-Physical Infrastructure clusters should be constituted** with the posts of Deputy Secretary and above. Ministry of Foreign Affairs and Ministry of Law, Justice & Parliamentary Affairs may remain outside the above clusters.
- iv **Senior Management Pool (SMP)** should be introduced in the Secretariat, which should consist of the posts of Deputy Secretary, Joint secretary, Additional Secretary and Secretary. **Induction into SMP at the level of Deputy Secretary will be on the basis of competitive examination to be conducted by PSC.** For the post of Deputy Secretary in a cluster of Ministries/Divisions officers from all cadres who are in the senior scale and have completed at least 8 years of service will be eligible for appearing at the examination. **This will ensure scope of representation of all cadres at the Secretariat and also facilitate fast track promotion for the meritorious officers.**

- v The existing officers of the Secretariat at various levels will continue to hold their present positions and officers upto national grade III should be given an opportunity to give their preference for joining a particular cluster. The SSB shall undertake a review to accommodate the existing officers into these three clusters, considering their qualifications, experience and performance. But while appearing at the examination for induction into SMP all cadre officers will opt for joining into the cluster(s) according to their preference. Once inducted into SMP, they will lose their lien in their previous cadre posts. **Officers upto grade III and all support staff should rotate within a cluster of Ministries.** If necessary, to meet special requirements, Ministries/Divisions within a cluster should be allowed to fill-up upto 10% of its total posts (Deputy Secretary and above) on transfer from Ministries/Divisions belonging to other clusters.
- vi **Government may allow upto 15% lateral entry in the posts of the level of Secretary and upto 10% in the posts of Deputy Secretary and above.** The above posts and the posts of all heads of Corporations and subject to the provisions under the concerned recruitment rules, posts of heads of other government Department/Directorate, etc. may be filled up through open competition for a fixed tenure. All government officers upto two steps below the posts to be filled in and candidates from the private sector with prescribed qualification will be eligible to compete for such posts.
- vii **For career advancement and equitable scope for promotion for all cadres appropriate steps should be taken** and in case of non-availability of vacancies for the competent incumbents selection grade/time-scale may be considered.
- viii Appointment in a particular post should normally have a tenure of 3 to 5 years.
- ix Merit, efficiency, integrity, training and service records evaluated on the basis of fulfilling performance targets should be the guiding principle in promoting officials. The present Annual Confidential Report (ACR) form may be amended accordingly.
- x Government should continue to provide more opportunities and encouragement for employment of women. Enabling environment for working women should be provided with suitable field accommodation, transportation, day-care centres, and separate toilets.
- xi **The retirement age of public servants may be raised from 57 to 60 years and there should be no contractual appointments in the duty posts of the Government.**
- xii **Three Public Service Commissions (PSCs) may be created** – one for General services, another for Technical services and the third for Education services –to improve standards of tests and reduce the time for recruitment. Appointments of Chairmen of the proposed PSCs should preferably be on the basis of professional experience and skills in their respective fields.

xiii	The Ministry of Establishment may speedily implement the Action Plan on Training recommended by Public Administration Training Strengthening Study 1998.
xiv	Instructors and heads of all training institutions for training of class I officers may be recruited through open competition on the basis of job specification and job description of the posts from inside or outside the government.
xv	Officers as well as support staff should be given, as integral part of their service condition, proper training in computer literacy and other skills in the light of changed technology. Such training should be demand driven and specially tailored.
xvi	For expeditious redress of grievances and quick dispensation of justice to the government servants more than one Administrative Tribunal may be established especially in Dhaka.
xvii	Instead of making ad-hoc pay revisions from time to time Government should adopt a forward-looking positive pay policy. Wages and salaries should be linked to Cost of Living Index (CLI) to offset their erosion by inflation. A Pay research/adjustment cell should be created in the Ministry of Finance to adjust the salary annually to the cost of living index of the employees of the Republic.

