

World Bank Institute

Information flows at Local Government Level in Bangladesh: A Scoping Study

Report

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Commonwealth Human Rights Initiative

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Introduction

1. In 2007-08, the World Bank Institute engaged the services of Venkatesh Nayak of the Commonwealth Human Rights Initiative, New Delhi, India to undertake a scoping study of information flows from the government sector to the citizenry. This study occurred simultaneously with the efforts to gather information for developing a project for strengthening records management systems in Bangladesh. This project is being developed by the International Records Management Trust (IRMT), London, UK for the World Bank Institute.
2. Venkatesh Nayak visited Bangladesh for the purpose of the scoping study from 29th January – 14th February, 2008 along with Mr. Kelvin Smith, the IRMT consultant.

Terms of Reference

3. The following tasks were identified in consultation with staff at the headquarters of the World Bank Institute and staff of the WB country team in Bangladesh:
 - Scope out existing systems that create information flows to people from offices at the local government level
 - Scope out mechanisms developed by the non-government (NGO and private sector) to provide for people's information needs
 - Recommend measures for giving effect to the requirements of transparency envisaged in the Local Governance Support Project (LGSP)
 - Recommend measures for building capacity of people living in rural areas to access information from Union Parishads in an effective manner with particular emphasis on civil society actors.

Methodology

4. Given the broad scope of tasks identified as part of the study and the limited amount of time available the following method was adopted to prepare this report:
 - Visit Union Parishads (both non-LGSP and LGSP covered) for a discussion with officials regarding arrangements made for providing people with access to information.
 - Visit government offices responsible for recording people's rights in land in conjunction with visits to the identified UPs for ascertaining arrangements made by them for ensuring information flows to people.

- Visit rural information and community centres run by non-government actors that provide information-related services to people.
- Interact with local level journalists to learn about their experiences of accessing information from UPs.
- Glean from the existing literature, findings about information needs of people and methods adopted for disseminating information by the Government and non-government sectors.

The following criteria were identified as the basis of selection of UPs based on a discussion with the World Bank staff at the headquarters and members of the country team in Dhaka:

- Both non-LGSP and LGSP covered unions were chosen in order to ascertain whether the enhanced transparency requirements as part of the LGSP project had necessarily increased information flows to people.
- Distance from Dhaka – whether UPs situated far away from the capital may have weaker mechanisms for disseminating information.
- Geographical diversity to ensure that different parts of the country were covered¹
- Ability to travel to the UP offices within 1-2 days from the base at Dhaka.

Acknowledgements

5. I am grateful to Ms. Mita Chakraborty and Mr. Marcos Mendiburu of the World Bank Institute for their valuable guidance and timely comments on the scope of this study. In Dhaka the advice received from Ms. Nilufar Ahmed and Mr. Shubhanker Shil was very useful for shaping the contours of this study. I would like to thank Dr. Abul Hossain of PPRC and his colleague Mr. Md. Masudul Haque for arranging all meetings and assisting with the translation. Mr. Kartick Chandra Mondal of Manusher Jonno Foundation and Mr. Prashanta Tripura of SHARIQUE spared time to discuss various aspects regarding the functioning of UPs. Their assistance is gratefully acknowledged. I am grateful to Mr. Kelvin Smith for the photographs appended to this report.

¹ The Chittagong Hill Tracts and Sidr affected areas in the southern parts of the country could not be visited due to the large distances involved and time required for travel to these places which often have poor transport and communication facilities. However these areas could be covered if necessary during another visit.

FINDINGS

GENERAL

6. Along with air, water, food, clothing and shelter, information is a basic need without which the quality of human life can suffer enormously. Access to information is inextricably connected with people's access to goods and services that fulfil their basic needs. For example, an individual will not be able to grow a sackful of paddy to feed his/her family with the best of equipment if he/she does not have adequate information about and knowledge of agricultural operations. A family will not be able to construct a house for themselves if they do not know where to source the raw materials from and how to plan the construction operations. In the absence of information about appropriate remedies or treatment facilities a person suffering from illness will not be able to recover his/her good health. Lack of adequate capabilities and skills coupled with the absence of information about available opportunities play a major role in limiting livelihood choices for the vulnerable and marginalised people. It is now well recognised that poverty of information can both be the cause and the consequence of people's impoverishment reinforcing other contributory factors.

7. Another entity that requires information for survival is the State and its principal agency – the government. Information is the life blood of any system of government. Information about population growth, instances of infant and maternal mortality, literacy levels, productive and distributive operations taking place in the economy, and other myriad types of statistics are collected and processed by various agencies. These datasets are utilised by the government to draw up plans for social and economic development. Lack of adequate, reliable and timely information seriously jeopardises the ability of the government to maintain law and order, manage the economy and ensure that the country's borders are well defended. In a democracy a government that fails to do its job well is often voted out by a discerning electorate and often the poor performance can be traced back to lack of adequate information on matters such as inflation or rising unemployment or the government's inability to take corrective action in a timely manner on the basis of available information. In countries with non-representative and authoritarian regimes, poorly performing governments are overthrown by people's movements. Often, undue opacity in the processes of decision-making, lack of people's informed participation and absence of mechanisms for enforcing accountability of public functionaries are the major causative factors behind the fall of such regimes.

8. In a democracy information is collected from the people to be used for the sake of the people at a future date. The information is collected and processed by government functionaries who are paid to do this job from the funds provided by the citizen-tax-payer. The materials and equipment used for managing this information are also paid for by the citizen-tax-payer. In theory the citizen-tax-payer is the true owner of this information – government agencies are merely its custodians. The citizen-tax-payer has the right to seek and obtain information from public bodies in order to ascertain for

himself/herself whether everything that ought to have been done was indeed done by the authorities or not. This right is founded on the principle of accountability of public authorities to the people they serve. In the absence of access to information the citizen-tax-payer would not be able to hold any public official to account for his/her decisions. Transparency is key to securing accountability of public authorities.

9. In practice, however public authorities operate on the basis of the need-to-know principle both within and outside government severely limiting access to information to the citizen-tax-payer. Despite the enactment of several laws on a variety of subjects such as environment, consumer protection, birth, death and marriage registration, registration of commercial companies and transactions in movable and immovable properties that require disclosure of information to people, an overarching regime of secrecy sanctioned by the “Official Secrets Act” restricts people’s access to government records and documents. In many developing countries across Asia, Africa and Latin America access to information not directly related to the personal interests of a citizen-tax-payer is rarely provided and often through the intervention of courts. Where information pertaining to personal interests is sought (such as securing a registration certificate or an entitlement under a social safety-net scheme) it is rarely made available without undue delays and/or greasing the bureaucratic machinery.

Information flows to people: A view from the supply side

The Legal Regime

10. Bangladesh’s Constitution guarantees every citizen the right to freedom of speech and expression although there is no explicit recognition of the citizen’s right to access information from government bodies.² According to an estimate there are close to 40 laws that require various government departments to disclose information either voluntarily or on demand from citizens.³ However a regime of secrecy has been operational since colonial times that creates impediments in the way of people accessing information from government bodies. *The Official Secrets Act* makes it a punishable

² Article 39, *The Constitution of the People’s Republic of Bangladesh*. See: <http://www.pmo.gov.bd/constitution/index.htm> as on 28 April, 2008

(1) Freedom of thought and conscience is guaranteed. Freedom of thought and conscience, and of speech. (2) Subject to any reasonable restrictions imposed by law in the interests of the security of the State, friendly relations with foreign states, public order, decency or morality, or in relation to contempt of court, defamation or incitement to an offence-

a. the right of every citizen of freedom of speech and expression; and

b. freedom of the press, are guaranteed.

³ Unpublished study undertaken by Barrister Tanjib Alam commissioned by the Manusher Jonno Foundation (MJF). The findings were presented at a civil society advocacy capacity building workshop organized by MJF in collaboration with Commonwealth Human Rights Initiative, New Delhi on 29th October, 2007. Laws relating to environment, industries, land acquisition, registration of companies, intellectual property rights, birth and death registration, registration of transactions in movable and immovable property and family, inheritance and labour laws contain a slew of provisions that require disclosure of information to people proactively or on demand.

offence for any government official to disclose information to any other official or to any member of the public without proper authorisation.⁴ Similarly any member of the public found to be possessing official documents or copies of the same without a right recognisable in law is liable to be fined and sentenced to a prison term. The combined effect of these provisions, similar clauses contained in the criminal laws of Bangladesh and some provisions found in the rules and regulations governing the civil services has been that very little information is available in the public domain about the operations of public authorities that the Government departments themselves have not chosen to publicise. For example, information about the range of services provided by a Pourashava may be painted on a large notice board but a copy of the minutes of the budget meeting or the income and expenditure statement of the Pourashava (Municipality) may not be accessible to a layperson without the authorisation of the Chairperson. The Chairperson's decision is likely to be influenced by considerations such as the social standing or the legitimacy of the need of the information-seeker.⁵

Union Parishads – nature and functions

11. Bangladesh is a constitutional democracy with a unitary form of government unlike its neighbours in the region – India and Pakistan which have opted for a quasi-federal administrative set up. Currently the Union Parishad forms the lowest functional tier of government.⁶ There are 4,488 Union Parishads spread over 481 Upazilas in the 64 districts of Bangladesh. Although Unions have existed as an administrative unit in Bangladesh since colonial times⁷, the current structure, powers and functions derive mainly from *The Local Government (Union Parishads) Ordinance* (hereafter UP Ordinance) passed in 1983 which has gone through substantial amendments during the 1990s. A Chairman and three women are elected directly by the electorate of the UP. The remaining nine members are elected from each of the nine Wards or territorial constituencies into which the UP is divided.

12. The UPs are mandated to perform a range of functions under the Ordinance. Their civic functions include maintenance of law and order, prevention of crime, protection and maintenance of public property, conducting census of all

⁴ Section 5, *The Official Secrets Act, 1923*. See: http://www.minlaw.gov.bd/bdcode/sections_detail.php?id=132§ions_id=7000 as on 28th April 2008.

⁵ During a discussion with the Chairperson and officials of the Narayanganj Pourashava, the author learnt that VIPs such as local politicians or influential businessmen would be granted free inspection or photocopies of the minutes of the budget meeting on demand. In other cases the Chairperson would make a decision on the access request based on the requestors' need to know. The officials defended this system by arguing that very few people from the disadvantaged sections of society approached them seeking budget or meeting related information and in any case a summary statement of the financials was published in popular dailies from time to time.

⁶ Technically the Gram Sarkar introduced during the regime of the Late Ziaur Rahman forms the lowest tier of government and is required to function at the level of the Ward – a territorial constituency identified for the purpose of electing a representative to the non-reserved seats of the Union Parishad. Gram Sarkar was not functional during the author's visit to Bangladesh.

⁷ Siddiquee, Md. Shahadat Hossain (2004) *Gender and Good Governance Issues in Local Government of Bangladesh: A Baseline Report of Extension Phase*, BRAC, Dhaka, p. 1.

kinds, registration of births, deaths, the visually challenged, beggars and destitutes and provision of assistance to the district administration and the police force.⁸ They are also required to perform developmental functions such as adoption and implementation of schemes in the fields of agriculture, forest, fisheries, education, livestock, health, cottage industries, irrigation and flood protection, promotion of family planning and motivating people to install and use sanitary toilets.⁹ UPs have the power to levy and collect taxes and fees on a list of items specified in the Ordinance.¹⁰ Thirteen standing committees are required to be set up to implement and oversee these functions.¹¹ In several Unions the offices of line agencies of various government departments are situated in the vicinity of the UP office.¹²

13. Being the most proximal of government offices to people in rural areas it is surprising that the some of the poorest of the poor do not look upon the UPs as being part of 'the Government'. A series of structured discussions with some of the poorest of the poor conducted by researchers in the rural areas of Nilphamari and Chapainawabganj districts and certain parts of Dhaka city revealed that the participants knew that the Chairmen and members of the UP were elected representatives of the people but they were not clear as to whether such functionaries formed part of the Government or not.¹³ 'Government' in the opinion of these participants included the Prime Minister, Ministers, Members of Parliament and senior government officials sitting in Dhaka who made laws and developed policies and programmes for people's welfare and upliftment. Even though more research is required to validate this perception as a general impression shared by a majority of the poorest of the poor, the finding does point to a small degree of disconnect between the poorest of the poor and the functioning of the UPs. When a body is not perceived to be part of government fewer claims will be made of it especially in the context of information access.

⁸ Section 30 of the UP Ordinance: Khan, Dr. Borhan Uddin (2007) *Compendium of Laws on or Having a Bearing on Union Parishad*, SHARIQUE, Dhaka, pp. 24-25. A detailed list of functions is provided in the First Schedule of the UP Ordinance.

⁹ Ibid.

¹⁰ The UP is empowered to collect taxes on professions, trades and callings, cinemas and other forms of public entertainment in addition to levying a tax on the annual value of every homestead within its jurisdiction. UPs can also collect fees for licenses and permits granted, fees from *haats* (shanties) *bazaars* and ferries. See Second Schedule of the UP Ordinance.

¹¹ Section 38 of the UP Ordinance. Khan (2007), *op. cit.*, pp. 28-29.

¹² The author noticed office rooms of the veterinary and agriculture departments apart from the post office and tehsil office next to the UP office in Andharijhar Union, Bhurungamari Upazila in Kurigram district. The Chairman of the UP stated that only the agriculture extension office and the post office functioned every working day whereas the others were open once a week or once a month depending upon the availability of the departmental officers.

¹³ Ali, Tariq and Hossain, Naomi (2006) *Popular Expectations of Government: Findings from Three Areas in Bangladesh*, PRCPB Working Paper #13, BIDS and CPRC, Institute for Development Policy and Management, University of Manchester, p. 11. A caveat needs to be borne in mind before making generalisations on the basis of this study is that the sample size was too small (above 100) and covered only three areas. A larger sample size may reveal a different perception.

Transparency in Union Parishads: the legal position

14. The UP Ordinance has in-built provisions requiring transparency in the affairs of every UP. For example, the Ordinance declares that *all records prepared or registers maintained... "shall be deemed to be public documents within the meaning of the Evidence Act (I of 1872)..."*¹⁴ Ordinarily in advanced democracies a 'public document' implies –

- a) any document created by an agency of the State (as opposed to documents created by private persons which would be called private documents) and
- b) such a document shall be accessible to any member of the public.

However in developing countries like Bangladesh and India 'public documents' do not automatically become accessible to the public. The link to the *Evidence Act* of 1872 (shared by both countries due to their common colonial legacy) mentioned in the Ordinance merely establishes the status of records and registers of the UP as documents created by an agency of the State. Government departments in these countries rarely publish a list of documents and records that will be available to the public and access to every document requires authorisation of some officer or the other. Even this chain of decision-making is not clearly laid down in many cases. Often, the decision of allowing access to a document is required to be taken by the head of the department and transparency occurs quite low down on his/her priority list resulting in endless red tape and a long wait for the requestor unless he/she is prepared to grease the bureaucratic machinery. In all UPs visited by the author the officials were unanimous in their opinion that access to the records of the UP, other than public registers such as the birth and death register, require the prior approval of the Chairman although they could not show any rule or regulation issued by the Government to that effect.

15. The UP Ordinance requires that copies of all rules and regulations pertaining to the UP be made available at its office for inspection or sale.¹⁵ The only set of rules and regulations that were available with the UPs visited by the author was contained in the Union Parishad Training Manual - a thick tome published by the National Institute of Local Government. Often this compilation is used for reference by the Chairman and Secretary only. None of the UP officials interviewed by the author remembered receiving a request for inspection of this book from any member of the community.

16. The UP Ordinance requires the Government to prescribe a list of reports and returns that the UP will publish periodically.¹⁶ According to the faculty members of the Rural Development academy situated at Bogura, the Local Government Division (LGD) has rarely prescribed any list of reports or returns

¹⁴ Section 80 of the UP Ordinance. Khan (2007), *op. cit.*, p.42.

¹⁵ Section 86. Khan (2007), *op. cit.*, pp. 44-45.

¹⁶ Section 41. *Ibid.*, p. 30.

that require to be published by UPs. The requirement of publishing budget books as part of the Local Government Development Project in Sirajganj Upazila and the requirements of transparency under the World Bank supported LGSP are the only two instances where such prescriptions of transparency have been made.

17. The UP Ordinance places an obligation on every UP to place a copy of the annual statement of its accounts (popularly known as the 'budget') at a conspicuous place in the office for public inspection. The Ordinance also requires all objections and suggestions concerning the accounts received from the people to be placed before the authority responsible for auditing the accounts of the UP.¹⁷

Transparency in Union Parishads: A reality check

Proactive disclosure:¹⁸

18. All UPs visited by the author had put up at least some information for public consumption on their walls or on notice boards. Perhaps the most impressive performance in terms of proactive disclosure was visible at the office of the Shahpara UP in Gaibandha Upazila, Gaibandha district (covered by LGSP). The process of computerising its records is in full swing. Details of a five year plan (1999-2003) neatly written on chart papers were found hanging on the walls of the court hall of the UP. The notice board displayed data for the year 2006-07 relating to beneficiaries of the Vulnerable Group Development (VGD) Programme, summary of development works undertaken in the UP, amounts released to the UP under the Annual Development Programme (ADP) and other special grants and details of sanitation programme undertaken. In addition to this data the UP also displayed details of fertiliser allocation and places where fertiliser distribution had been arranged.¹⁹ Details of developmental works in the sectors of health, education and communication being undertaken by community-based organisations in the UP area were also displayed prominently on chart paper.²⁰ A summary of the budget approved under the LGSP for the current year had been prominently displayed on a painted bill-board at the very entrance to the compound of the UP (Appendix 2, photo #1). Basic geographical and demographic statistics relating to the UP were displayed on another bill-board.

¹⁷ Section 47. Ibid., p. 31.

