

Monthly Update
Local Governance
LG Cluster, UNDP,
Dhaka Bangladesh
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Leading News

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Rural Local Governance

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Local government committee submits report to the Chief Advisor

The Local Government Committee submitted the report on local government reformation on 13th November, 2007 to the Chief Adviser Fakhruddin Ahmed. Formed on June 3 by the caretaker government, the seven-member committee headed by former secretary Dr AMM Shawkat Ali made a set of recommendations on how to strengthen the local government institutions and ensure good governance at the grassroots level. The main features are as follows:

- ◆ Formation of three tier local government system-Zila Parishad, Upzila Parishad/City Corporation and Union Parishad/Municipality and each tier will have separate rules and regulations
- ◆ Dissolving the controversial Gram Sarkar system
- ◆ Number of the elected representatives will be increased in each tier
- ◆ Numbers of wards will be increased within the jurisdiction of Union Parishad/Municipality/City Corporation
- ◆ Other than the seat of Zila Parishad Chairman, all other seats of the local government bodies will be publicly elected on adult franchise
- ◆ Anyone holding the seat of the Member of Parliament will be considered non-eligible for contesting in the local body elections.
- ◆ The candidates must make their wealth statements public
- ◆ Electoral expenditure for candidates of each tier should be fixed on the basis of the number of voters
- ◆ The local government institutions to work independently with the central government's absolute power in their regulation curtailed
- ◆ Formation of an independent Local Government Commission and to clearly define the functions and jurisdiction of the local government and to consult with local government commission before issuing any circular related to the LG bodies
- ◆ The members of Parliament will have no authority to interfere in the functioning of local government bodies
- ◆ 40 percent reserved seats for women at all tiers of the local government will be held for three consecutive elections or next 15 years and effectively 40 percent seats will be kept reserved in all elections in two consecutive elections.

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Committee Recommendation
Local govt bodies to work freely
Shakhawat Liton

The proposed Local Government Commission will work to make sure the local government institutions function independently with the central government's absolute power in their regulation curtailed.

The high-powered committee on local government in its report submitted to the chief adviser Tuesday recommended setting up the commission for effective decentralisation of power. Headed by former secretary Dr AMM Shawkat, it also came up with a draft ordinance to that end.

Alongside the report, the committee has submitted a set of proposed laws to replace the existing ones on different local government units.

It observed that successive governments in last 15 years have slapped numerous unwarranted restrictions on the local government institutions.

The laws proposed on the formation of the commission and to define the functions and jurisdiction of the local government provide for a number of restrictions to prevent the central government taking unilateral measures in regulating the local government bodies.

The administration at the highest level should regulate the local government only as much as it is permitted under the proposed laws, says the seven-member committee formed by the caretaker government on June 3.

Issuing unnecessary circulars is tantamount to interfering in the affairs of the local government institutions. The government should avoid issuing such orders and directives unless a local government body seeks any clarification on any issue, it noted in its recommendations.

The proposed laws have several provisions asking the government to consult the local government commission before taking any important measure. The provisions also look to clip arbitrary bureaucratic powers over the local government.

Besides, the committee recommends that members of parliament should have no authority to interfere in the functioning of local government bodies.

On receipt of the report, LGRD Adviser Anwarul Iqbal said his ministry would request the government to form the commission immediately as a regulator of the local government.

Once the recommendations of the committee are implemented, the LGRD and Cooperatives ministry, which currently enjoys absolute power in regulation of the local government, will have to consult the LGC before initiating any important measure.

For instance, the committee thinks the central government must consult the commission for decisions on matters like preparing a coordinated tax schedule for the city corporations and how much of the local resources would be earmarked for the local government institutions.

If recommended by the proposed local government commission, the government may take necessary steps to institute the much-talked about metropolitan government.

The city corporation mayors have long been calling for the government to set up a metropolitan government. Even a complete outline of metro government had been placed to the former prime minister.