Long-term Recommendations

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| i | Quotas in case of all recruitment should gradually be abolished by providing equal opportunity for backward areas and disadvantaged groups. |
| ii | In order to make provision for different steps of pay at the entry level and link increment with performance, <i>broad band salary</i> should be introduced on a pilot basis. |

CHAPTER 4: REORGANISING INSTITUTIONS AND RATIONALISING MANPOWER

Short-term Recommendations

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| i | Four Divisions would be merged and the number of Ministries would be fixed at 25. |
| ii | In addition to those four organisations viz. 1) Bangladesh Bureau of Education Information and Statistics (BANBEIS); 2) Supply and Inspection Directorate; 3) Directorate of Textiles; and 4) Department of Dhaka Mosquito Control recommended for abolition in IR No.17, another two organisations namely: 1) Department of Agricultural Marketing and Grading, and 2) Directorate of Complaints under NBR should be abolished. |
| iii | Two new organisations namely: 1) Supreme Court Secretariat; and 2) Office of the Ombudsman may be created. |

- iv Out of 231 government offices, 181 will have no changes from what was proposed by Administrative Reorganisation Committee. The remaining organisational charts of 50 offices will need to be changed in the light of Commission's recommended manpower structure. Government may use the organisational profiles as a basis for taking steps towards rationalising manpower in 231 organisations.
- v The present Planning Commission may be reorganised according to the needs of the present day. The Planning Cells of Ministries/Divisions should be strengthened with more capacity and authority.
- vi Commission recommends creation of 4068 (+ 1759 and + 2309 for class I and II respectively) additional posts and reduction of 29974 manpower (- 13176 and - 16798 for class III and IV respectively) making a total surplus of 25906 (4.46%) against the existing number of posts. This will result in saving of more than Tk. 75 crore annually. But net redundant workforce calculated on the basis of sanctioned strength is 122223 (18.05%). **PARC does not recommend retrenchment of any serving government employee.** The government should follow the strategy of filling in vacant positions by the surplus manpower and appoint them in suitable organisations after providing necessary re-orientation and training.
- vii Some activities of 28 organisations as identified by PARC should be contracted out. Ministries and government organisations should continue identifying scope of contracting out activities such as typing, carrying messages, making tea, sweeping offices, cleaning toilets, etc.

CHAPTER 5: RESTRUCTURING FIELD ADMINISTRATION AND DECENTRALISATION

Section I: New Local Government Set-up

Short-term Recommendations

- i Functions, personnel and budget of seven departments may be transferred to Zila Parishads (ZP) and those of nine departments to Upazila Parishads (UZP). The officials of the concerned departments should be placed on deputation in ZP and UZP.
- ii The Parishads should endeavour to maximise tax realisation and generate income from alternative sources.
- iii Deputation of an officer of the level of DC/ADC to act as its Chief Officer may enhance Zila Parishad capacity.
- iv UZP and UP should be fully involved in the preparation, implementation, and monitoring of development programmes.
- v Concerned Ministries and Divisions should review the old and obsolete guidelines for appropriate revision that should ensure local participatory planning.

vi	Guidelines may also be prepared by the Local Government Ministry for preparation, co-ordination, and implementation of Development Plans by the local government bodies.
vii	Government activities should be co-ordinated by ZP and UZP in their respective jurisdictions. NGO representatives within the locality may attend meetings of ZP and UZP. The Chairmen of the Parishads may act as the principal co-ordinators.
Long-term Recommendations	
i	The district level administration as well as local government units can be further strengthened by gradually abolishing the division-level offices of those subjects, which are proposed to be transferred to local government bodies based on the recommendations of the Local Government Commission on transferred subjects.
ii	The division level officers may be withdrawn and suitably placed for absorption by their respective parent organisations.
iii	The bloated Local Government Engineering Department (LGED) and Public Health Engineering (PHE) Department offices at the central level should gradually be abolished and their functions transferred to ZP and UZP.
iv	The process for proper distribution of government revenue, collected in the District, Upazila and Union level, shall be reviewed from time to time by the government by committees, set-up for the purpose.
v	All local government bodies shall appoint their own personnel. Appointment of key officers may be made on the basis of open competitive tests to be conducted by the proposed Local Government Service Commission.
vi	The Local Government Ministry shall update model <i>Service Regulations</i> governing recruitment, promotion, retirement, discipline and other service conditions for guidance of local bodies.
vii	The role of MP as Upazila Adviser may be reviewed and he/she may be involved only in planning matters relating to his jurisdiction.
viii	All Directorates and Departments, under both transferred and retained subjects may submit their projects and plans to ZP. Each ZP should have a Zila Planning Unit to act as a bridge between national and local planning and be responsible for district development planning.
ix	Like ZP, Upazila-based offices of the line agencies, under transferred and retained subjects may submit their projects and plans to the UZP.