¹⁸ Only a representative sample of the best and poor performance regarding proactive disclosure are provided here in order to keep this report brief.

¹⁹ The media was reporting on a fertiliser supply crunch throughout the period of the author's visit in Bangladesh. The Government had taken steps for ensuring adequate fertiliser distribution to farmers. The Shahpara UP had provided timely information to people about fertiliser distribution in its jurisdiction – just as one would expect from a public authority that functions with a sense of urgency and responsibility.

²⁰ The dust and cobwebs accumulated on these charts and display boards were a clear indicator that they had been put up for display much before the visit of the author and did not constitute an exhibition planned only for this visit.

19. In Satkapon UP (covered by LGSP) situated in Bahubal Upazila of Habiganj district the Secretary enthusiastically showed the entire range of registers and books maintained by him. However there were no billboards displaying summary information about the annual budget or funds received. The priority list of schemes is displayed on notice boards. The quality and impact of this display is a topic to which we shall return shortly.
20. In Bahubal Sadr UP (not covered by LGSP) a variety of registers and books relating to the work of the UP were maintained. Perhaps the most well maintained register related to VGD allottees complete with photographs of each woman beneficiary. No other UP visited by the author maintained a VGD register in such a comprehensive manner. However very little information was displayed on notice boards or bill boards regarding developmental schemes being implemented and funds received under various projects.
21. In Shakuai UP (covered by LGSP) situated in Haluaghat Upazila of Mymensingh district the annual budget and details of approved schemes and their estimated value had been put up for display in the form of typed up sheets of paper. Another notice board carried a notice of a proposed UP meeting. A small painted bill-board hanging on one of the walls of the office of the UP Chairman gave geographical and demographic details of the UP such as size of the population, number of culverts, roads, bridges, ponds and other water bodies, deep tubewells, community centres, *haats* and bazaars, schools, mosques and temples. The Chairman said that budget planning meetings are conducted in public. Notice of the meeting is publicly displayed fourteen days in advance on trees and bamboo boards at cross roads and bazaars in addition to written invitations sent to VIP members of the community such as teachers in the local school, *imams*, priests and beneficiaries of social safety-net schemes like VGD.
22. In Madhainagar UP (not covered by LGSP) of Sirajganj district minutes of monthly meetings were pinned on the notice board prominently. The main hall of the UP displayed a resource map of the area containing details of water bodies, roads, culverts, schools and other such details. The Secretary said that a thousand copies of the latest budget had been distributed to members of the community in addition to reading out its contents in a public meeting. One of the walls also displayed statistics relating to income based classification of families residing in the UP area. The author also visited a work site where ring slabs for sanitary toilets had been stocked for distribution in the village. A black board containing details of the scheme such as number of ring slabs being distributed and the total value of the scheme written with chalk was on display on a nearby tree.

Inference:

23. It appears from the study that UPs do disclose some information or the other proactively to members of the community. UPs covered by LGSP are required to display information about schemes and budgets in order to continue receiving the extended block grants. In non-LGSP UPs proactive disclosure of information is largely dependent on what the Chairman decides to display. As officers from the Upazila are rarely known to visit UPs there is no effective

monitoring or supervision on their performance regarding transparency. Furthermore merely displaying information on billboards and notice boards is not adequate guarantee of the fact that members of the community have accessed it. Engaged as they are in livelihood activities on a daily basis they visit the UP office only when there is a really felt need – such as applying for birth residence or character certificates (required for a variety of purposes ranging from seeking admission in educational institutions to opening bank accounts to applying for visas to work abroad). Therefore while the duty of proactive disclosure is complied with by the UP it does not result in real transparency as there are few takers for such information.

24. A comment must be made about the quality of notice boards used in UPs for displaying information in the form of typeset or handwritten sheets of paper. All UPs visited by the author had box-type notice boards with a mesh cover (See Appendix 2, photo #2). The mesh covering the notice board ostensibly prevents the sheets of paper displayed from being torn up by the wind or by some miscreant. With the accumulation of dirt in the tiny holes of the mesh over time, the papers displayed are barely legible thereby defeating the very purpose of putting up notices. With a little bit of market research and allocation of funds it is advisable to replace these notice boards with better ones having some sort of reinforced Plexiglas type material that would serve the twin objectives of protecting the notices from destruction and improving legibility.

Disclosure of information on demand:

25. All functionaries of UPs interviewed by the author clearly stated that their offices followed two procedures for providing access to their registers and records for members of the community. The first category of records did not require the prior approval of the Chairman of the UP before being shown to a requestor. Public registers recording information about births and deaths, list of beneficiaries of VGD programme and notices of public meetings of the UP and procurement processes belong to this category. In LGSP Unions the approved budget document, priority list of schemes and approved schemes belonged to this category. No fee is being charged for providing access to these records.
26. All other records maintained by the UP belong to the second category where permission of the Chairman was essential before access was allowed. None of the UPs maintained any record about the number of persons who sought information from the UP.
27. However the UP functionaries were quick to add that instances of members of the community approaching them requesting information other than that contained in public registers were rare. Even journalists were not known to visit the UP office to cover stories on a regular basis. Mr. Mehrul Islam Badal the local representative of the popular daily *Amar Desh* based in Madhainagar UP of Sirajganj district recollected attending a meeting called for opening tenders related to the construction of a culvert. He had not covered any other

story about UPs. Mr. Humayun Kabir Manik the local representative of popular dailies – *Daily Sangbad* based in Haluaghat Upazila (Mymensingh district) claimed to have covered a story of diversion of food grains meant for distribution under the Vulnerable Group Feeding (VGF) programme.²¹ He claims to have checked a copy of the guidelines (*nitimala*) of the programme available with the UP and questioned the Chairman and Secretary about the reasons behind distributing only six kilos of food grain as opposed to the entitlement of ten kilos per person.²² When he went back to check with members of the community after publishing the story he learnt that everybody was receiving the full quota of food grains. However according to Mr. Manik it is not always possible to cover such stories due to lack of credible information. People who are denied their entitlements are the main source of such stories. When journalists publish their tale of woe, UP functionaries approach their office with falsified records causing some embarrassment to the newspaper. Journalists are unable to check the stories of victims against the records of the UP because

- a) it is time consuming and there is no certainty that the records they get have not been falsified and
- b) stories of corruption and embezzlement on such a small scale do not make for big headlines.

Instead the political beat which affords several opportunities to report on controversies and the crime beat are preferred areas for journalists.

28. One of the categories of information that almost every UP was actively disseminating was with regard to issue of birth registration. As the Government has set a target of 100% registration of all births, UPs have geared up to distribute application forms to all residents in their jurisdiction at their door step with the help of Village Police Officials (Chowkidars). As a result names of not only new born babies but also older people who did not have birth certificates were being formally recorded and certificates were being issued.

Access to judicial records:

29. The UPs have been vested with powers to try civil petty and criminal suits at the Union level since the 1960s.²³ The primary objectives behind the creation

²¹ VGF programmes are run by the Government for a limited period in areas affected by natural disasters in order to help affected people tide over the crisis.

²² The UP functionaries are alleged to have diverted four kilos from every family's entitlement in order to meet the cost of transporting the grain from the godown to the UP office.

²³ *The Conciliation Courts Ordinance* of 1961 was responsible for the creation of village courts at the Union level. This law was replaced by *The Village Courts Ordinance, 1976* passed soon after Bangladesh became an independent nation. This Ordinance was regularised by an Act of Parliament in 2006 and the present structure, powers and functions of the village courts are largely based on this legislation. These courts have the powers to bring about reconciliation between the litigants and award compensation up to Tk. 25,000. They cannot impose fines or sentence anybody to prison even though they can try criminal matters. See, *The Village Courts Act, 2006*, the Mainstream Law Reports, Dhaka, 2007, p. v.

of these '*gram adaalats*' (village courts) are to reduce the burden of pending litigation in regular courts and allow for speedy disposal of local disputes at the UP level. The Chairman of the UP officiates as the Chairman of the court while litigating parties can nominate two members each.²⁴ Records are created as a result of litigation. These records include notices of hearings in cases, depositions of parties to the dispute, any other documentary evidence submitted by either party and the text of the final settlement or decision arrived at by the court. Several UPs visited by the author maintained records of ongoing and resolved litigation in some detail. The Secretary of the Bhurungamari Sadr UP (Kurigram district) stated that in the first instance, copies of records contained in the Gram Adalat register were given free of charge to the parties to the dispute. If more copies were sought by any party they were charged at the rate of Tk. 0.25 per word. However he maintained that a person who was not party to the dispute does not have a right to seek copies of case related documents or inspect the register. The Chairman of Alinagar UP (Kalkini Upazila, Madaripur district) painted a different picture regarding access to court records. According to him the settlement arrived at by the village court was pronounced openly. However parties to the dispute were charged Tk. 0.70 per word if they sought a written copy of the order. According to the Chairman of Deshigram UP (Tarash Upazila, Sirajganj district) details of the settlement arrived at by the court are given to the parties to a dispute on the same day. However if they seek copies of the written order they are charged Tk. 0.50 per page. It appears that a uniform system is not being followed across the UPs with regard to people's access to records of the village courts.

30. The faculty members of the Rural Development Academy at Bogura informed the authors that litigants have in recent times increasingly preferred settlement of disputes through an alternate dispute resolution mechanism called '*shalish*.' As this is an informal mechanism of mediation between parties it does not always require the creation of records. The Chairman of Hamirdi UP (Bhanga Upazila, Faridpur district) also stated this as the reason for the poor state of the maintenance of court records in his office. As the *shalish* was able to find a solution to a dispute in less than a week, community members rarely requested the constitution of the village court which takes between 2-4 months to come to a settlement. The cumbersome and long drawn nature of the official proceedings is the main reason for the increasing popularity of the *shalish*.²⁵

²⁴ One of the members nominated by both parties must be an elected UP member. Section 5(1). *Ibid.*, p. 40.

²⁵ Civil society organizations like the Madaripur Legal Aid Association and Bachtay Shekha have also used this mechanism to resolve several thousand disputes successfully. However a criticism about these civil society initiatives is that they are unable to resolve disputes amicably where elites of the community are involved because of the obvious politico-social dynamics associated with the case. See Rahman, Hossain Zillur (ed.), (2007). *Unbundling Governance: Indices, Institutions, Process, Solutions*, Bangladesh Governance Report, Power and Participation Research Centre, Dhaka, pp. 74 ff.

Inference:

31. A large number of records, documents generated and registers maintained by the UP offices are out of easy reach for members of the community. A uniform system of access and charging of fees is not applied across the UPs. Several UPs have offices that are situated at a considerable distance from the nearest market place that has photocopying or computer facilities. For example, the office of the Naoga UP (Tarash Upazila, Sirajganj district) is situated at a distance of 8 km from the nearest photocopier and 11 km from the nearest shop with computer typesetting facilities. Providing quick access to copies of documents to members of the village community is difficult. Copying of records manually – a time consuming process is practised in many places.
32. Perhaps awareness amongst community members about the existence of records and registers of the UP is also lacking.²⁶ This coupled with the preoccupation of the vulnerable and the marginalised sections of the community with every day livelihood issues, transparency in UP offices is not a very high priority unless it is linked to some entitlement or service they can obtain.
33. UPs covered by LGSP were slightly better than non-LGSP UPs in terms of creating information flows as they are required to disseminate information to people proactively in the course of open meetings or through notice boards. However much more needs to be done even in UPs covered by LGSP to increase the levels of transparency in their functioning. Distance from the capital city was not a significant factor in determining the degree of openness in UPs. Officials in the Ministry of Local Government were of the opinion that UP functionaries were careless as regards the maintenance of official records. This opinion was not always borne out by facts. For example, muster rolls of payment relating to VGF were maintained meticulously in the Bhurungamari Sadr UP (Kurigram district) despite being situated at a considerable distance from the capital, close to the international border. In general, UP functionaries are of the opinion that they do not receive regular guidance either from the Ministry or from other government officers at the Upazila level. One of the complaints voiced in several UPs was about the rarity of visits of officials from the Upazila and district level which resulted in poor communication between these offices. UP Chairmen are required to go to the UNO's office for collecting all kinds of orders and instructions regarding their working.

Access to information in Pourashavas

34. Pourashavas, also known as municipal bodies, are elected local self governing entities functional in urban areas. The author visited two such bodies during the course of the visit. The oldest of the two is Narayanganj Pourashava which was established 130 years ago under the erstwhile colonial

²⁶ It was not possible to hold focus group discussions with community members in rural areas due to the limited amount of time available for the study.

regime. Headed by an elected woman Chairperson this Pourashava has put in place some mechanisms for providing information to people. The second Pourashava visited is situated at Tongi. Established in 1974 this Pourashava is receiving assistance under the project - Urban Government Infrastructure Improvement Project (UGIIP) - funded by the Asian Development Bank since 2004.

Proactive Disclosure:

35. The Chairperson of the Narayanganj Pourashava has taken several steps for ensuring voluntary disclosure of crucial information to the people living in her jurisdiction. For example an enquiry-cum-information room complete with a box for receiving complaints from the people about any service or matter relating to the work of the Pourashava has been opened at the gate of the office complex. Any person can approach this counter and seek information about the official he or she is required to meet in relation to any matter. For the benefit of those who are literate the Chairperson has caused a painted display board to be exhibited on a prominent wall surface at the entrance to the office building. This board displays in Bangla the names of various departments and the duties and functions they handle. The author noticed tender-related advertisements on wooden notice boards displayed on the outer walls of the office building. The Chairperson stated that a summary of the annual budget of the Pourashava is published in popular newspapers. People are allowed to attend annual budget meetings of the Pourashava. However attendance of persons other than the elected members (also known as Commissioners) of the Pourashava in the meetings of other committees is rare. Minutes of these meetings are shown to a requestor only upon the approval of the Chairperson.
36. Thanks to the project support provided to the Tongi Pourashava under the UGIIP the Chairman has caused a citizens' charter to be prominently displayed in Bangla on a painted display board on the outer walls of the office complex. This charter contains details of departments that handle matters like birth and death registration, issue of various certificates, grant of traders licenses, payment of holding tax and other services provided by the Pourashava (See Appendix 2, photo #3). The Chairman stated that the Town Level Coordination Committee meets six times a year. These meetings and the biannual meetings of the Ward Level Coordination Committee are open for people to attend. Minutes of these meetings are said to be disclosed on request. However according to the Chairman few members of the public have approached his office to inspect these minutes. The Chairman also stated that painted display boards are erected at sites of road construction indicating the length of the road to be constructed, the name of the contractor, the total value of the project and the date on which work began and the date on which the work is likely to be completed.²⁷

²⁷ It was not possible to verify this claim due to paucity of time.

Disclosure of information on demand:

37. Both Pourashavas appear to be following the twin approaches adopted by UPs for allowing access to information that is not proactively disclosed. Access to public registers relating to births and deaths is allowed without the permission of the Chairperson. However in the case of all other records and documents created by the Pourashava, access is granted with the prior approval of the Chairperson. Officials of both bodies conceded that VIPs like politicians and influential members of the community were provided access to the information that they sought without much delay. However all other persons were required to justify the reasons for seeking information before the Chairperson made a decision on the request. Journalists are also known to have sought information in relation to procurement processes followed by the Pourashavas. The Narayanganj Pourashava has a file containing cuttings of all news articles published about its activities till date. Even this file is shown only with the prior approval of the Chairperson. The Tongi Pourashava maintains a guard file in each of its departments.²⁸ However these guard files are not accessible to members of the public without the approval of the Chairman. This Pourashava also has a library that is accessible to all members of the public. In addition to a collection of magazines and law books this library houses novels, poetry collections and other literary materials. However no documents or records created by the Pourashava have been made available for public access in the library.
38. The Tongi Pourashava has begun the process of computerising its records under the UGIIP. Paper databases relating to payment of holding tax and issue of licences have been computerised. Computerised receipts are provided to people, however a tax-payer or seeker of licences can seek access only to information relating to him/her from this database. The Narayanganj Pourashava has also started the use of computers for its correspondence and generation of budget statements and other financial reports.²⁹
39. In relation to contracts entered into with private parties for any construction work or supply of materials, the Chairperson of the Narayanganj Pourashava categorically stated that access is provided only to contractors. Nobody else had the right to inspect these records or seek copies. When queried about measurement books created in the context of the execution of public works, the engineers of Tongi Pourashava maintained that these documents were covered by the *Official Secrets Act* and could not be disclosed to any person even though they are required to be maintained in the office for 20 years.³⁰ In

²⁸ Guard files are collections of valuable documents containing important decisions taken by the Pourashava that have precedential value. They also contain orders, directions, instructions and guidelines issued by various ministries with regard to the functions of the Pourashava. This is a valuable collection of documents that indicates the manner in which the Pourashava ought to be working.

²⁹ The Chairperson has installed a closed circuit camera system within the office complex to keep a watch over its employees working in various departments.

³⁰ Measurement books are created in the context of public works. These books are filled up by an engineer in charge of inspecting the progress of the work. According to prevalent financial rules, the engineer is required to inspect the progress of the work on site, measure the extent of work done that day and record it in the

any case according to the Chairperson, few members of the public ever approached them with a request for access to records unrelated to their personal requirements.

Inference:

40. Despite being located in urban areas with relatively higher levels of literacy there seems to be little demand for information about the work of the Pourashava that is not related to an individual's personal interest. However both Pourashavas have put in place some mechanisms to provide information in a proactive manner to the people who visit their offices. These efforts are either due to the individual initiative of the person heading the body or because of a funded project where such systems are required to be put in place as part of the project obligations.