FORMATION AND JURISDICTION OF COMMISSION

The draft ordinance put forward by the committee says the proposed commission should comprise three members including a chairman.

The president will appoint the members for a five-year term. The commission shall be independent in exercise of its functions and subject only to the constitution and the other laws.

A member shall not be removed from office in manners and on grounds other than those followed to remove a Supreme Court judge.

The persons having experiences in public administration particularly in local government system and public funds and accounts will be appointed as members.

The draft says the proposed local government commission can exercise the powers of a court to summon anyone before it to give statement and can also ask for records and documents held by any individual or institution.

It says the commission will supervise and regulate the financial and administrative functions of the local governments and place recommendations to the government.

It will probe alleged financial and administrative irregularities in the local government institutions and ask the government to take action against the accused.

It will draw up recommendations for the government to make the local government pro-people, self-reliant and efficient in administration.

In the proposed new laws for the city corporations, municipalities, zila, upazila and union parishads, several provisions have been included empowering the commission to oversee and regulate the functions of the local government.

"It is necessary for the local government commission to effectively decentralise the power and its neutral enforcement," said the committee.

It added that the previous two reports prepared in 1992 and 1997 after review of the local government structures too had emphasised the need for forming a permanent and statutory local government commission. But none of the governments after 1992 had bothered to pay heed to those.

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**Proposal for Local Government
Elected members must make wealth info public
Staff Correspondent**

The elected representatives to the local government bodies will have to make public their wealth statement upon entering office, recommends a high-powered committee on local government.

Formed on June 3 by the caretaker government, the seven-member committee headed by former secretary Dr AMM Shawkat Ali will submit its report to Chief Adviser Fakhruddin Ahmed today with a set of recommendations on how to strengthen the local government institutions and ensure good governance at the grassroots level.

The existing laws lack a provision requiring the representatives to publish their wealth statements. They only state that those elected to local government units will declare their wealth to the government.

About the rationale for its proposal, the committee said once the wealth accounts are made public, the constituents will be able to know about the assets belonging to their representatives and they can also notice if the office-holders are involved in illegal income abusing their positions.

If the recommendations translate into laws, the ones elected to the union parishads, city corporations, and municipalities and also to zila and upazila parishads will have to announce their wealth statements.

Talking to reporters at his office yesterday, LGRD and Cooperatives Adviser M Anwarul Iqbal said on receipt of the report the government will form an inter-ministerial committee for quick implementation of the recommendations.

He also said they are considering holding the long overdue elections to upazila parishads alongside the next parliamentary polls to save expenditure.

The adviser said the Election Commission (EC) would get back the authority to announce the schedule for upazila polls.

At first, the committee was given three months' time to come up with recommendations. But the time was extended for another two months that will end next month.

Soon after formation, the committee held a series of view-exchange meetings with professionals, political leaders, former lawmakers and other stakeholders.

It drew up the recommendations taking into account the opinions of experts and stakeholders and review of the present structure and functions of the local government units.

The report suggests setting up an independent commission to check interference from the political government in local government affairs, dissolving the controversial Gram Sarker system and introducing a three-tier local government comprising zila, upazila and union parishads, sources close to the committee said.

In addition, it outlines qualifications and disqualifications for the aspirants to the local government bodies. It also redefines jurisdiction and functions of the institutions to ensure increased participation of women.

The committee thinks election expenditure for the mayoral candidates should be fixed on the basis of number of voters in a given city corporation.

The current laws allow a mayoral candidate to spend Tk 5 lakh regardless of the size of voters. The committee recommends Tk 5 lakh cap on election expenses for a contestant in Dhaka City Corporation, Tk 3 lakh for Chittagong and Tk 2 lakh for other city corporations.

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**Govt working for strong local govt, transparency
CA asks secys to focus more on output, outcome
Staff Correspondent**

Chief Adviser Fakhruddin Ahmed yesterday said the government is working to strengthen the local government so that it can take its services to people's doorsteps and bring transparency and accountability in all sectors.