x	Government may consider allocation of additional funds, to those local bodies, which will show innovativeness in their work and achieve their targeted revenue collection.
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Section II: Decentralisation And Delegation

Short-term Recommendations

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| i | It has to be ensured that no Ministry or Division encroaches upon the powers delegated to their Department/Directorate/other Office and, similarly no Department/ Directorate encroaches upon the powers delegated to their Subordinated Offices/Units. |
| ii | Heads of departments and other offices should develop annual programmes for the delivery of public goods and customer-focused services. |
| iii | The proposed PARMOC could study the present state of delegation of powers and suggest improvement in this regard. |
| iv | Each government office which is required to deliver public goods and services, publish an annual report on the delivery of those goods and services and make them available for public circulation. |

CHAPTER 6: COMBATING CORRUPTION

Short-term Recommendations

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| i | Appointment of Ombudsman should be made without avoidable delay. |
| ii | Citizens should be given options for receiving any public services from alternative places and sources to cut down on monopoly power. |
| iii | Discretionary powers should be reduced to the minimum and eliminated wherever possible. Principles governing application of discretion should be clearly stated where discretion is permitted. |
| iv | Anti-Corruption laws may be consolidated with new provisions. |
| v | Authorised copies of decisions and other related documents should be provided within a week to aggrieved persons affected by decisions for redress of his/her grievance (s). |
| vi | In order to reduce the scope of malpractice/corruption, the government should break up all utility monopolies and create competing private companies (e.g., Power, Telecommunication, etc.) |

Long-term Recommendations

- i The Ministry of Establishment should prepare a modern code of conduct for civil servants. Similarly the **Cabinet Division may draw up a code of conduct for elected officials.**
- ii Government may persuade the business community to prepare and adopt a code of conduct with provisions for denial of certain facilities for breach of the code.
- iii **Government may consider an Act regulating contributions to and raising subscriptions for political parties, to make all transactions transparent and known to the people. Government may also consider funding political parties for meeting election expenses in accordance with the proportion of seats enjoyed by each political party in the Parliament.**
- iv **An Independent Commission Against Corruption (ICAC) may be set up.**
- v **To deal with police corruption, a Criminal Justice Commission (CJC) should be established.**
- vi **Government should aggressively move into electronics for providing all needed information to citizens and for efficient and transparent services.**
- vii To avoid unnecessary harassment of citizens and consequent malpractice, Government should deregulate its non-core activities/functions.

CHAPTER 7: REDUCING WASTAGE AND PROMOTING VALUE FOR MONEY

Short-term Recommendations

- i The office of C&AG should be strengthened with trained audit personnel for effective and credible audit performance.
- ii **Construction of new housing for public servants may be discontinued except in those cases where private accommodation is not available.**
- iii **All efforts must be made to stop irrational system-losses in different sectors (e.g. PDB, DESA, WASA, etc.)**
- iv The fleet of buses in the transport pool should be sold or leased out to private sector entities for the recovery of investment and reduction of activities by public agencies whether the private sector is capable of providing the same service efficiently and effectively.
- v Effective modality for ensuring accountability in respect of allocation of Food for Works including special projects by the LGED has to be established.