Access to information relating to rights in land

41. Information relating to rights in land – another major area that necessitates frequent interface of people with Government – is maintained by the line agencies of the Ministry of Land at the Upazila and Union level. At the Upazila level the Assistant Commissioner (AC) – Land is the head of this office. Four classes of records relating to people's rights in land are maintained in the AC-Land Office. The first is the register pertaining to State Acquisition (SA) based on a country-wide survey conducted during the period, 1958-1962. This record contains the name of the land holder, geographical coordinates of the plots, classification of the type of land use (agricultural, non-agricultural etc.) size of the plot held and the amount of revenue estimated from the land. The second register relates to the revised settlement (RS) which according to officials was last conducted all over the country in 1982. Both registers being records of people's rights in land (known as *khotian* in Bangla) are required to be maintained in perpetuity. The other classes of records maintained by this office pertain to changes in land ownership. When transactions in property occasion a change in ownership this information is recorded in the RS register. The documents relating to the process of incorporating change in ownership (known as 'mutation' in technical parlance) including applications, communications received from the office of the Sub-Registrar, verifications

measurement book. This book forms the basis for releasing funds to the contractor undertaking the work. More importantly it is also the basis on which wages are paid to labourers engaged in the construction activity. The experience with rampant corruption in public works in India indicates that these measurement books are rarely filled on the spot on a day to day basis. Instead these books are often filled up at one go by the corrupt engineer in the privacy of his office or home or some other convenient place for a consideration from the contractor. While the construction work itself is left incomplete or displays poor quality the measurement book indicates that the work has been completed to perfection. This paperwork is treated as being adequate for release of funds to the contractor. The financial audit conducted by the Comptroller and Accountant General's office rarely checks the physical status of the completed work against the contents of financial documents. NGOs in India have used information access laws to get copies of the measurement books, conduct on the spot verifications and place evidence of defalcation and falsification of records at public hearings. Therefore access to this document is of utmost importance for any effort to verify the quality of a public work. The engineer's contention that this document is covered by the *Official Secrets Act* is correct; however his contention that they are to be kept secret for that reason is untenable. Nothing in that law prevents access to such documents.

reports and the orders of concerned officials are maintained only for 12 years unlike the records of rights. The AC-Land office also maintains revenue maps of all villages that fall under its jurisdiction.

42. The Tahsildar–Land is in charge of the Union Land Office. The Union Land office maintains a record of the land development tax paid by each landowner. Two registers are maintained in this office. Register I is similar to the RS register maintained in the AC-Land office. Register II contains the consolidated record of the tax paid by the landowner. The Union Land Office maintains revenue maps of all villages that fall under its jurisdiction.
43. The office of the Sub-Registrar at the Upazila level is responsible for recording transactions relating to property in large-sized registers. This office follows the antiquated practice of manually recording all the contents of property transactions into a register.³¹ As land related transactions occur everyday, this record has run into several hundred volumes over the decades necessitating the maintenance of a multi-volume index of registers. This index helps identify the exact volume that contains the record of a property related transaction. The office conducts a process of verifying the revenue records before registering the transaction. Soon after recording a transaction in land (agricultural, commercial or residential) the Sub-Registrar's office sends a written communication (land transfer notice) to the AC-Land office providing details of the same so that the process of recording the mutation in the records of rights can be initiated in the latter office.

Proactive disclosure:

44. The Bahubal Sadr Union Land office (Habiganj district) has prominently displayed useful information for the benefit of people regarding the process and fees applicable for requesting mutation of the record of rights (See Appendix 2, photo #4). The author learnt that the current incumbent of the post who also holds the charge of the Union Nirbahi Officer (UNO) took the initiative of proactively disclosing this information in order to provide people with an avenue to complain about any demand for bribes. This notice board displays the telephone numbers of the office as well as that of the AC, the Deputy Commissioner, the UNO and the Deputy Collector- Revenue (RDC) to whom such complaints can be made. The AC-Land Office situated in the same office complex also displays a display board with similar information. The AC-Land office in Haluaghat has displayed information only about the fee rates payable for incorporating a mutation to the record of rights.

³¹ This manual process was introduced in 1908 in the Indian sub-continent by colonial rulers and continues to be followed in both Bangladesh and India. This register contains numbered pages whose surface is subdivided into cells. Every word contained in the registration deed is painstakingly transcribed into a separate cell in this register. According to officials of the Sub-Registrar's office in Bhanga Upazila, the time taken for entering the contents of the deed into the register may take a minimum of one month or a maximum of one year. Delays are caused because of the process of verification of revenue records undertaken before the deed is recorded. More time will be required in cases where ownership of the plot being sold is disputed.

45. Proactive disclosure appeared to be poorly executed in all three Sub-Registrar's offices visited by the author. The Sub-Registrar's Office at Gaibandha (Gaibandha district) displayed the fee rates payable for registration of transactions on a worn out notice board on a corner wall which is not prominently visible to the general public. The situation was no better in Bhanga Upazila. The Sub-Registrar's office at Kalkini Upazila (Madaripur district) operating from a rented building has done a slightly better job of advertising the rates applicable for registration on a notice board. However there were no details regarding officers with whom complaints could be lodged regarding demand for bribes.

Disclosure of information on demand:

46. According to the official (*kanungo*) working in the AC-Land Office in Haluaghat (Mymensingh) a person is entitled to inspect the record of rights relating to his/her plot/s of land free of cost. However access to information about rights of other landowners is denied.³² Officials at the Union Land Office in Haluaghat Sadr stated that Register I (record of rights) is available to any landowner for free inspection but certified copies will be provided only by the office of the Deputy Commissioner situated at the district headquarters.³³ A fee of Tk. 25 is charged as application money. Copies are provided within a period of 15-20 days. According to the Assistant Commissioner (Land) of Bahubal Upazila certified copies are provided for a fee of Tk 12.50. Register II (consolidated record of payment of land development tax) is also available for free inspection. However officials of the Haluaghat Sadr Union Land Office categorically stated that there were no provisions in the law for providing copies of the tax payment record contained in this register.³⁴ They also stated that revenue maps can be inspected by anybody in their office as well as at the AC-Land Office. However copies could be obtained only from the Deputy Commissioner's office situated at the district headquarters upon payment of Tk. 110 as fees. Copies are said to be provided within a week.

47. Any individual seeking a certified copy of a property transaction registered with the Sub-Registrar's office has to go through a three-stage process. The requestor is first required to submit a 'prayer' for searching the relevant volume of the register containing the details of the transaction. An application fee of Tk. 10/- is charged at this stage. Mention of the index no. of the volume

³² In fact this practice is contrary to the provisions of *The Registration Act, 1908* which is operational in Bangladesh and India. Section 57 of the Act states that any person may inspect registers and seek certified copies relating to transactions in immovable property by making a formal application and upon payment of the requisite fees. See: http://www.minlaw.gov.bd/bdcode/pdf_part.php?id=90 as on 28th April, 2008.

³³ A copy of the mutation record is provided to the party requesting the mutation upon the completion of the entire process. Certified copies are provided subsequently on request.

³⁴ This is a strange practice which needs to be verified from other Union Land Offices as well for confirmation as routine practice. In a country like Bangladesh which is affected by severe floods, cyclones and other natural calamities, people living in affected areas lose all their belongings including legal papers relating to land rights. If a land development tax payee loses all receipts in such circumstances, the contents of Register II would be invaluable for establishing his/her tax payment record. Theoretically, copies of such records should be made available on demand. However due to paucity of time it was not possible to verify any standing orders relating to this matter.

in the application is essential without which the clerks would not be able to the relevant volume of the register. Upon locating the relevant volume the requestor submits a second 'prayer' for inspecting the contents of the register in order to ascertain that this is the correct record. A fee of Tk. 10/- is charged for inspection. After locating the required pages in the volume, the requestor makes a third 'prayer' for obtaining a certified copy. The contents of the pages are manually transcribed by the clerk. A fee of Tk. 8/- per page is charged for copying. The entire process may require between 7-30 days for completion. The process is expedited where the requestor cites any urgency.

48. According to officials working with the Sub-Registrars' offices, between 50-200 people visit these offices every day for official work. As very little information is disclosed voluntarily by these offices and people buying or selling land lack the skills necessary for drafting transaction deeds, they are largely dependent on the tribe of 'deed-writers' who operate either within or close to the office premises. These 'professionals' assist parties to a property transaction to draw up the legal documents (deed) before they are submitted for registration. According to Mr. Humayun Kabir Manik the local representative of popular dailies – *Daily Sangbad*, based in Haluaghat Upazila (Mymensingh district), these deed writers and other middlemen facilitate corruption in the process of property transaction registration. A major cause of corruption is the lack of transparency in the process of determining the amount of Immovable Property Transfer Tax (IPTT) required to be paid during registration. Theoretically, the quantum of tax payable ought to be determined on the basis of State-specified valuation rates for each type of land use (agricultural, residential, commercial etc.). A recently published 'state of the governance survey' in Bangladesh finds that the offices of Sub-Registrars do not maintain an up-to-date list of IPTT rates.³⁵ As a result the Sub-Registrar wields an enormous amount of discretion for determining the tax amount payable for registering the transaction. Opacity in the system – a problem that can be cured easily by publicising critical information – is misused for extracting illegal payments from the people. The extent of corruption is higher in urban areas as the value of land is correspondingly higher.

Inferences:

49. There is no effective mechanism for the disclosure of proactive information on the subject of people's rights relating to land. Except for some personal initiatives taken by individual officers to inform people about services available at their offices, citizens are largely dependent upon unofficial sources for obtaining information about the processes relating to the registration of transactions and recording rights in land. It has also been observed that obtaining copies of records is a cumbersome process in these offices often requiring the requestor to travel to the district headquarters which is located far away from his/her village. The user-unfriendliness and lack of transparency in the procedures followed in these offices are also responsible for the existence of corruption.

³⁵ Rahman, Hossain Zillur (ed.) *Unbundling Governance ... etc.*, p. 88.

Information flows to people: A view from the demand side

50. “When we have to give them, we get the information. When they have to give us only their own people get the information!”³⁶ This assertion by a woman day-labourer largely sums up people’s perception about transparency in local government institutions. Surveys and studies conducted by a variety of civil society organisations unequivocally point to the high levels of dissatisfaction about the lack of transparency in critical areas in UPs. A study conducted by SHARIQUE in 35 Unions spread over the districts of Rajshahi and Sunamganj situated in the western and northeastern corners of the country highlights how inaccessible the UP office is to the common person. More than three-fourths of the respondents covered by this study (77% in Rajshahi and 79% in Sunamganj) rated their UPs poorly for transparency in the procurement and awarding processes.³⁷ About 50% of them had absolutely no information how these processes were conducted in the UP. None of the respondents had access to the budgets of their UPs despite the transparency obligation mandated by the UP Ordinance. Close to 50% of the respondents did not know that their UPs were required to display budget and schemes related information on notice boards.³⁸ This finding confirms our inference mentioned at para #23 above that a majority of the people living in rural areas would be largely unaware about the kinds of information accessible in the office of the UPs whose members they elect and to whose finances they contribute in the form of direct and indirect taxes.

51. Awareness about the processes of decision-making, resource allocation and distribution is lacking not only amongst the members of the community but also amongst the elected Members of the Union. Women members are particularly ignorant of financial matters in the UP even though one of them is required to be a joint signatory for the UP’s bank account along with the Chairman and Secretary.³⁹ The study conducted by SHARIQUE found that Members are not aware of the contents of the many orders, circulars and guidelines sent by various departments from time to time or the minutes of the meetings of the Upazila Coordination Committee held every month at the Upazila headquarters.⁴⁰ These communications are rarely placed before the Members in the monthly meetings of the UP thereby depriving them of valuable information necessary for performing their functions as elected representatives of the people.

³⁶ The woman day-labourer was commenting on the fact that when taxes needed to be collected the tax collector and the *chowkidar* (village police official) visit them with a notice but they never know how VGD and VGF cards are allotted and how relief is distributed after natural calamities. These benefits are often cornered by those close to the Chairmen of the UP. See, SHARIQUE, (2007.) *The State of Local Governance in Rajshahi and Sunamganj: A Study Conducted in Selected Unions*, Dhaka, p. 09.

³⁷ Ibid., pp. 27-28.

³⁸ Ibid., p.9

³⁹ According to the findings of the SHARIQUE study it was common practice for the Secretary and the woman Member of the UPs to sign blank cheques and deposit them with the Chairmen for future use. They were rarely involved in the financial management of the UPs. Ibid., p. 26.

⁴⁰ Ibid., p.9.

52. During a visit to the UNO's office in Bhanga Upazila (Faridpur district) the author was shown copies of the *nitimala* (guidelines) for implementing social safety-net schemes published in the form of a booklet by the Department of Social Welfare. The officials claimed that copies were sent to every UP in their jurisdiction. However the Secretary of the Hamirdi UP (Bhanga Upazila) stated that he received only a letter from the Department regarding the implementation of safety-net schemes. They did not have a copy of the *nitimala* in their office. The Chairman of Alinagar UP (Kalkini Upazila, Madaripur district) claimed that they received only photocopies of some *nitimalas*. However this UP possessed a copy of the operational manual for VGD scheme. When such important documents about schemes for the impoverished are not accessible to the people they are intended to benefit, they can do very little against instances of non-equitable distribution and favouritism in the selection of beneficiaries.

People's sources of information

53. The Government disseminates information about its activities through various means. The text of laws, rules, regulations and important orders or decisions of departments are published in the official *Gazette* – the government's own newspaper. Access to the *Gazette* is extremely limited in nature. Copies may be obtained only at the Government Press or its sales counters at the Secretariat Building in Dhaka. Often copies of the *Gazette* are used up by government officials themselves who are required to implement these matters. In recent years various e-governance initiatives have ensured that some information about the working of Government is made available to people through Internet websites. Various departments at the Central level and the administration in some districts have set up websites providing some information to people in Bangla. For example, the Department of Agriculture Management has launched a website for monitoring and disseminating information about the market price of several commodities.⁴¹ It has also set up about 10 regional information centres around the country for disseminating information and educating people about agricultural issues. In a bid to reach out to farmers who are not internet literate the department has made arrangements for displaying current prices for various commodities at the entrance to such market complexes.⁴² The Central Procurement Technical Unit situated within the Implementation Monitoring and Evaluation Division of the Ministry of Planning is required by law to develop a website to upload information about award of contracts above a specified limit.⁴³ While this website contains a wealth of information for operationalising the Regulations relating to public procurement summary details of contracts awarded are

⁴¹ See website: www.dam.gov.bd Nivin, Mir Nadia, (2007). "e-Governance and the Agricultural sector of Bangladesh", *E-Focus*, Weekly e-Governance and Development Highlights, Issue 2, vol. 1, UNDP Bangladesh, p.2.

⁴² Rubaiya Ahmed, (2007). "ICT for Agriculture: Using Everyday ICTs for information dissemination", *Ibid.*, p.4

⁴³ Regulation 6(2)(f) of the *Public Procurement Regulations, 2003*. See Hossain, Engr. AKM Tofazzal, (2007). *Public Procurement Manual*, 3rd edition, McCoy Book Corporation, Dhaka, p. 34. The website is available at <http://www.cptu.gov.bd>

provided only in cases where e-procurement is resorted to. Details of contracts awarded as per regular procurement processes are not available on this website. However invitations for bids in response to tenders floated by various procuring agencies are published regularly on this website and in popular English and Bangla dailies.⁴⁴

54. Notices about vacancies in government offices, the time table and results of public examinations, schedule for admissions to various educational institutions owned or funded by the Government are also published in popular newspapers and internet websites. TV and radio channels are also used as the means of communicating information to people about agriculture, health and other issues. Senior officials at the Ministry of Local Government stated that they are developing a communications strategy for disseminating information about LGSP to various stakeholders by harnessing the potential of ICT. Operational manuals, leaflets, brochures, slide presentations, folk songs and street plays are being developed to inform people about LGSP and the requirement of their active participation in the planning and implementation of development schemes.

55. Studies indicate that the impoverished and the vulnerable segments of society are not always directly affected by the information dissemination methods adopted by government agencies. Findings from the discussions with groups of poor and very poor people in Nilphamari, Chapainawabganj and parts of Dhaka referred to at para #13 indicate that men find out about laws or rules made by the Government in the bazaar through chit-chat.⁴⁵ They discuss it with their family when they get back home. Women also find out about what the government does from other people's discussions at public places. The television is also a major source of information. They watch news coverage of public functions on the state-run television channel Bangladesh TV (BTV) where Ministers and VIP politicians distribute goats, chickens and ducks to the poor or inaugurate roads and bridges. Television is their main source of communication about new social safety-net schemes or their entitlements under relief distribution projects. Other studies also indicate that the television is the primary source of information for people living in urban and rural areas. A health related survey conducted by BRAC showed that in urban areas over 90% of the respondents obtained health related information from television as compared to 60% of the respondents living in rural areas.⁴⁶ A smaller proportion of respondents received such information from the radio. The incidence of respondents listening to the radio was much higher in rural areas as compared to respondents living in urban areas. Access to TV and radio in rural areas and to some extent in the poorer neighbourhoods in urban areas is not dependent on personal ownership of the equipment. Neighbours gather at the house of the owner of a radio and/or TV set in order to listen to or watch programmes of interest. About 72% of the respondents belonging to the very

⁴⁴ For several newspapers tender advertisements are a major source of income as is the case in other countries in the South Asian region.

⁴⁵ Ali, Tariq and Hossain, Naomi (2006) *Popular Expectations of Government...*, etc. p. 13.