A high-powered experts committee formed earlier will next month submit its recommendations on strengthening the local government structure, he said while addressing top bureaucrats at the Cabinet Division yesterday.

He asked the secretaries of different ministries and departments to focus more on output and outcome while implementing government programmes so that people get the best from all inputs in the socio-economic sectors.

This was Fakhruddin's third formal meeting with the secretaries since assuming office on January 12.

"Our main focus should be on the output of all work. The government has initiated a number of reforms which aim to meet people's expectations and ensure good governance," the chief adviser said.

He emphasised the need for dissemination of government actions, decisions and achievements through mass media so that people can take advantage of these.

He said the government is continuing its activities aimed at holding a free and fair election and creating a level playing field for the political parties with the ultimate objective to ensure good governance.

He said the Election Commission (EC) is now discussing with political parties the reforms of election-related rules and regulations, and will then finalise the electoral reforms.

He asked all government officials to extend necessary help to the EC in performing its duties.

Referring to the reforms in the EC, Anti-Corruption Commission, University Grants Commission, Public Service Commission and separation of the judiciary from the executive, he said, "The ultimate objective [of these reforms] is to ensure that the people benefit from these and face no hassles in getting the services."

The chief adviser said strengthening of the local government and decentralisation of power imply delegating powers of the central government. "With decentralisation comes accountability," he noted, hoping that the institutional reforms will continue in future too.

He instructed officials concerned to complete preparations, including finalisation of contracts, for procurement by December and implement the plans in next six months to avoid unusual hurry in spending funds at the fag end of a financial year.

He noted that many officials, while planning, wait for getting the money at hand, which causes delay in implementation of the plan.

The Regulatory Reforms Commission has already started its work to amend century-old administration rules and regulations and suggest time-befitting ones, he said, adding that the outcome will be friendly to trade, business and investment as well as common people.

He said the proposed Better Business Forum will come into effect soon and play an important role in brining local and international investment.

Fakhruddin asked the secretaries to share power with other officials in their offices and called for close supervision and monitoring of their work for dynamism. He also urged them to take action if any official does not carry out his responsibilities properly.

He also asked them to update the laws and rules if they are found to be a barrier.

On post-flood rehabilitation, Fakhruddin said the ongoing repair work of physical infrastructure and embankments will have to be expedited and monitored assiduously.

He said the government's food safety nets for the poor, including vulnerable group feeding (VGF), and test relief to feed the poor and destitute will begin soon.

Stressing the importance of agricultural rehabilitation, he asked officials concerned to ensure proper distribution of fertiliser among the farmers who at some places are not getting fertiliser due to distribution problems.

He said the government spends a lot of money in subsidy for fertiliser. Calling for close monitoring and taking necessary steps so the farmers get fertiliser in time, he urged all in the administration to cooperate with the agriculture ministry for the distribution of fertilisers.

He also asked officials concerned to assist farmers in getting bank loan.

While speaking on price hike of essentials, the chief adviser asked officials for constant monitoring and keeping adequate stock of rice and wheat.

UNB adds: The chief adviser said the government has taken many steps to check the price hike and those have already produced some positive results. But the desired downtrend in prices could not be achieved due to increased prices on international market.

He said the government will continue its efforts to control price hike, but increasing the supply is important for controlling prices and to increase supply it is necessary to raise production. The government will have to play the key role in this regard.

He asked the secretaries to prepare reports after visiting a place at home or abroad and share it with colleagues in the ministry and other ministries concerned.

The chief adviser termed the separation of the judiciary on November 1, 2007 an "institutional reform".

Cabinet Secretary Ali Imam Majumder, who conducted the meeting, said the caretaker government has so far implemented 187 of its 273 decisions and promulgated 20 ordinances of public importance.

The chief adviser thanked the secretaries for their efforts in achieving success in various government activities and expressed his hope that they will put in their best efforts to serve the people.

After the meeting Press Secretary to the chief adviser Syed Fahim Munaim briefed reporters on it at the Press Information Department auditorium.

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