- vi **A comprehensive consumer protection law should immediately be enacted to promote VFM.**
- vii **A Task Force should be constituted in every public organisation having excess land under their possession to stop further losses or wastage on this account.**
- viii **Development projects, both in the pipeline and new ones should be thoroughly and objectively evaluated on economic considerations and only those projects with higher probability of successful implementation should be undertaken.**
- ix **Urgent efforts should be made to resolve all issues that impede the implementation of development projects.**

Long-term Recommendations

- i **SOEs should be privatised speedily within the capacity of market absorption.**
- ii **Existing rules, regulations and procedures for procurement of goods and services should be updated and made transparent to reduce corruption and wastage of public fund.**
- iii **The existing public sector hospitals should gradually be turned into limited companies by selling shares in the market on experimental basis with majority share holding by the private sector, wherever possible.**
- iv **The railway routes and services that are no longer economically viable should be discontinued and more train services may be privatised or run on lease/contract basis.**
- v **All users' fees in respect of services/utilities may be gradually increased to make the concerned offices/institutions less dependent on government grants.**
- vi **All benefits given to public employees should gradually be monetised.**

CHAPTER 8: STRENGTHENING PARLIAMENTARY OVERSIGHT

Short-term Recommendations

- i **Each Member of Parliament should be given an office, a computer, a personal staff with computer literacy and a small fund to collect information and prepare briefs for facilitating due discharge of his/her responsibilities.** The personal staff will hold office during the incumbency of the concerned MP. MPs should undergo familiarisation and training about the working of the government and rules relating to working of the Parliament.
- ii **Each Parliamentary Committee should have adequate equipment and fund for secretarial support and studies relating to its responsibilities.** The Standing Committees on Ministries should normally submit their written reports to the Parliament regularly for debate and decision.
- iii **Each Parliamentary Committee should have at least one woman MP as Member.**

Long-term Recommendation

Some important Parliamentary Committees e.g., PAC and PUC may be headed by opposition Members of Parliament.

CHAPTER 9: FACILITATING PRIVATE INVESTMENT

Short-term Recommendations

- i All measures under existing laws should be undertaken to improve the law and order situation and curb political unrest to provide security to investors.
- ii **All illegal trade union activities and practices by labour unions/CBAs must be severely dealt with under the existing laws.**
- iii **Government may encourage the private sector to promote a congenial working environment for women workers including provision of accommodation, low cost day-care centres and health care for infant children near industrial centres.**
- iv All investment related laws which have not yet been updated may be updated at the earliest in the light of present day requirement. Cumbersome legal procedures of dispute settlement should be remedied soon.
- v One Stop Service in BOI provided by nine organisations should be made effective by strategic delegation of powers to Members of the Team and with the needed prompt back-up managerial support from the concerned parent bodies.
- vi The on-going banking reform should be pushed ahead with relentless vigour in order to tackle, as soon as possible, serious problems of bad debts, inadequacy of Capital and classified loan.
- vii Government may contract out many of its functions to private sector, such as collecting, compiling and disseminating data and information on industrial development, tax incentives, monetary and financial matters, etc.
- viii All industrial parks whether in the public or in the private sectors should be encouraged to organise their own security systems, and to promote mini-utility companies for reliable supply of power, water, gas and other essential utility services.

Long-term Recommendations

- i Bangladesh Missions abroad should boost up and improve the image of the country to attract foreign investment.
- ii Necessary measures should be taken to facilitate the introduction of E-trade and E-commerce to ensure security of transactions and prevent fraud and forgery and strengthen the institutional capacity of business organisations.

CHAPTER 10: DEVISING A MECHANISM FOR IMPLEMENTING RECOMMENDATIONS OF PARC

The proposal submitted vide IR No. 28 (Volume 2) for setting up a Commission named Public Administration Reform Monitoring Commission (PARMOC) for implementing recommendations of PARC is endorsed.