⁴⁶ Fazlul Karim *et. al.*, (2006). *Reaching Sprinkles to Millions: Social Marketing Strategy for Combatting Childhood Iron Deficiency Anemia*, BRAC Research Monograph Series # 27, Dhaka, pp. 37-38.

poor category accessed radios at their neighbour's house. However radio was not very popular as a source of information in the remoter rural areas.⁴⁷

56. The BRAC study also shows that newspapers and books have a very low incidence as sources of information for the poor and the very poor. More than 50% of the respondents belonging to the very poor category did not know how to read newspapers. Only 3 of the 756 respondents covered by this study read newspapers at least once a week.⁴⁸ The study showed that next to the TV and radio NGO health workers, doctors, village doctors and neighbours were a primary source of health related information for people living in rural areas. Another health related study conducted by BRAC showed that the peer network is a major source of information for adolescents living in rural areas.⁴⁹

Trusted sources:

57. Studies on diverse topics in Bangladesh have shown the value of trusted sources in providing information to people in both rural and urban areas. For example, the study mentioned at paras #13 and #55-56 above indicate that the poor and the very poor segments of society are dependent upon the educated and influential members of the community for information about government rules, regulations and procedures.⁵⁰ For a long time community elites such as teachers, *dewan / matbar* etc. have played the role of brokers or mediators between people and Government. In the private sector '*dalals*' or middlemen perform this role. For example, *dalals* are the primary source of information on almost every issue relating to labour opportunities in rural areas.⁵¹ They perform a range of services for individuals who choose to migrate in search of better employment opportunities either within Bangladesh or abroad. It may start with seeding the idea to migrate in the mind of the individual and extend to convincing them to migrate by informing them of the potential opportunities, difficulties and rewards.⁵² The *dalals* or their associates are also instrumental in acquiring passports, visas and other documentation, either legally or illegally. *Dalals* provide travel documents such as passports, visas, medical reports or work permits that may not always be valid. They sell forged documents to migrants, although in many cases

⁴⁷ Ibid., p. 37.

⁴⁸ Ibid., p. 38.

⁴⁹ This study focused on the outcomes of BRAC's Adolescent Reproductive Health Programme in rural areas. The findings revealed that adolescents who participated in the health and sex education programme at BRAC-run teaching centres went back to share the information with their peers who were not covered by the programme. See Rashid, Sabina Faiz, Sarker, Mahmuda Akhter and Simmonds, Nicci (1999). *Social Interaction and the Diffusion of Knowledge: BRAC's Adolescent Reproductive Health Education (ARHE) Program in the Rural Areas of Bangladesh*, Dhaka, p. 10.

⁵⁰ Ali, Tariq and Hossain, Naomi (2006) *Popular Expectations of Government...*, etc. p. 13.

⁵¹ Deshingkar, Priya and Farrington, John, (2006) "Rural Labour Markets and Migration in South Asia: Evidence from India and Bangladesh", Background paper for the *World Development Report, 2008*, Dhaka, p. 20.

⁵² Zeitlyn, Benjamin, (2005). *Migration from Bangladesh to Italy and Spain*, Occasional Paper published by South Asia Migration Resource Network (SAMReN) and Refugee and Migratory Movements Research Unit, Dhaka, June, p. 65ff.

migrants are not aware that the documents they obtained are false. In the absence of credible information unsuspecting people fall prey to such *dalals* by paying a heavy price. The services being provided by CSOs that run rural information centres provide an alternative source of credible information in this regard. (see below para #61 ff.) *Dalals* also provide a range of services to farmers trying to sell agricultural products in the open market. However they are also known to exploit the seller who does not have adequate information about the prevalent market prices or is unable to hold on to stocks for long in the hope of getting a better price due to an urgent need for liquidity.

58. Another trusted source of information is a local person who has already had dealings with a government office of the kind that is required by another individual. The person in need often finds it helpful to learn from the experience of others who have “been there and done that.” A very small proportion of people covered by this study indicated that they would directly go to a government office to seek the relevant information.⁵³ A visit to the UP office is occasioned only when there is a pressing need such as obtaining birth, death or character certificates or licenses or permits issued by the UP office. Visits to the UP office also become necessary during times of crisis such as fertiliser shortages to find out where fertilisers are being distributed by the Government or soon after the occurrence of a natural calamity to enquire about relief distribution or to collect one’s entitlement under the VGD scheme.

Information flows and the role of the private sector (NGO and commercial)

59. Actors in the private sector have launched several initiatives in Bangladesh in recent years in order to provide for the information needs of people in rural and urban areas. The setting up of information centres powered by ICT facilities is a common feature of these initiatives. The initiatives of D.Net and GrameenPhone are dealt with in detail because of their demonstrated effectiveness and lead role.

Pallitathya Kendras

60. *Pallitathya kendras* (PKs) are rural information centres set up by D.Net initially as an experimental system of information and knowledge exchange for the poor and the marginalised. This system is based on two principles – **a)** it focuses on the needs of the poor and the marginalised communities and **b)** it emphasises on income generation for financial sustainability of the PK where possible.⁵⁴ The system is operationalised through a common access point which may be in the form of a stationary unit situated within a community or in the form of mobile facilities including a human-centric access point such as a

⁵³ Invariably these respondents belonged to the slightly better off segment or had some level of education. Ibid., p. 13.

⁵⁴ Raihan, Ananya (ed.) (2007). *Pallitathya: An Information and Knowledge System for the Poor and the Marginalised*, (abridged English version), D.Net, Dhaka, p. 5.

'mobile lady'. Every PK has at least 3 staff members, computers, internet facility through mobile GPRS connection, a printer and a camera in addition to other equipment for providing a range of ancillary services (see para # 64 below)

61. Four PKs were launched on an experimental basis in 2005. Encouraged by the success of this initiative 20 more PKs have been launched in 17 districts of Bangladesh by December 2007. A PK provides members of the community with access to both offline and online content through a range of ICT enabled means such as computers, Internet access and mobile phones. An information needs assessment of people living in rural areas conducted in 2003 helped D.Net develop *Jeeon-IKB*, initially an offline database, in Bangla. This database which is now available online contains a wealth of useful information relating to areas such as – agriculture, health care, education, non-farm economic activities, employment opportunities, human rights and legal support, appropriate technology and disaster management. People can approach the PK to find solutions to many problems they experience in their daily activities.

62. For example, when an unlettered farmer visits a PK to find solution for a pest problem affecting his crop, the infomediary (for details see para # 63 below) first enquires about the type of crop that is affected and opens up the relevant page on the *Jeeon* database. Pictures of various pests affecting each type of crop help the farmer to identify the culprit affecting his crops. Upon identification of the pest species the next step is to find details about the correct pesticide and the manner of its application from the same database.⁵⁵ In order to complete this cycle of information-sharing in a meaningful way, PKs also provide information about the supplier of pesticides located closest to the farmer's village. The *Jeeon-Thikana* database provides information about the availability of the specified pesticide in the vicinity and its market price.⁵⁶ Information is provided free of cost if the requestor is very poor. However a nominal fee covering the actual cost is charged if the requestor seeks a printout of the information.⁵⁷

63. The infomediary plays an important role in this system of information sharing. Modelled on the idea of 'trusted source' youth (both men and women) possessing a minimum level of education (Higher Secondary– at least 12 years of schooling), computer skills, good communication and networking

⁵⁵ Ideally these advisory services ought to be provided by the Agriculture Extension Office which is the line agency of the Ministry of Agriculture situated in every Union. However the niche area carved out by NGO operated information centres for themselves indicates that there is a lot of pent up demand for such services which government agencies have not been able to match.

⁵⁶ *Jeeon-Thikana* comprises of an extensive database of directories that provide information about institutions specialising in agricultural services, health care and educational services. These databases are continuously updated by subject experts employed by D.Net. This database currently has information about 5,653 service providers in 20 categories and is growing. Ibid., pp.8 & 19-20.

⁵⁷ The author observed first hand a demonstration of this information generation process at Panchpir situated in Chandipur Union in Sundarganj Upazila of Gaibandha district. The PK is manned by two women one of whom is a double graduate and the manager of the centre and the other – the mobile lady. The PK also has a male infomediary who is a graduate. The PK has been established in collaboration with a local NGO – Gono Unnoyon Kendra which is implementing six projects on livelihood issues. The PK has been fully operational since September 2007.

skills having a good reputation are selected from within the community to operate the systems set up in the PK and provide relevant information to people.⁵⁸ These infomediaries provide the human interface between the requestors for information and the database and other services provided by the PK. In order to reach out to women and the elderly who are unlikely to leave the confines of their homes to find solutions to their problems, an infomediary called the 'mobile lady' is employed by the PKs. The mobile lady regularly visits the village within the specified coverage area of the PK to provide a range of information services to the members of the community. A unique feature of the PK is its 'no-exclusion policy'. No problem is to be left unattended or unanswered. The mobile lady who goes from door to door in the villages is equipped with a mobile phone that connects her to a Help Desk established by D.Net. Subject experts provide practical solutions to people's problems in areas such as health care, agriculture, legal aid, education, government services and human rights.⁵⁹ Where the complexity of the problem prevents the mobile lady from providing answers or suggesting solutions immediately, the Help Desk manned by D.Net at its head office in Dhaka ensures that replies are sent to the requestor by surface mail or by email to the concerned PK which is then downloaded and delivered to the requestor's door step by the mobile lady.

64. The needs assessment exercise conducted by D.Net prior to setting up the PKs indicated that the poor and vulnerable members of the community required a range of health and agriculture related services in addition to information. The existing governmental infrastructure is unable to meet these requirements. PKs also provide ancillary services such as checking of blood pressure, height and weight measurement, nebuliser rental (for asthmatic individuals) photography (to apply for visas or some certificates issued by government agencies), soil testing, composing, typesetting, scanning and printing services and supply of forms for various government services.⁶⁰ These services are provided for a nominal fee thereby enabling income generation for the PK that is essential to make it self-sustainable. The PK also provides referral advice to those who are ill by identifying the nearest government run health centre or hospital (where diagnosis and medicines are provided free of cost or for a nominal charge) or specialists in private health care institutions depending on the spending capacity of the person. Some PKs also provide training in IT skills for the educated youth in the community.
65. Senior staff of D.Net stated that four models were tried out for setting up and operating the PKs – **a)** collaboration with local NGOs, **b)** collaboration with Union Parishads, **c)** collaboration with members of the local community and **d)** directly operated by D.Net. They candidly admitted that the centres run centrally by D.Net performed poorly whereas the PKs run in collaboration with local NGOs and UPs functioned best. Currently 24 PKs are being run with the

⁵⁸ Ibid., p. 13.

⁵⁹ Ibid., p. 15.

⁶⁰ Ibid., p. 11. In addition to these ancillary services the PK also conducts video shows relating to income generation opportunities, improving production and marketing of agricultural products and empowerment of disadvantaged segments of society. These shows are conducted in public at common meeting places in the villages.

help of 22 partners.⁶¹ Information about PKs is disseminated with the help of leaflets and audio-visual programmes shown on laptops. Besides these methods, the mobile lady who visits the villages also advertises the services provided by the PK.

Usage of PKs: some statistics

66. A noteworthy feature of the PKs is the rigour with which documentation of usage is being maintained. This provides valuable insights into patterns of usage of PKs. Between September 2005 and March 2007 more than 11,000 people had approached the four PKs set up during the first phase of this project.⁶² By December 2007 another 9,000 people had approached the PKs including the new centres set up in other districts. It is interesting to note that in the initial phase of this project the number of persons seeking ancillary services was higher (53%) than those seeking only information (47%) from the PK. Thanks to the mobile lady 41% of those who approached the PKs for information or some ancillary service were women. Health care and knowledge about livelihood issues were the most popular categories of information (45.4%) sought by the requestors.⁶³ Women homemakers topped the category of requestors for health care related information (44.4%) Of the 17% users who sought education-related information 83% were students. Unlettered villagers were the topmost category of users of information contained in the *Jeeon-IKB* livelihoods database. Demand for information about government forms and services was the least sought after category of information. Between November and December 2007 only 50 requests were received for government-related information in all 24 PKs while the number of requestors seeking agriculture and health-related information was close to 400.
67. On an average searching for the relevant information on the *Jeeon-IKB* database took between 7 to 13 minutes for the infomediary, making information access in real time a reality for the requestor.⁶⁴ More than 40 of the 240 graduates trained in IT skills at PKs secured jobs in the government and NGO sector by the end of December 2007. Statistics collected by D.Net indicate that requestors visit the PK repeatedly – an indicator of the reliability of the PK in servicing the needs of the community. A survey of about 700 individuals living in the areas covered by the PKs, set up in the initial phase, found that respondents visited the PK more than six times on an average (during the period September 2005 – March 2007).⁶⁵ Only a fifth of the respondents surveyed visited the PK only once.

⁶¹ Manusher Jonno and Microsoft are currently supporting D.Net's PKs.

⁶² Ibid., p. 27.

⁶³ Ibid., p. 28.

⁶⁴ Ibid., p. 36.

⁶⁵ Ibid., p. 32.

68. By the end of 2007 13 PKs had earned a total of Tk. 550,000/-. A 'benefit on investment' (BOI) calculation undertaken by D.Net indicates that the benefit to the community from the four PKs set up during the first phase of the project is 4.64 times higher than the investment on their set-up and operation.⁶⁶ While a total of Tk. 26.19 million was invested on the establishment of the four PKs, the estimated benefit to the communities is Tk. 42.83 million. The BOI ratio for information and knowledge services is 1:4.42 (for every taka invested the return to the community was Tk. 4.42). These figures include the costs of operations at the head office of D.Net as well. If this expenditure were excluded the BOI ratio would be as high as 1:18.33.⁶⁷ It must be emphasised that of all the actors who have taken up the task of providing information to people the PK experiment had the closest match between the given mandate and operation in reality.⁶⁸ The GrameenPhone run community information centres (discussed below at para # 69 ff.) came in second while the government agencies stood a distant third in terms of promise and delivery.

GrameenPhone Community Information Centres

69. The GrameenPhone Community Information Centres (GPCIC) are an initiative of GrameenPhone (GP), a leading telecommunications company in Bangladesh, undertaken to enable people living in rural areas to access a wide range of state of the art services such as Internet, voice communications, video conferencing and other information services.⁶⁹ GPCIC's objectives are to -

- bridge the 'digital divide' by providing people living in rural areas with access to ICT;
- alleviate poverty;
- educate the underserved and the underprivileged about information-based services;
- build local entrepreneurships and improving capacity and
- create employment opportunities for the unemployed youth.

70. Started as a pilot project of 16 GPCICs in February 2006, with technical assistance from the GSM Association, the GPCIC initiative has expanded phenomenally to cover more than 450 Upazilas till date. Currently 523 GPCICs are operational around the country and provide all or a basket of the following services to people living in rural areas-

- Internet surfing and emailing
- Information on health, agriculture, etc.

⁶⁶ Ibid., p. 31.

⁶⁷ Ibid., p. 33.

⁶⁸ In order to avoid bias in observation, the author chose to interact with the staff of D.Net at Dhaka and visit the PK at Panchpir (Chandipur Union, Sundarganj Upazila, Gaibandha district) before reading up the literature on PKs. It must be said that what was observed in reality at the PK matched with the description of its activities provided by senior staff of D.Net and reported in their publications.

⁶⁹ See GPCIC website: <http://www.gpcic.org> as on 28th April 2008.

- Locally relevant customised and open content
- Chatting with voice and picture
- Video conferencing
- Typesetting, scanning, printing and e-fax
- Commercial mobile calls
- CD-writing
- Telemedicine services (yet to be introduced)
- Multi-media based education for children and
- GrameenPhone value added services such as flexiload, ring tones downloading etc.

71. GPCICs are established in partnership with local entrepreneurs who are franchisees of GP. While the local entrepreneur invested in the capital costs for purchase of equipment, software and hiring of staff to man the GPCIC, GP provided the internet connectivity consultancy services and training for the staff members. GPCICs were set up in areas that are easily accessible to the people such as bazaars with schools and colleges in the vicinity. The capability of users to pay nominal sums for the use of GPCIC services was another factor guiding the choice of location. It was assumed that GPCIC would not succeed as a self-sustaining business initiative if it were situated in areas with few prospects for growth.⁷⁰

72. GPCICs are typically equipped with 2-3 computers (Pentium IV configuration at a minimum) with internet access, webcams, scanners, printers and mobile phones in addition to 2-3 trained staff. However none of the GPCICs have an infomediary yet. GPCIC has established a web portal in Bangla providing locally relevant information content on wide range of areas such as voter lists, results of public examinations, news updates, advice for Haj pilgrims and digital visa applicants. The portal also provided information relevant to people in each Upazila such as locations of health centres and educational institutions along with phone numbers in addition to demographic statistics. According to senior staff of GPCIC based in Dhaka, updating the content of the portal is one of the biggest challenges as they do not have a panel of subject experts of the kind set up by D.Net. However the focus on building capacity of entrepreneurs has led to the launch of local initiatives to provide solutions for some of these shortcomings. For example, the entrepreneur of the GPCIC at Satkhira Upazila (Satkhira district in Khulna division) has set up an advisory body comprising of the UNO, the Head Master of the local school and the Agriculture Officer to provide advisory services to users approaching his GPCIC. Such initiatives are publicised through news updates on the portal in a bid to encourage other entrepreneurs to think along similar lines. The latest development is the linking up of the Caretaker Government's Chief Advisor's office to the GPCIC portal. Citizens can send complaints about any governance-related matter to the Chief Advisor through the portal.

⁷⁰ GP collaborated with KATALYST and AC Nielsen to conduct information needs assessment and business prospects studies before developing the pilot project.

GPCICs – a reality check:

73. The author was able to visit four GPCICs situated in different districts and talk to their owners and staff during this visit.⁷¹ All GPCICs were situated at busy market places in the Upazila centre operating from one-room or two-room premises. A minimum of two computers, internet connection (dial up or GPRS enabled), scanners, printers, webcams and printers were available. Mr. Chanchal Mahmud, the proprietor of the GPCIC situated in Bhanga, claims to have made an investment of Tk. 70,000 initially on the equipment and the required software. The GPCIC provides internet services like video-chatting and video-conferencing for the families of migrant labourers working in West Asian countries. Literate youth visit the centre to search for employment opportunities advertised on websites. Local journalists use this centre to email their stories to the head office of their newspaper. A nominal charge of Tk. 10-15 is charged for sending emails. The centre does not provide any typesetting services as it is said to be uneconomical. The centre also does not provide formal computer training to educated youth in the area. However the staffers provide informal assistance to users accessing computers for the first time. On an average 20-25 people are said to visit the GPCIC. A majority of them seek mobile phone-related services such as recharge of pre-paid connections and downloading of ringtones. Mr. Mahmud stated that more men than women visited the centre for use of its services.

74. Mr. Abdur Rauf Azad the owner of the GPCIC situated at Nageshwari Upazila, stated that 60-70 people visit the centre every day. The services provided by the GPCIC were advertised locally and in the neighbouring Bhurungamari Upazila by distributing flyers, using loudspeakers and festoons to attract people's attention. The centre remains open throughout the week from 9:00am to 8:00pm. The GPCIC provides Photoshop-related services for prospective migrant labourers applying for digital visas. Students visit the centre to check their exam results, opportunities for higher education and employment. Users are charged Tk. 5/- for scanning and Tk. 10/- for email services. The centre houses a public call office (PCO) and runs a courier service. This centre also provides basic training in the use of MS Office, internet surfing and other computer software packages. Students and unemployed youth are charged Tk. 1,500/- while working persons are charged Tk. 2,000/- for the three month training programme.⁷² Journalists use the email facility to send their stories to the head office of their newspapers. More men than women visit the GPCIC for its services.

75. Mr. Kamaruzzaman Azad the owner of the GPCIC at Kalkini Upazila had opened a shop providing computer, telephone and mobile services in 1997 with an initial investment of Tk. 500,000/- This venture became a GPCIC in

⁷¹ The author visited GPCIC situated in Nageshwari Upazila (Kurigram district), Gaibandha Sadr (Gaibandha district), Bhanga Sadr (Faridpur district) and Kalkini Sadr (Madaripur district).

⁷² This course is not recognized by any educational institution. According to Mr. Abdur Rauf Azad certificates are provided to trainees by the locally established joint-stock company named Social Change Assistance Society and GrameenPhone upon successful completion of the course.

2007. The centre operates six days a week and for a few hours on Friday and has two computers with GPRS enabled internet access and webcams. The centre does not have a scanner or a printer. The centre charges students Tk. 20/- to 30/- for checking results of examinations. However no fixed schedule of rates is available for the services provided by the centre. Journalists do not use its email facility as the Press Club situated in nearby Madaripur provides internet access to accredited journalists. More men than women visit the GPCIC on an average. However girl students visit the centre to check their examination results. The GPCIC does not provide any training courses for the use of computers and internet.

76. The GPCIC at Gaibandha Sadr was started in October 2006. It has 3 computers with dialup internet access facility, a scanner and a photocopier along with 5 staffers. The centre provides typesetting, photocopying, CD writing, internet browsing, video conferencing facilities. People use the centre for printing forms to apply for birth and death certificates and trader's licenses from government offices, filing applications online for passports and digital visas and searching for examination results and admission opportunities in educational institutions. Internet access is provided for a fee of Tk. 30/- to 40/- per hour, photographs are scanned for Tk. 5/- and printing of forms cost Tk. 10/- per page. However there is no fixed schedule of rates for providing these services. According to Mr. Mizanur Jewel, the proprietor, costing of services varies according to the volume of work required by the user – bulk work implies lower costs. Users can make use of the email address of the GPCIC to send and receive emails if they are not internet literate. The centre does not conduct any computer training courses. Few women visit the centre as compared to men.

Inference:

77. The GPCIC initiative clearly indicates that there is a pent up demand for IT enabled services in rural areas even though literacy rates might be low. By establishing a country-wide network of IT enabled service centres GP has taken a very important step to bridge the digital divide and has shown that the disadvantaged sections of society can make use of these services without requiring knowledge or ownership of the IT equipment. Due to the location of the GPCICs at Upazila headquarters they may not be able to reach out to the very poor in remote rural areas. However in collaboration with a range of actors in the development and commercial sector GP hopes to establish CICs at the Union level in the near future. GP has joined hands with D.Net, BRAC-Net and several other organisations to form the Bangladesh Telecentre Network with the goal of establishing at least 40,000 telecentres all over the country by 2011 – the 40th anniversary of Bangladesh's independence.⁷³

78. GPCICs need to tackle some systemic obstacles in order to improve their performance and impact. For example uninterrupted power supply is a crucial element for ensuring that the centre provides IT enabled services to people on demand. Two out of four GPCICs were facing power outages when the author

⁷³ Raihan, Ananya, et. al. (2007). "Bangladesh Country Report," *Global Information Society Watch 2007*, Report published by APC and ITeM, Uruguay, pp. 113-114.

visited them. All owners of GPCIC stated that this was a major obstacle affecting the performance of their centres. Sometimes the outages result in the computers being rendered unoperational for 4-5 hours every day or for as long as 3-4 days in far away Nageshwari. Senior staff of GP at Dhaka also agreed that this was a major problem that needed to be tackled with the help of technological innovations.⁷⁴ Second, when compared with the PKs set up by D.Net the GPCICs seem to fare poorly in terms of accessibility for women. The absence of women infomediaries might be a contributory factor. Steps need to be taken to convince women members of the community that the GPCICs can be of use to them along the same lines as the PKs. Third, it appears from the discussions with senior staff of GP and the local entrepreneurs that users are not as dependent on the GPCICs for livelihood related information as they are on the PKs. According to senior staff of GP content on livelihood issues is being developed currently. When this information becomes accessible on the GPCIC portal the demand for these centres is likely to increase amongst the poor and the very poor segments of society. However the absence of a fixed schedule of rates for services provided by the GPCIC is cause for concern. GPCICs may run into legal difficulties with consumer protection laws in Bangladesh in the long run. Furthermore the GPCICs visited by the author did not maintain detailed documentation about users visiting the centre. Senior staff of GP conceded that monitoring and evaluation of the performance of GPCICs has run into difficulties as the local entrepreneurs are not entering data into the online accounting database developed by GP. So GP has developed a system of giving rewards and recognition to entrepreneurs who provide detailed accounts of the performance of their centres. News updates of such events are uploaded on the portal in a bid to encourage others to emulate such examples.

BRAC-Net's e-huts

79. BRAC-Net⁷⁵ is another player in the field providing IT-enabled services to people in Bangladesh albeit at a smaller scale compared to the GPCIC network. BRAC-Net focuses on providing communications infrastructure and connectivity in the form of e-huts. About 40 e-huts have been established in different parts of Bangladesh in collaboration with local entrepreneurs to provided services similar to those available at GPCIC. The e-hut model is based on the principle of self-sustainability. While the local franchisee invests money for purchase of capital equipment and software, BRAC-Net provides internet connectivity through Wi-Max system.⁷⁶ Senior staff of BRAC-Net mentioned that they have invested heavily in the purchase of state of the art

⁷⁴ Mr. A H M Sultanur Reza Head of Community Information Centre, New Initiative, Commercial Division, GrameenPhone Ltd., Dhaka mentioned a technological innovation that was yet unverified. An innovator is said to have developed a battery that provides power backup for computers for 8 hours by charging for just one hour.

⁷⁵ For more information on BRAC-Net's activities see <http://www.bracnet.net> as on 28th April 2008.

⁷⁶ For more information on e-huts see <http://isp.bracnet.net/services.html#hut> as on 28th April 2008.

equipment for providing wireless connectivity in Bangladesh. Google Inc. is one of the investors in this project.

80. BRAC-Net provides a two-week structured training programme for the franchisees and staff who man e-huts. Advice and technical assistance are provided for the first six months to run the e-hut. Out of the 40 e-huts about 8-10 are said to be earning US\$ 500 per month making them not only self-sustainable but also a profitable enterprise. Another 8-10 huts are in the process of becoming self-sustainable. 20 of the newer huts are in the gestation period and earn less than US\$ 100 a month. BRAC-Net staff are hopeful that their business will pick up in the near future. They also stated that success of an e-hut depends upon the initiative of the franchisee to generate business within the community. As Bangladesh has a large proportion of labourers working in West Asian countries the family's need to keep in touch with them is a major source of demand for the e-huts services. Video-chatting provides an inexpensive alternative for these families to keep in touch with their sons who stay abroad for several years without returning home.⁷⁷ Similarly the ever-increasing number of aspirants for such jobs also generates a lot of business as they visit the e-hut to apply online for passport and digital visa related services. Senior staff of BRAC-Net agrees that there is a need to develop sophisticated evaluation and monitoring systems to keep track of the impact of e-huts in rural areas.⁷⁸

Recommendations

81. The initiatives of GrameenPhone, D.Net, BRAC-Net and other players for setting up IT enabled information centres possess the potential for building synergies with the line agencies of government at the Upazila and Union level. A wealth of information crucial to people in their every day lives can be uploaded on websites and made accessible through these centres. For example, if GPCIC's gear up their capacity to provide training in the use of computers in all Upazilas, the Secretary and the proposed accountant⁷⁹ can be trained at these facilities with very little overhead costs for the

⁷⁷ Pointing to the very real impact of such facilities on the lives of people living in rural areas the BRAC-Net staff told the author of an instance where a migrant labourer working in a West Asian country caught a glimpse of his new-born child by video-chatting with his family that accessed the facilities at an e-hut. As the migrant labourers are unable to pay for frequent visits to their families IT services provide them a means of staying in touch with their families.

⁷⁸ The author could not visit an e-hut due to paucity of time. Not much literature is available either online or in published form to discuss more details about the business model adopted by BRAC-Net. Other organizations like GHAT and AMADER GRAM, Massline Media Centre, Transparency International-Bangladesh have also established permanent or temporary rural information centres in different parts of Bangladesh. It was not possible to visit all these centres to learn about their functions and outreach due to paucity of time.

⁷⁹ A committee set up to advise the Government on improving the system of local government has recommended the appointment of an Accountant at every UP to handle accounts related matters and ease the considerable burden on the Secretary of the UP who handles all financial matters at present. See, *Summary of the Report on the Committee for Accelerating & Strengthening Local Government* (2007), Local Government Division. Ministry of Local Government and Rural Development & Cooperatives, Dhaka, p. 2. The LGSP Operational Manual also envisages the hiring of extra personnel to maintain an account of expenditure of the Extended Block Grants provided under the LGSP.

Government. With computer trained staff available at UPs it would be easy to provide them with computers and internet connectivity. The multitude of reports compiled by the UP can be sent to the UNO's office at the click of a button saving valuable time and resources that would otherwise be spent on travel to the Upazila headquarters. The staff of various CICs could then provide trouble shooting services and logistical support to the UP making this an income generating opportunity. By uploading information about budgets, annual expenditure statements, development schemes, eligibility criteria, applications forms and list of beneficiaries of various safety-net schemes these CICs when established at the Union level could play a big role in bringing about transparency in the functioning of UPs.

82. A detailed matrix for disclosure of information under the LGSP has been provided below as part of this report's recommendations. This matrix can be used with some adaptation for facilitating transparency in non-LGSP UPs as well. However merely establishing systems for publicising information is not an adequate guarantee of transparency as will be argued below.

Need for capacity building training for rural community

83. Experience from developing countries like India, Pakistan and Mexico shows that merely providing access to official documents and information generated by public bodies is not adequate for the establishment of a transparent system of government. Building up civic capacity to understand and analyse the information generated by public bodies is a *sine qua non* of any functional regime of transparency. For example, merely displaying a copy of the UP's annual budget on the notice board or even reading it out in public meetings would not be of much use to people who do not understand the basics of what is required to be entered in a budget document. People need to be familiar with terminologies used in such documents. Merely providing access to muster rolls of payment with regard to any public work is not enough. People should have the capacity to understand the entries made in the muster rolls and get back to the individual labourers to verify whether they had indeed been paid the wages that are mentioned on the rolls. Corruption in the context of public works (construction or repair) is difficult to detect unless the person verifying the documents possesses the capacity to understand the contents of the contract relating to the public work and analyse the entries made in the measurement book maintained by the engineer before verifying the quality of the work. Basic knowledge about the manner of decision-making mandated by the laws rules, regulations and government instructions is essential for any person to detect instances of deviation from the specified standards.
84. Therefore it is recommended that along with the initiatives to increase transparency in the UPs, especially with regard to the implementation of LGSP, it is necessary to identify literate and socially sensitive members of the community for providing basic training to increase awareness about the overall functioning of UPs. The curriculum could include detailed syllabi covering the activities and functions of the UP, the powers and duties of the Chairman, Secretary and Members, the decision making processes within the

UP according to the operational manuals, methods adopted for procurement in public works and the manner of implementation of social safety-net schemes. These training programmes should also include skill building content for undertaking analysis of budgets and other financial documents of the UP. An intensive effort to build a cadre of such trained members at the community level (5-10 people in every UP) can build up the critical mass of citizens throughout Bangladesh who would be capable of participating in the activities of the UP and acting to prevent corruption, mismanagement and poor decision-making at the initial stages itself. Informal groups like the *Palli shama*⁸⁰ established by BRAC in several parts of the country could be targeted for this kind of training in addition to other local community based organisations of youth and women.

⁸⁰ *Palli Shamaj* is a ward-level social organization made up of representatives from several BRAC VOs (village organisations) and outside poor members. Initiated in 1998, *Palli Shamaj* is meant to complement the government's initiative to set up local government bodies at the ward level. The *Palli Shamaj* is made up of a group of VOs through which the members aim to achieve awareness of their social and political conditions, increase their ability to undertake and manage social and economic action and the ability to control their own destiny. The broad objectives of the *Palli Shamaj* are to institutionalize the VOs; establish social justice; participate in power structure through the leadership of target group (i.e. those who have less than half-an-acre of land and at least one member of the family selling manual labor for at least 100 days in a year); advocate upholding the interest of the group; and ensure proper use of local resources, and preventing the violation of human rights. Except a few areas, *Palli Shamaj* exists all over Bangladesh. For more information see, Rashid, Ahmed Tareq and Alim, Md. Abdul, (2005). *A Study on BRAC's Palli Shamaj*, BRAC, Dhaka, pp. 2ff.

Local Governance Support Project in Bangladesh

ENSURING INFORMATION FLOWS FROM UNION PARISHADS: A SUGGESTED MATRIX

Transparency and accountability are the twin cardinal principles informing the design of the Local Governance Support Project (LGSP) being implemented in Bangladesh. The LGSP Operational Manual specifies that proven community participation in planning and budgeting, implementation and monitoring, public disclosure and regular reporting are conditions which need to be fulfilled for continued release of block grants. Paras 6.4 and 8.5⁸¹ place obligations on the Union Parishad to ensure disclosure of some basic information about the annual developmental plan and summary of the monies received, cost of projects, name of and contact details of the contractor/supplier concerned and physical/quantifiable volume/extent of the contract. However experience from the functioning of officialdom indicates that obligations unless linked to a point person are not likely to be executed effectively. The only point persons entrusted with a specific disclosure obligation are UP members in para 6.4 UP members have the obligation of publicising details of the annual plan and budget at Ward level meetings.

Unless the obligations of disclosure are spelt out in greater detail the cardinal principles of the LGSP may not be complied with. A matrix has been designed for ensuring information flows to members at the community level in a timely manner. More than 60 categories of information and documents expected to be generated have been identified based on the details of the LGSP contained in the Operational Manual. It is possible that more documents and records may be generated during the actual functioning of LGSP. The matrix recommended below has enough flexibility to incorporate provisions for granting access to such records as well. Two caveats informed the design of this matrix –

- a) limited human and financial resources available with the UP office
- b) limited capacity of members of the community to pay for access to information available with the UP.

A multi-modal scheme for engendering transparency in the implementation of LGSP is being recommended in order to overcome these twin limitations. This multi-modal scheme is also based on two principles well established in countries where a law and/or scheme for providing information access to people has been operationalised, namely–

⁸¹ All references to the Operational Manual pertain to the version dated 16th July, 2007 made available to the consultants by the World Bank Institute.

- a) proactive disclosure (also known as voluntary or *suo motu* disclosure)
- b) disclosure on demand.

The multi-modal scheme of providing access to information involves all officials and employees associated with the UP, namely the chairman, the Secretary, UP Members and the Village Police officials (Chowkidars). When UPs are provided with extra staff for managing accounts under the LGSP, some of these responsibilities can be shared with them. The various modes of disclosure are listed below:

Proactive disclosure:

- a) Painted display on wall surfaces – specific to the UP office
- b) Display on notice boards – UP/Ward
- c) Display on billboards at public places
- d) Display on painted boards at work sites
- e) Announcement with the accompaniment of drumbeat⁸²
- f) Reading of documents in public meetings

Disclosure on demand:

- g) Free inspection of documents and records on demand during reasonable working hours of the UP without the need for approval of the Chairman
- h) Free inspection of documents and records on demand during reasonable working hours of the UP with the prior approval of the Chairman

Combination of both principles:

- i) Free inspection of documents and records on a predetermined day and at a time without the need for approval of the Chairman.
- j) Access through websites

⁸² The author did not come across any material that revealed the existence of such a practice at the level of the UPs. Some of the literature on UPs refers to use of loudspeakers for making public announcements. The recommendation of use of drum beating is based on experience of such practice at the village Panchayat level in India. The use of drum beating prior to making announcements at prominent public places is seen to be an effective method of communicating short messages to people since age old times. This method is likely to be very effective for announcing the dates of Ward and UP level public meetings.

The first method has been found useful in village Panchayats in India. It is a combination of both proactive disclosure and disclosure on demand. The proactive element is visible in the fixing of a specific working day every alternate week (e.g. every second and fourth Sunday or every first and third Wednesday of the month) for inspection of the records maintained by the UP. Free inspection may be allowed for the entire length of a forenoon or afternoon working session of the UP (minimum of 4 hours). The day and time allocated for inspection may be prominently displayed on a prominent wall surface outside the Secretary/Chairman's chamber. The disclosure on demand element will enable the community member to seek inspection of a specific record or document on this predetermined day and time. The second method is also a combination of both principles. Uploading the information on a website ensures that it is available in the public domain and there is no need for obtaining approval of any official to access it. However the information can be accessed only if a person makes a conscious effort to download it. The community information centres run by Grameenphone and CSOs like D-Net and GHAT could be the common access points for web-based information about UPs. This option has been discussed in the main report.

Minimal bureaucratic requirements:

In order to minimise bureaucratic red tape, cumbersome paperwork and inconvenience to the information seeker, it is recommended that a mere verbal demand for inspection of records is adequate for the purpose of allowing access under the schemes - #g to #i listed above. The Secretary may maintain a common inspection register to record details such as the name and address of the information seeker, date of inspection, a brief description of the information/record/document inspected along with the signature or thumb impression of the information seeker. As no fees are required to be paid for obtaining access to these documents there will be no need for maintaining any financial records relating to these activities. If the information seeker is unlettered, the Secretary/Chairman may provide reasonable assistance to him/her to access the information. This could be in the form of reading out the contents of the record to the information seeker, or allowing the latter to be assisted by a person who knows how to read and write. The information seeker or his/her assistant may be allowed to take notes using their own stationery if they wish to do so.

Providing access to copies of documents:

Access to copies of documents and records may be provided on request. In such cases a formal written application may be necessary in order to maintain a record of such requests. Copies may be provided either manually or in the form of photocopies/certified copies and the charges leviable under the UP Regulations may be collected from the information-seeker. There may be a time-lag between the making of the request and the supply of copies for obvious reasons. In all such cases copies may be provided within a week.

Application of the proposed Right to Information Ordinance:

When the proposed Right to Information Ordinance becomes law UPs, will have a legitimate duty to provide information both proactively and on demand. It is quite possible that a fee structure and use of printed formats for seeking and providing information may be prescribed under this Ordinance. It is recommended that where the systems under the proposed Ordinance support the recommendations made in this matrix, they must be given effect. If they create impediments in the way of implementing this matrix, then ways and means must be found to ensure that the simplicity of the scheme of disclosure proposed below does not get bogged down by bureaucratic red tape.

LGSP – ENSURING INFORMATION FLOWS FROM UNION PARISHADS: A SUGGESTED MATRIX

SL #	NATURE OF INFORMATION / DOCUMENT	TIME OF DISCLOSURE	AUTHORITY RESPONSIBLE FOR DISCLOSURE	MODE OF ACCESS TO BE PROVIDED	REMARKS
		SERIES (SEE ATTACHED LIST)	FORMAT AND ARRANGEMENT	HISTORICAL DOCUMENT?	DISPOSAL RECOMMENDATION
Allocation of EBG funds					
1.	Notification of EBG allocation received annually	Upon receipt in March	Chairman	To be displayed on UP notice board	Display on the notice board is a requirement as per the LGSP Operational Manual for UPs. However until better notice-boards are provided to UPs it is recommended that the quantum of funds received be painted in bold characters on a wall at the entrance to the office room of the Chairman/Secretary for durability.
		Finance: Grants	Letter, placed on file; chronological	No	Destroy after 7 years
2.	Advance notice of open meeting of UP to inform UP members and communities of budgetary allocation and necessity of carrying out assessment of development priorities	Well in advance of meeting – at least 7 clear days' notice	Secretary and Village Police Official (Chowkidar)	1) Public announcement; 2) to be displayed on UP notice board; 3) to be displayed at public places like schools, market places on trees, public wall surfaces 4) written notice sent to UP members and	The author's interviews with UP Chairmen and Secretaries indicated that public announcements by beating drums are rarely used as a means of giving notice of meetings to people. It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of meetings during late evenings when all family members are back from the fields. Merely sending written invites to a few prominent people in the village will not suffice the requirement of open meetings envisaged in the LGSP Operational Manual.

				prominent persons in the community	
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
Identifying development needs at ward level					
3.	Advance notice of women-only meeting to identify development needs of the community	Well in advance of the meeting – at least 7 clear days' notice	Woman member and Village Police Official (Chowkidar)	1) Public announcement; 2) display at public places in throughout the UP such as on trees and prominent wall surfaces	It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family members are back from the fields.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
4.	Advance notice of open meeting of each Ward to identify and approve Ward-level developments needs and priorities	Well in advance of the meeting – at least 7 clear days' notice	Respective UP member and Village Police Official (Chowkidar)	1) Public announcement; 2) display at public places in the respective Ward such as on trees and prominent wall surfaces	It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family members are back from the fields. This will ensure greater participation in the Ward meetings.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
5.	Advance notice of meetings to include Indigenous Peoples (IPs) during the process of identification of	At least 7 clear days' notice	Respective UP member and Village Police	1) Public announcement;	The guidelines contained in the Operational Manual recommend that meetings be held with indigenous peoples living in the area in

	schemes		Official (Chowkidar)	2) display at public places in the respective Ward such as on trees and prominent wall surfaces	order to include them in the development decision-making process. Adequate notice of these meeting must be provided to enable members of the IP community to attend such meetings. It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all community members are likely to be at their homes. It is also necessary to ensure that these meetings are scheduled in a manner that takes into account their migratory schedule, if any.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
6.	Document containing details of development needs identified at the women-only meeting	1) During the open planning meeting of each Ward 2) round the year	Woman member and the Secretary	1) to be read out in the ward meetings 2) to be available for free inspection on working days with the Secretary	The guidelines contained in the Operational Manual make this meeting optional. However documents will be generated after every such meeting. The woman member must be responsible for causing the document to be read out at ward level meetings where the developmental needs have been identified by women. As this information is presented at more than one open meeting, the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection later.
		Planning and development	Report(s), placed on file; chronological	Yes	Preserve
7.	Priority list of schemes identified at ward meetings	1) During each open Ward meeting	Secretary	1) to be read out at the end of each	As this information is presented at open meetings, the Secretary need not insist on

		2) round the year		ward meeting 2) to be available for free inspection on working days with the Secretary	obtaining the Chairman's approval before allowing free inspection later.
		Planning and development	Report(s), placed on file; chronological	Yes	Preserve
8.	Minutes and attendance list of ward meetings	Round the year	Secretary	1) To be available for free inspection for a month after the date of the meeting during working hours 2) to be allowed for free inspection on the predetermined day and time after the lapse of one month	1) This information should be readily accessible for a period of one month from the date of the meeting during all working hours of the UP. As this information is generated at open meetings the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection at a later date. 2) After the lapse of the month-long period access to this information may be allowed on the predetermined day and date set aside for free inspection of UP records.
		Minutes of Meetings	Minutes and papers, placed on file; chronological	Yes	Preserve
9.	Notice of visit for preparing scheme description	Well in advance of the visit – at least 3-4 clear days' notice	Respective UP member, Woman member and Village Police Official (chowkidar)	1) Public announcement; 2) to be displayed at public places in the respective Ward such as on trees and prominent wall	The guidelines contained in the Operational Manual require the presence of representatives of beneficiaries of the proposed development project. So it is necessary to provide them with advance notice of the visit to the proposed scheme location.

				surfaces	
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
10.	Scheme proposals from wards	Round the year	Secretary	To be available for free inspection	These proposals are put together publicly. The Secretary need not insist on obtaining the Chairman's approval before allowing free inspection.
		Project management	Report, placed on file; topographical	No	Destroy after ten years
11.	Advance Notice of open meeting of UP to prepare the consolidated development plans for the UP	As far as possible in the month of April. At least 7 clear days' notice must be given	Chairman, Secretary and Village Police Official (Chowkidar)	1) Public announcement; 2) display on UP notice board; 3) display at public places like schools, market places on trees and prominent wall surfaces 4) written notice sent to UP members and prominent persons in the community	It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family members are back from the fields. This will ensure greater participation in the open meeting.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
12.	Minutes of the open meeting and attendance list	Round the year	Secretary	1) To be available for free inspection for a month after	1) This information should be readily accessible for a period of one month from the date of the meeting during all working hours of

				the date of the meeting during working hours 2) to be allowed for free inspection on the predetermined day and time after the lapse of one month	the UP. As this information is generated at open meetings the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection at a later date. 2) After the lapse of the month-long period access to this information may be allowed on the predetermined day and date set aside for free inspection of UP records.
		Minutes of Meetings	Minutes and papers, placed on file; chronological	Yes	Preserve
13.	List of members of the planning committee of the UP (where constituted)	Round the year	Secretary	1) List may be displayed on Ward notice boards 2) To be available for free inspection	The list of members of the planning committee may be displayed on the Ward notice boards until the one year plan is approved for implementation. Later it may be made available for free inspection. The Secretary need not insist upon obtaining the Chairman's approval as this document has been publicly displayed already.
		Administration: Standing Committees: Planning Committee	List, placed on file	No	Destroy after ten years
14.	Five year development plan	Round the year	Secretary	To be available for free inspection	1) Hard copy format of the five year plan should be made available for free inspection on demand during reasonable working hours. 2) As this information is generated at open meetings the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection.

					<p>3) This information may be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may access the plan from any community information centre that has internet facility. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p> <p>4) A hard copy of the five year plan may be placed in the reading room of the nearest public library for free inspection by any citizen.</p>
		Planning and development	Report, placed on file (archival copy); copy also placed in library; chronological	Yes	Preserve
15.	Draft one year development plan prior to sanction from the BGCC	Round the year	Secretary	<p>1) To be available for free inspection during working hours until sanction is granted</p> <p>2) to be allowed for free inspection on the predetermined day and time after sanction is granted</p>	<p>1) Hard copy format of the development plan should be made available for free inspection on demand during reasonable working hours on all days until sanction is granted.</p> <p>2) After sanction is granted, a summary of the plan is required to be displayed on bill boards and notice boards. Therefore access to this document may be provided on the predetermined day and date set aside for free inspection of UP records.</p> <p>3) As this information is generated at open meetings the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection.</p>

		Planning and development	Report, placed on file; chronological	Yes	Preserve
16.	Comments on the one year development plan received from the BGCC	Round the year	Secretary	<p>1) Display on UP notice board until plan is approved.</p> <p>2) To be allowed for free inspection on the predetermined day and time after sanction is granted</p>	<p>1) Access to this document and the pre-approval plan will ensure that citizens will be able to ascertain for themselves the reasons for any change incorporated in the one year plan. They need not solely depend upon the explanations provided by the Chairman or Secretary.</p> <p>2) After sanction is granted, a summary of the plan is required to be displayed on bill boards and notice boards. Therefore access to this document may be provided on the predetermined day and date set aside for free inspection of UP records.</p>
		Planning and development	Report, placed on file; chronological	No	Destroy after five years
17.	Advance notice of meeting to finalise the one year plan and budget after discussing comments received from the BGCC	At least 7 clear days' notice prior to the meeting	Secretary and Village Police Official (Chowkidar)	<p>1) Public announcement;</p> <p>2) display on UP notice board;</p> <p>3) display at public places like schools, market places on trees and prominent wall surfaces</p> <p>4) written notice sent to UP</p>	<p>1) It is not clear from the Operational Manual whether this meeting is open to members of the community to attend. As the planning process is based on the principle of transparency it is advisable to invite at least the prominent members of the community to this meeting as well as it is an integral part of the planning process.</p> <p>2) It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family</p>

				members and prominent persons in the community	members are back from the fields. This will ensure greater participation in the open meeting.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
18.	Comments on the finalised plan and budget received from the Deputy Commissioner (DC), if any	Round the year	Secretary	1) Display on UP notice board until plan is approved. 2) To be allowed for free inspection on the predetermined day and time	Access to this document and the pre-approval plan will ensure that citizens will be able to ascertain for themselves the reasons for any change incorporated in the one year plan. They need not solely depend upon the explanations provided by the Chairman or Secretary. 2) After sanction is granted, a summary of the plan is required to be displayed on bill boards and notice boards. Therefore access to this document may be provided on the predetermined day and date set aside for free inspection of UP records.
		Planning and development	Report, placed on file; chronological	No	Destroy after five years
19.	One year development plan with budget as approved by the BGCC and the DC along with Annual Implementation Schedule	Round the year	Secretary and UP member	1) Hard copy must be available for free inspection 2) Salient features of development plan may be painted on a prominent wall surface at the entrance to the UP	1) Hard copy format of the development plan should be made available for free inspection on demand during reasonable working hours. 2) As this information is generated at open meetings the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection 3) This information may be uploaded on the website of the Local Government Ministry or the website of the district/Upazila

				office 3) Copy of the plan with budget and implementation schedule must be displayed on Ward notice boards 4) Copy to be delivered to UP members	administration (if any). This ensures that the information is available in the public domain and citizens may access the plan from any community information centre that has internet facility. Alternatively, Grameenphone CIC may be approached to upload this information on their website. 4) A hard copy of the five year plan may be placed in the reading room of the nearest public library for free inspection by any citizen.
		Planning and development	Report, placed on file (archival copy); copy also placed in library; chronological	Yes	Preserve
20.	Advance notice of Ward meetings to inform community members of the approved one year plan and budget	At least 7 clear days' notice	Respective UP member and Village Police Official (Chowkidar)	1) Public announcement; 2) display at public places in the respective Ward such as on trees and prominent wall surfaces	The guidelines contained in the Operational Manual recommend that meetings be held at the Ward level in order to apprise members of the community about the details of the approved development plan and budget. It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family members are back from the fields. This will ensure greater participation in the Ward meetings.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
Implementation and Supervision					

21.	Advance notice of meeting to select members of the Scheme Implementation Committee (SIC), Scheme Supervision Committee (SSC) and Procurement Committee (PC)	At least 7 clear days' notice prior to the meeting	Secretary and Village Police Official (Chowkidar)	<p>1) Public announcement;</p> <p>2) display on UP notice board;</p> <p>3) display at public places like schools, market places on trees and prominent wall surfaces</p> <p>4) written notice sent to UP members and prominent persons in the community</p>	<p>1) It is not clear from the Operational Manual as to how membership of these committees will be decided. As the implementation process is based on the principle of transparency it is advisable to hold a public meeting to select members of all three committees.</p> <p>2) It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family members are back from the fields. This will ensure greater participation in the open meeting.</p>
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
22.	Minutes and attendance list of meeting where members of various implementation committees are selected	Round the year	Secretary	<p>1) To be available for free inspection for a month after the date of the meeting during working hours</p> <p>2) to be allowed for free inspection on the predetermined day and time after the lapse of one month</p>	<p>1) This information should be readily accessible for a period of one month from the date of the meeting during all working hours of the UP. As this information is generated at open meetings the Secretary need not insist on obtaining the Chairman's approval before allowing free inspection at a later date.</p> <p>2) After the lapse of the month-long period access to this information may be allowed on the predetermined day and date set aside for free inspection of UP records.</p>
		Minutes of meetings	Minutes and papers, placed	Yes	Preserve

			on file; chronological		
23.	List of members of the SIC, SSC and PC	Round the year	Secretary	<p>1) All three lists may be painted on a prominently visible wall surface in the office of the Chairman/Secretary or the UP court room/ meeting hall</p> <p>2) SSC list may be displayed on the Ward notice board</p> <p>3) Lists may be uploaded on websites</p>	This information may be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may access these lists from any community information centre that has internet facility. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Administration: Standing Committees	Notice, placed on file; electronic copy in Ministry; chronological	No	Destroy after five years
24.	Name and designation of technical officers assigned to assist in the design and supervision of schemes	Round the year	Secretary	1) The list of such officers may be painted alongside the SIC, SSC and PC list on a prominently visible wall surface in the office of the Chairman/Secretary or the court room/ meeting hall of the UP	This information may be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may find out these details from any community information centre that has internet facility. Alternatively, Grameenphone CIC may be approached to upload this information on their website.

				2) The list may be posted on websites	
		Project management	List, placed on file; chronological	No	Destroy after ten years
25.	Details of design and costing of each approved scheme	1) Within a week of finalisation of details for each scheme 2) Round the year	Secretary	1) to be available for free inspection for a period of one month during the working hours soon after finalisation of details 2) to be allowed for free inspection on the predetermined day and time for the remainder of the year	1) Unlike the documents mentioned above which provide a general overview of the planning process and budgets the documents relating to scheme design and costing will be more specialised and complex in nature. It may not be practical to allow inspection on all working days at all times. This information should be readily accessible for a period of one month from the date its preparation. The Chairman's approval will not be necessary for allowing inspection. 2) After the lapse of the month-long period access to this information may be allowed on the predetermined day and date set aside for free inspection of UP records.
		Project management: [name of scheme/project]	Reports and correspondence; chronological	Possible	Review ten years after completion of scheme/project
26.	Current wage rate for community-based labour	Round the year	Secretary	1) To be painted on a notice board at every work site. 2) To be displayed on a prominently visible wall surface at the entrance of the UP office	1) Information about current wage rate must be displayed at all work sites for the knowledge of labourers. It must be updated as and when the rates are revised. 2) This information may also be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the

				3) to be uploaded on websites 4) to be displayed prominently on Ward notice Boards	information is available in the public domain and citizens may learn about the wage rate from any community information centre that has internet facility. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Finance: Wages and Salaries	Notice, placed on file; electronic copy in Ministry; chronological	No	Destroy after seven years
27.	Contract agreement between the SIC and the UP for implementation of a scheme	Round the year	Secretary	Free inspection may be allowed on predetermined day and time	Free inspection may be allowed on the pre-determined day and time. The Chairman's approval for allowing inspection of documents on such occasions will not be necessary.
		(1) Finance: Contracts (2) Project management: [name of scheme/project]	Contract, placed on files; chronological	No	Destroy after seven years
28.	Notice of advance receipt of funds by SIC	No later than 48 hours of receipt	SIC Chairperson, Secretary and Village Police Official (chowkidar)	1) Public announcement 2) Free inspection may be allowed on predetermined day and time	1) In the interests of maintaining transparency it is essential to notify the members of the community about the receipt of funds. The SIC and in his/her absence, the Secretary may cause public announcement to be made with the use of the drum-beater about the receipt of advance funds for a scheme. 2) Free inspection of the documents relating to payment of advance to the SIC may be allowed on the pre-determined day and time. The Chairman's approval for allowing inspection of these documents will not be necessary.

		Finance: Income and Expenditure	Notice, placed on file; chronological	No	Destroy after seven years
39.	Muster roll of payment made to the labour force (interim and final)	Within 48 hours of submission by the SIC to the UP	Secretary	<p>1) To be read out at Ward meetings by UP member</p> <p>2) Free inspection may be allowed on the predetermined day and time</p>	<p>1) Muster rolls must be publicised on a regular basis in order to alleviate any possibility of fudging or underpayment of wages. Every Ward member should take the responsibility of calling a meeting of the residents of each ward on a predetermined day and time once a month in order to read out the muster roll of the development scheme that has been completed.</p> <p>2) Free inspection of muster rolls of all schemes being implemented by the UP may be allowed on the predetermined day and time. As this information has been made available publicly the Chairman's approval for allowing inspection will not be necessary.</p>
		Finance: Wages and Salaries	Report, placed on file; chronological	No	Destroy after seven years
30.	Receipts, vouchers and accounting documents relating to schemes	Within 48 hours of submission by the SIC to the UP	Secretary	Free inspection may be allowed on the predetermined day and time	<p>1) All bills, vouchers and other accounting documents related to each scheme should be available for free inspection within 48 hours of submission to the UP Secretary. The inspection may be allowed on the pre-determined date and time. The prior approval of the Chairman to allow free inspection may be necessary as the accounts would not have been audited.</p> <p>2) After completion of the statutory audit inspection of bills, vouchers and accounting documents should be available for free</p>

					inspection without requiring the permission of the Chairman.
		Project management: [name of scheme/project]	Reports and papers, placed on file; chronological	No	Destroy ten years after completion of scheme/project
31.	Advice given by SSC to SIC in relation to any deviation from the agreed specification and volume of the schemes	Within 48 hours of submission by the SSC	Chairman and Secretary	<p>1) to be displayed on the concerned Ward notice board</p> <p>2) To be displayed on the UP notice board</p> <p>3) to be available for free inspection during working hours of the UP for a period of one month from the date of receiving such advice</p> <p>4) to be allowed for free inspection on the predetermined day and time during the remainder of the year</p>	<p>1) As this advice relates to responsibility and accountability in the implementation of schemes it is essential to observe the highest standard of transparency with regard to this document. This will have the twin advantages – the SSC will refrain from pulling up the SIC merely for political reasons or to settle scores and the SIC will take the advice seriously and without delay because of the fear of public scrutiny.</p> <p>2) As this is a document relating to accountability in the implementation of the scheme it is essential to allow any person access to this document without delay. The Chairman or Secretary may allow free inspection during all working hours on demand for a period of one month from the date of receipt of such advice.</p> <p>3) After the lapse of one month these documents may be made accessible to any person on the predetermined day and time set aside for free inspection of UP records.</p>
		Project management	Reports and papers, placed on file; chronological	No	Destroy after ten years

32.	Report of the SSC to the UP recommending immediate suspension of advance funding for a scheme	Within 48 hours of submission by the SSC	Chairman and Secretary	<p>1) to be displayed on the concerned Ward notice board</p> <p>2) To be displayed on the UP notice board</p> <p>3) to be available for free inspection during working hours of the UP</p>	<p>1) If the SIC does not rectify the errors pointed out by the SSC in the implementation of a scheme this becomes a serious matter and it is necessary to take the entire community into confidence. Therefore the report of the SSC should also be publicly accessible in the same manner as its initial advice.</p> <p>2) If the notice boards are short of space then the display of the initial advice of the SSC may be discontinued to allow space for exhibiting the report of the SSC. However the initial advice may be made available for inspection at any time during the working hours of the UP.</p>
		Project management: [name of scheme/project]	Report, placed on file; chronological	No	Destroy ten years after completion of scheme/project
33.	Reports containing information about complaints pertaining to implementation of a scheme and their resolution sent by the UP to the BGCC	Within 48 hours of submission to the BGCC and round the year	Chairman and Secretary	<p>1) to be displayed on the UP Notice Board</p> <p>2) to be available for free inspection during working hours of the UP</p> <p>3) to be uploaded on websites</p>	Apart from displaying on the UP notice board and being available for free inspection this information may also be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may learn about these problems and their resolution through the nearest community information centre that has internet facility. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Project management: [name of scheme/project]	Reports and papers, placed on file;	No	Destroy ten years after completion of scheme/project

			chronological		
34.	List of vendors/bidders identified in each UP for RFQ method	Round the year	Secretary	<p>1) The list may be painted on a prominently visible wall surface in the office of the Chairman/Secretary or the court room/ meeting hall of the UP</p> <p>2) to be uploaded on websites</p>	Apart from displaying this list on the walls of the UP it may also be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may become familiar with the names of vendors who will be approached under the RFQ method in different UPs. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Project management	List, placed on file; chronological	No	Destroy after ten years
35.	Full text of the RFQ	Until the final selection of the vendor	Secretary	<p>1) the full text of the RFQ should be put up on the UP notice board for the period until the vendor is selected.</p> <p>2) to be allowed for free inspection on the predetermined day and time</p>	As far as possible the entire text of the RFQ should be put on display on the UP notice board. However if the number of pages is too large or if more than one RFQ have been issued in connection with different schemes the covering letters may be displayed on the notice board indicating the title of the scheme/s or the nature and extent of procurement and the amount/s estimated to be spent.
		Project management	List, placed on file; chronological	No	Destroy after ten years
36.	Evidence of delivery of full RFQ to vendors/bidders	Round the year	Secretary	Free inspection may be allowed on the predetermined day and time	This evidence is likely to be maintained in the form of a register or on the file related to the scheme for which RFQ process has been initiated. The approval of the Chairman will not

					be required for allowing inspection of this document.
		Project management	Report, placed on file or entered in register; chronological	No	Destroy after ten years (in the case of a register, ten years after the date of the last entry)
37.	Advance notice of meeting of the SIC or PC as the case may be for opening of the bids received under RFQ method	At least 7 clear days' notice prior to the meeting	Secretary and Village Police Official (Chowkidar)	<ul style="list-style-type: none"> 1) Public announcement; 2) display on UP notice board; 3) written notice sent to SIC/PC members and other VIPs in the community 	<p>1) Para 8.1.1.B.ii.b of the Operational Manual requires that all bids be opened in the presence of the vendors/bidders by the SIC or PC. While the vendors would be aware of the date of opening of their bids, notice must be given to the members of the SIC/PC as 60% is the required quorum for such meetings. The display on the notice board and sending written notices to the residence of the members would serve the purpose of notifying them in advance.</p> <p>2) The Operational Manual does not envisage the attendance of members of the community when bids are opened. However best practice in public procurement requires that all bids be opened publicly and not <i>in camera</i> where only the involved parties are in attendance. Therefore in order to maintain high standards of transparency members of the community may also be invited to be present at such meetings.</p> <p>It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the bid opening meeting during late evenings when all family members are back from the fields. Sending written invitations to the VIP</p>

					members of the community would also inspire them to attend this meeting.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
38.	Quotation Opening Information Sheet (Annexure 11 of the Operational Manual)	1) At the bid opening meeting 2) Round the year	Secretary	1) Free inspection at the meeting 2) to be allowed for free inspection on the predetermined day and time	1) In addition to the right of the bidders to inspect the contents of the quotation opening information sheet members of the community who attend the meeting should also be allowed to inspect these sheets on demand soon after the signing of the sheet(s) by the concerned parties. 2) Later these documents should be available for free inspection on the date and time set aside for public inspection of UP records.
		(1) Finance: Budget management (2) Project management: [name of scheme/project]	Report, placed on files; chronological	No	Destroy after seven years
39.	Document containing the decision of the SIC/PC along with the completed evaluation sheet	1) At the bid opening meeting 2) Round the year	Chairman of the SIC/PC Secretary	1) Free inspection at the meeting 2) to be allowed for free inspection on the predetermined day and time	1) In addition to the right of the vendors/bidders to inspect the final document containing the decision of the SIC/PC to award the bid and the completed evaluation sheet members of the community who attend the meeting should also be allowed to inspect these sheets on demand soon after the signing of the sheet by the members of the SIC/PC. 2) In order to ensure that any unlettered member of the community attending the meeting is also able to access the information

					<p>it is advisable for the Secretary or the Chairman of the SIC/PC to read out the contents of the evaluation sheet before it is signed by committee members.</p> <p>3) Later these documents should be available for free inspection on the date and time set aside for public inspection of UP records.</p>
		<p>(1) Finance: Budget management</p> <p>(2) Project management: [name of scheme/project]</p>	Evaluation sheet, placed on file; chronological	No	Destroy seven year after end of contract to which the evaluation relates
40.	Work Order/Supply Order issued by the SIC/PC	Round the year	Secretary	Free inspection may be allowed on the predetermined day and time	These documents should be available for free inspection on the date and time set aside for public inspection of UP records.
		Project management: [name of scheme/project]	Order, placed on file; chronological.		
41.	Membership of the Tender Evaluation Committee set up at the UP level for procurement under Restricted Tendering Method (RTM)	Round the year	Secretary	<p>1) to be allowed for free inspection on the predetermined day and time</p> <p>2) to be uploaded on websites</p>	<p>Apart from being available for free inspection at the office of the UP this list may also be uploaded on the websites of the Local Government Ministry or that of the district/Upazila administration. This ensures that the information is available in the public domain and citizens may become familiar with the membership of this committee.</p> <p>Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>

		Procurement	Notice, placed on file; electronic copy in Ministry; chronological	No	Destroy after seven years
42.	Invitation for enlistment of vendors/bidders/contractors by the UP for the purpose of RTM including qualification criteria and terms and conditions	Once a year	1) Chairman and Secretary at UP Level 2) UNO at the Upazila level	1) to be displayed on UP notice board 2) to be pasted on notice boards of departments at UNO's office complex 3) Advertisement through local print media 4) to be uploaded on websites 5) to be available for free inspection during all working hours for the period of the invitation and on predetermined day and date after completion of this process.	1) The Operational Manual provides some indication regarding the manner of dissemination of the invitation for enlistment of vendors and bidders for RTM type procurement. In addition to these methods it is recommended that the invitation be posted on the website of the Local Government Ministry or the website of the Upazila administration (if any). This ensures that the invitation is available in the public domain. Alternatively, Grameenphone CIC may be approached to upload this information on their website. 2) The criteria for qualification of vendors may be too lengthy to be displayed on the UP notice board. Therefore free inspection is also being recommended apart from other modes of access.
		Procurement	Notice, placed on file; electronic copy in Ministry; chronological	No	Destroy after seven years
43.	List of vendors/bidders/contractors maintained by the UP	Round the year	Secretary	1) The list may be painted on a	Apart from displaying this list on the walls of the UP it may also be uploaded on the website

	for the purpose of RTM			<p>prominently visible wall surface in the office of the UP Chairman/Secretary or the court room/ meeting hall</p> <p>2) to be uploaded on websites</p>	<p>of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may become familiar with the names of vendors who will be approached under the RTM method in different UPs. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>
		Procurement	Notice, placed on file; electronic copy in Ministry; chronological	No	Destroy after seven years
44.	Details of the scheme for which procurement will be done through the RTM method	<p>1) For the entire duration of the scheme</p> <p>2) After the completion of the scheme</p>	Chairman and Secretary	<p>1) to be displayed on billboards at the work site and prominent public places nearby</p> <p>2) to be uploaded on websites</p> <p>3) to be available for free inspection on demand during working hours during the period of implementation</p> <p>4) to be allowed for free inspection on the predetermined day and time after the completion of the scheme</p>	<p>1) The Operational Manual recommends that the information relating to these schemes be displayed prominently at public places. Such display is also recommended at the work site also.</p> <p>2) This information should be easily accessible at the UP office also during the period of the implementation of the scheme. Therefore free inspection is recommended on demand at any time during the working hours of the UP.</p> <p>3) After the completion of the scheme, the details may be made available for inspection free of cost on the predetermined day and time at the UP office.</p> <p>4) These details may also be uploaded on the website of the Local Government Ministry or the website of the district/Upazila administration (if any). This ensures that the information is available in the public domain and citizens may become familiar with the</p>

					various ongoing schemes. Alternatively, Grameenphone CIC may be approached to upload this information on their website. After completion of these schemes the information may be archived on the websites for future reference so that details about the new schemes may be uploaded on the main pages of the UP/Upazila website.
		Procurement	Notice, placed on file; electronic copy in Ministry; chronological	Yes	Preserve
45.	Advance notice of meeting of the TEC as the case may be for opening of the bids received under RTM method	At least 7 clear days' notice prior to the meeting	Secretary and Village Police Official (Chowkidar)	1) Public announcement; 2) display on UP notice board; 3) written notice sent to TEC members and other VIPs in the community	1) Para 8.1.1.C of the Operational Manual indicates that the process of decision-making regarding bids received under RTM will be similar to the steps recommended for the RFQ method. All bids will be opened in the presence of the vendors/bidders by the TEC. While the vendors would be aware of the date of opening of their bids, notice must be given to the members of the TEC as 60% is the required quorum for such meetings. The display on the notice board and sending written notices to the residence of the members would serve the purpose of notifying them in advance. 2) The Operational Manual does not envisage the attendance of any of the UP members or the members of the community when bids are opened. However best practice in public procurement requires that all bids be opened publicly and not <i>in camera</i> where only the involved parties are in attendance. It is preferable that the bids received for schemes

					<p>in a specific UP be opened in a meeting held at that UP office instead of the office of the UNO or any other officer. Therefore in order to maintain high standards of transparency members of the community may also be invited to be present at such meetings.</p> <p>It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the bid opening meeting during late evenings when all family members are back from the fields. Sending written invitations to the VIP members of the community would also inspire them to attend this meeting.</p>
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
46.	Document containing the recommendation of the TEC along with the completed tender evaluation report	<p>1) At the bid opening meeting</p> <p>2) Round the year</p>	Chairman and Secretary	<p>1) Free inspection at the meeting</p> <p>2) to be allowed for free inspection on the predetermined day and time</p>	<p>1) In addition to the right of the vendors/bidders to inspect the final document containing the decision of the TEC to award the bid and the completed evaluation report members of the community who attend the meeting should also be allowed to inspect this report on demand soon after the signing of the report by the members of the TEC.</p> <p>2) In order to ensure that any unlettered member of the community attending the meeting is also able to access the information it is advisable for the Secretary of the UP or the Chairman of the TEC to read out the contents of the evaluation report before it is signed by committee members.</p> <p>3) Later these documents should be available</p>

					for free inspection on the predetermined date and time set aside for public inspection of UP records.
		(1) Finance: Budget management (2) Project management: [name of scheme/project]	Evaluation sheet, placed on file; chronological	No	Destroy seven year after end of contract to which the evaluation relates
47.	All communication between the UP and the TEC regarding clarifications on the completed tender evaluation report and recommendation of award	Round the year	Chairman and Secretary	1) To be available for free inspection during the working hours of the UP until the decision is made regarding the award 2) to be allowed for free inspection on demand on predetermined day and time after the matter is complete and over	1) In the interests of maintaining transparency in the procurement decision-making process it is essential that all communication between the UP office and the TEC be available to the members of the community. However as this will be an ongoing communication it may be necessary to seek the approval of the Chairman before free inspection is allowed. 2) After the UP as given its decision on the award the file containing the correspondence may be made accessible on the predetermined day and time set aside for free inspection of UP records.
		Finance: Contracts	Reports and correspondence, placed on file; chronological	No	Destroy after seven years
48.	Advance notice of the meeting of the UP to decide upon the recommendation of the TEC	At least 7 clear days' notice must be given	Chairman, Secretary and Village Police Official (Chowkidar)	1) Public announcement; 2) display on UP notice board; 3) display at public	1) The Operational Manual does not indicate whether the decision on the award will be taken by the SIC or PC. Instead para 8.1.1.C.c indicates that this will be the decision of the UP. In the interest of maintaining a high level of transparency it is advisable that decisions in

				places like schools, market places on trees and prominent wall surfaces 4) written notice sent to UP members and prominent persons in the community	relation to the recommendation of the TEC be made in public. Therefore advance notice of meetings may be given to enable members of the community to attend this meeting. 2) It is advisable to arrange for the accompaniment of a drum-beater with a VPO (chowkidar) to make announcement of the meeting during late evenings when all family members are back from the fields. This will ensure greater participation in the open meeting.
		Administration: Announcements and Notices	Notice, placed on file; chronological	No	Destroy one year after meeting
49.	Decision of the UP regarding the recommendation of the TEC	Round the year	Chairman and Secretary	1) to be available for free inspection during working hours until the award notification or work order is issued. 2) to be allowed for free inspection on the predetermined day and time after the award notification or work order has been issued	1) According to the Operational Manual the UP has a deadline of 3 days from the date of its decision on the recommendation of the TEC within which to communicate with the tenderer. During this period it may be necessary to obtain the approval of the Chairman before the document containing the decision of the UP is allowed. 2) After a communication is sent to the tenderer and the matter is complete and over the documents may be made accessible on the predetermined day and time set aside for free inspection of the UP records. The approval of the Chairman will not be necessary for allowing inspection at this stage.
		(1) Finance: Budget management (2) Project	Report, placed on files; chronological	No	Destroy seven years after the end of the contract to which the decision relates

		management: [name of scheme/project]			
50.	Award notification or purchase order sent to the awarded tenderer	Round the year	Chairman and Secretary	<p>1) to be available for free inspection on demand during the working hours of the UP until the scheme/ procurement is completed</p> <p>2) to be allowed for free inspection on the predetermined day and time after the scheme/ procurement is completed.</p>	<p>1) The award notification or purchase order related documents should be available for free inspection on demand during the working hours of the UP until the scheme/ procurement is completed. This is necessary to enable members of the community to ascertain for themselves whether the scheme/ procurement is progressing according to the plans laid down in the purchase order. Or if the award has been rejected they have a right to know the reasons for that decision. The approval of the Chairman will not be necessary for allowing access to these documents.</p> <p>2) Upon completion of the procurement process the purchase order may be made accessible on the predetermined day and time set aside for free inspection of the UP records.</p>
		<p>(1) Project management: [name of scheme/project]</p> <p>(2) Finance: Contracts</p>	Notice/order, placed on files; chronological	No	Destroy seven years after end of contract
51.	Communication sent to unsuccessful tenderers	Round the year	Chairman and Secretary	To be available for free inspection during the predetermined day and time	Communications sent to unsuccessful tenderers may be made accessible on the predetermined day and time set aside for free inspection of the UP records.
		Project management: [name of scheme/project]	Letter, placed on file; chronological	No	Destroy seven years after end of project

52.	Documents relating to procurement of services and training	During the process of selection and Round the year	Chairman and Secretary	1) to be available for free inspection on demand during the selection process 2) to be allowed for free inspection on the predetermined day and time 3) to be uploaded on websites	The Operational Manual does not provide full details of the procedure to be adopted in the selection of entities for providing consultancy and capacity building services to the UP in relation to the schemes under the block grant. Therefore the measures suggested above for ensuring greater transparency in the RFQ and RTM methods are recommended here as well.
		Procurement	Master copies placed on file; copies made available in library; chronological	No	Review after ten years to assess whether documents are still valid. If not, destroy; if still valid, review ten years later.
Handling complaints and grievances					
53.	Documents relating to complaints regarding procurement undertaken by the SIC or PC and complaints against the SSC	a) Before forwarding to the BGCC b) After forwarding to the BGCC and before launch of a formal inquiry c) During the formal inquiry into the complaint d) After completion of the inquiry into the complaint	Chairman and Secretary	1) To be available for free inspection during working hours 2) to be allowed for free inspection on the predetermined day and time	1) The Operational Manual does not specify the details of the procedure required to be observed in the event of receipt of a complaint. In the absence of guidelines the following procedures are recommended for different stages through which a complaint may progress: a) at this stage no inquiry has been conducted, therefore it may be necessary to obtain the approval of the Chairman before free inspection is allowed during working hours of the UP. b) It is assumed that a copy of the complaint

					<p>will be maintained by the UP office along with the forwarding letter addressed to the BGCC. These documents should be made available for free inspection on demand with the approval of the Chairman. If the UP is not required to maintain a copy of the complaint then the requestor may be directed to contact the office of the UNO at the Upazila level</p> <p>c) It may not be feasible to provide any person access to the documents relating to the inquiry process before it is completed. However, the UP office may display on the notice board the name of the scheme/procurement case which is being inquired into along with the date of commencement of the inquiry and the name and designation of the members of the inquiry committee.</p> <p>d) Upon completion of the inquiry and submission of the report to the authorities, the UP should proactively publicise the findings contained in the report and the action taken on the basis of the report. These details may be posted on the UP notice board and the Ward notice Board. If resources permit, the summary of findings may be provided to local newspapers for publication by the Chairman of the UP. At the Upazila level the UNO may provide these details. The final report along with details of action taken should be made accessible at the UP office on the predetermined day and time set aside for free inspection of UP records.</p> <p>e) It is also advisable for the Local Government Ministry to provide a summary of</p>
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					all ongoing inquiries on its website along with the commencement and completion date and the final inquiry report along with details of action taken. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Complaints: Procurement	Reports and correspondence, placed on file; electronic summaries to the Ministry; chronological	No	Destroy after seven years
Other documents and records					
54.	Publicising summary of procurement and summary of the scheme	Round the year	Chairman and Secretary	On bill boards	The Operational Manual specifies that information such as brief details of the schemes, contract cost, completion period, name and contact details of the contractor/ supplier/ service provider, physical/quantifiable volume/extent of the contract etc. will be publicised through bill boards at the work site, road sides, public buildings such as government offices, market places, bus/railway/steamer, launch stations, community centres etc.
		Procurement	Manuals, reports and notices, master copies on file; copies to be made available in library; chronological	No	Review after ten years to assess whether documents are still valid. If not, destroy; if still valid, review ten years later.
55.	Quarterly reports on progress and	Every quarter	Chairman and	1) to be displayed	1) The Operational Manual requires that two of

	problems of implementation sent to the LGD and UNO's office		Secretary	<p>on UP notice boards</p> <p>2) to be available for free inspection on predetermined day and date</p> <p>3) to be uploaded on websites</p>	<p>the four quarterly reports prepared by the UP be maintained in the office of the UP itself. While one copy is to be displayed on the UP notice board, the other is to be filed away. As a new report will be put up for display every quarter It is recommended that all old quarterly reports be made accessible on the predetermined day and time set aside for free inspection of UP records.</p> <p>2) It is also advisable for the Local Government Ministry to upload on its website all quarterly reports received by registered mail. This will ensure that the reports are available in the public domain and any citizen will be able to access them easily. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>
		Administration: Reports and returns	Notice, placed on file; electronic copy in Ministry; chronological	Yes	Preserve
56.	Cash books, bank pass book and accounts books	Round the year	Secretary	To be available for free inspection on the predetermined day and time	The cash book and other books/registers/ documents relating to the accounts of the UP may be made accessible for free inspection on the predetermined day and time set aside for free inspection of UP records. The approval of the Chairman will be necessary for inspecting the records.
		Finance: Audit and accounts	Reports and correspondence, placed on file; standard	No	Destroy after seven years

			registers and account books; chronological		
57.	Annual financial statement of the UP	1) Within 48 hours of submission to the UNO and for up to a period of one month 2) Round the year	Secretary	1) to be available for free inspection on demand for the first two months 2) to be allowed for free inspection on the predetermined day and time	There is no specific requirement in the Operational Manual regarding disclosure of the annual financial statement. However it is advisable that copies of the document be put up for display on the UP notice board and on Ward notice boards within 48 hours of despatch to the UNO. They may remain there for a period of one month. After this period they may be made accessible on the predetermined day and time set aside for free inspection of the UP records.
		Finance: Reports and returns	Reports, placed on file; chronological	Yes	Preserve
58.	Minutes of the quarterly meeting of the BGCC	Round the year	Chairman and Secretary	1) To be allowed for free inspection on the predetermined day and time 2) to be uploaded on websites	1) The Operational Manual specifies that all Chairmen of UPs will be <i>ex officio</i> members of the BGCC in addition to the selected Woman Member from each UP. According to the Manual minutes of the quarterly meetings of the BGCC will be sent to all members to be kept on file. These minutes may be made accessible to the members of the community on the predetermined day and time set aside for inspection of the UP records. 2) As the BGCC meeting will discuss matters relating to all UPs within the jurisdiction of the Upazila it is advisable for the Local Government Ministry to upload on its website the minutes of all quarterly meetings. This will ensure that the reports are available in the

					public domain and any citizen will be able to access them easily. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Finance: Grants	Minutes, placed on file; electronic copies to the Ministry; chronological	No	Destroy after seven years
59.	Negative List of Environmental and Social attributes of schemes and trade-related attributes	1) During the period preceding submission of priority list of schemes (February to April) 2) Round the year	Secretary	1) to be displayed on the UP and Ward notice boards 2) to be available for free inspection on demand during the working hours 2) to be uploaded on websites	1) A complete list of negative environmental and social list of schemes is already given in the Operational Manual. It is essential that members of the UP as well as the community have easy access to it while finalising the list of schemes for approval. This can be facilitated through the display of the list on the notice boards of the UP and the Wards. This list can also be read out during the planning meetings for the benefit of the participants. 2) After the priority list of schemes is finalised by the UP the list may be removed from the notice board. Later any member of the community should be able to go through this list during the working hours of the UP. As this list is part of a publicly available document, there will be no need for the approval of the Chairman before inspection is allowed. If the list is expanded in future, the new list may also be made available for free inspection in a similar manner. 3) It is advisable for the Local Government Ministry to upload this list on its website. This will ensure that the reports are available in the

					public domain and any citizen will be able to access them easily. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Planning and development	Lists, placed on file.; electronic copies to the Ministry	No	Review after ten years
60.	Indicative list of eligible expenditures	<p>1) During the period preceding submission of priority list of schemes (February to April)</p> <p>2) Round the year</p>	Secretary	<p>1) to be displayed on the UP and Ward notice boards</p> <p>2) to be available for free inspection on demand during the working hours</p> <p>3) to be uploaded on websites</p>	<p>1) A complete list of eligible schemes is already given in the Operational Manual. It is essential that members of the UP as well as the community have easy access to it while finalising the list of schemes for approval. This can be facilitated through the display of the list on the notice boards of the UP and the Wards. This list can also be read out during the planning meetings for the benefit of the participants.</p> <p>2) After the priority list of schemes is finalised by the UP the list may be removed from the notice board. Later any member of the community should be able to go through this list during the working hours of the UP. As this list is part of a publicly available document, there will be no need for the approval of the Chairman before inspection is allowed. If the list is expanded in future, the new list may also be made available for free inspection in a similar manner.</p> <p>3) It is advisable for the Local Government Ministry to upload this list on its website. This will ensure that the reports are available in the public domain and any citizen will be able to</p>

					access them easily. Alternatively, Grameenphone CIC may be approached to upload this information on their website.
		Planning and development	Lists, placed on file.; electronic copies to the Ministry	No	Review after ten years
61.	Guidelines for environmental management	Round the year	Secretary	<p>1) to be available for free inspection on demand during the working hours</p> <p>2) to be uploaded on websites</p>	<p>1) The Operational Manual provides comprehensive guidelines for ensuring that the developmental schemes are implemented in an environmentally friendly manner. These guidelines should be made available to members of the community on demand during the working hours of the UP. This would enable them to check whether the guidelines are being adhered to or not at any point of time. This would enable the filing of complaints regarding non-adherence to the guidelines in a timely manner. Therefore the limited opportunity of making them available for inspection during the predetermined day and time is not being recommended.</p> <p>2) 3) It is advisable for the Local Government Ministry to upload these guidelines on its website. This will ensure that the reports are available in the public domain and any citizen will be able to access them easily. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>
		Environmental management	Manuals, reports and notices, master copies on	No	Review after ten years to assess whether documents are still valid. If not, destroy; if still valid, review ten years later.

			file; copies to be made available in library; electronic copies to the Ministry; chronological		
62.	Guidelines for the use of public and private lands	Round the year	Secretary	<p>1) to be available for free inspection on demand during the working hours</p> <p>2) to be uploaded on websites</p>	<p>1) The Operational Manual provides comprehensive guidelines for the use of public and private lands during the selection and implementation of the schemes. This would enable the filing of complaints regarding non-adherence to the guidelines in a timely manner. These guidelines should be made available to members of the community on demand during the working hours of the UP. This would enable them to check whether the guidelines are being adhered to or not at any point of time. Therefore the limited opportunity of making them available for inspection during the predetermined day and time is not being recommended.</p> <p>2) 3) It is advisable for the Local Government Ministry to upload these guidelines on its website. This will ensure that the reports are available in the public domain and any citizen will be able to access them easily. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>
		Project management	Manuals, reports and notices, master copies on file; copies to be made available in	No	Review after ten years to assess whether documents are still valid. If not, destroy; if still valid, review ten years later.

			library; electronic copies to the Ministry; chronological		
63.	Details of land acquisition process and the compensation paid <i>in lieu</i> of land acquired for the implementation of schemes	<p>1) During the process of land acquisition</p> <p>2) after the completion of the acquisition process</p>	Secretary	<p>1) to be displayed on the notice board of the UP and the respective Ward/s.</p> <p>2) to be available for free inspection on demand during working hours of the UP for those affected by the acquisition</p> <p>3) to be allowed for free inspection on the predetermined day and time for other members of the community.</p> <p>4) to be uploaded on websites</p>	<p>1) The acquisition of public or private land with which the livelihoods of people are intimately linked is always a problematic and dispute filled process. The highest degree of transparency and informed participation of both the potential oustees and the potential beneficiaries are necessary to ensure that the acquisition becomes a pain-free process. As the Operational Manual does not contain detailed guidelines that need to be followed while acquiring public or private land for developmental purposes it is presumed that the procedures of the domestic Land Acquisition Act (of 1896 vintage?) will be adopted. The transparency requirements under this law regarding informing the persons likely to be affected about the process of acquisition, conduct of public hearings (where necessary) to determine people's objections to acquisition and the quantum of compensation must be adhered to scrupulously. For example, the details of the land to be acquired, the purpose of such acquisition, compensation paid/ likely to be paid should be displayed on the notice board of the UP and the respective Wards where acquisition will be effectuated. Advance notice of public hearings or any meetings of the UP to determine compensation should be provided to members of the community and the potential oustees in particular through the beat of the drum as</p>

					<p>recommended in other instances. All records relating to the acquisition process should be accessible to the oustees on demand during the working hours of the UP during the process of acquisition.</p> <p>2) After the process of acquisition is completed the records relating to the acquisition and details of compensation paid may be made accessible to any person on the predetermined day and time set aside for free inspection of the UP records.</p> <p>3) It is also recommended that Local Government Ministry upload every instance of acquisition of public or private land with a summary of the details on its website. This will ensure greater transparency in the acquisition process beyond the boundaries of the UP. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>
		<p>(1) Land: Acquisition</p> <p>(2) Land: Registration</p> <p><i>[probably other files for Land matters – detailed audit required]</i></p>	<p>Reports, correspondence and legal documents, placed on file; topographical. Registers, chronological and topographical</p>	Yes	Preserve

64.	Guidelines for Indigenous People's Plan	<p>1) During the period preceding submission of priority list of schemes (February to April)</p> <p>2) Round the year</p>	Secretary and Ward Member representing the area	<p>1) to be displayed on the notice board of the Ward in which IPs are situated</p> <p>1) to be available for free inspection for IPs or CSOs representing IPs on demand during working hours of the UP</p> <p>2) to be allowed for free inspection on the predetermined day and time</p> <p>2) to be uploaded on websites</p>	<p>1) The Operational Manual requires that IPs be consulted and included in the developmental decision-making process. A set of guidelines are provided for this purpose. They should be displayed on the notice board of the Ward in which IP families are situated during the months when the schemes are identified to be included in the priority list. They should be available to members of the IP community for free inspection at the office of the UP during this period.</p> <p>2) After the schemes have been finalised these guidelines should be made accessible to any person during the predetermined day and time set aside for free inspection of UP records.</p> <p>3) It is advisable for the Local Government Ministry to upload these guidelines on its website. This will ensure greater accessibility to any citizen. Alternatively, Grameenphone CIC may be approached to upload this information on their website.</p>
		Planning and development	Manuals, reports and notices, master copies on file; copies to be made available in library; electronic copies to the Ministry; chronological	No	Review after ten years to assess whether documents are still valid. If not, destroy; if still valid, review ten years later.
65.	Documents created at various stages of the process of	Round the year	Secretary	1) To be available for free inspection	1) According to the Operational Manual environmental and social screening of

	environmental and social screening			<p>on demand for a period of one month after creation of the document</p> <p>2) to be allowed for free inspection on the predetermined day and time</p>	<p>schemes are required to be undertaken on four occasions – twice during the planning stage, once immediately prior to the implementation of the scheme (involving officers from outside the UP) and once after the completion of the scheme. Information prepared during these processes are required to be filled up in specific formats. These completed formats must be available for free inspection for a period of one month after the completion of each screening process. As the screenings are done publicly there will be no need to obtain the approval of the Chairman for allowing inspection.</p> <p>2) After the month-long period of free inspection lapses, these documents should be made accessible to any person during the predetermined day and time set aside for free inspection of UP records. Again the approval of the Chairman will not be necessary for allowing inspection.</p>
		<p>(1) Environmental management</p> <p>(2) Project management: [name of scheme/project]</p>	Reports and correspondence	No	Destroy after ten years
66	Tax registers and returns	Finance: Tax	Returns and correspondence, placed on file; standard	No	Destroy after seven years

			registers; chronological		
67	Assets	Finance: Asset management	Correspondence and other papers, placed on file; register of assets; by type and chronological	No	Preserve for business reasons
68	Stock control records	Finance: Stock control	Correspondence and other papers, placed on file; stock registers; by type (eg wheat, rice, etc) and chronological	No	Preserve for business reasons
69	Audit reports	Finance: Audit and accounts	Reports and correspondence, placed on file; chronological	No	Destroy after seven years
70	Voter lists	Citizens: Voter lists	Lists and correspondence, placed on file; chronological	No	Keep current and previous lists; destroy others
71	Vulnerable Groups records	Citizens: Vulnerable groups	Correspondence and reports, placed on file; chronological. Registers (VG Development and VG Feeding)	Yes	Preserve

72	Births and deaths	Citizens: Birth and death registration	Correspondence and reports placed on file; chronological. Registers	Yes	Preserve
73	Health records (eg immunisation registers and sanitation projects)	(1) Health and Sanitation (2) Project management: [name of scheme/project]	Correspondence and reports placed on file; chronological. Registers	No	Destroy after ten years
74	Legal records	<i>[detailed audit required]</i>	Case files and registers		
75	Electronic records	<i>[Some Upazilas and UPs have acquired computers and have developed tables and spreadsheets to track and record, in particular, project management, such as the tendering process. A detailed audit is required in the context of a related project on the management of <u>electronic records</u>]</i>			