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Local Government and Administration in Bangladesh: The State of the Art

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In the last three decades, Bangladesh has witnessed a series of experimentation in institution-building at the local level. All the ruling political regimes attempted to develop institutions at the local level to have a political and power base at the grassroots. However, none of the attempts could bring about any significant and positive change in the quality of life of the people in the local areas. An overview of the growth and evolution of local government bodies in Bangladesh indicates that these had all along been under the administrative control of the public bureaucracy on one hand and under the extreme political control of the national government on the other. The local bodies hardly enjoyed any kind of functional as well as political autonomy. The national government never followed a consistent policy towards shaping the institutional makeup of the local bodies. Local bodies are found to be weak in terms of their respective tax and other resource base. The personnel system of the local bodies is also not appropriately designed. As a result, the local bodies could neither become politically viable nor could gain any credibility from the local people. In fact, local government bodies in Bangladesh under the given legal framework is neither a "self-governing" body nor a viable form of "government." These could simply be branded as extensions of the national government with limited scope of local participation.

Evolution of Local Government in Bangladesh

The Indian subcontinent has an illustrious historic past as far as local level administration is concerned. An overview of the literature on government and politics of ancient India provides rich empirical evidence. Since the *Vedic* period, there had been some form of participatory and democratically elected local bodies like *Gramjanapadas* and *Panchakula* (rural settlements) which were very much in existence in the so-called village republics of India (Altrekar 1958). The *panchayet* or the council of five was the forerunner of the local government system in ancient Bengal. However, this indigenous institution did not survive due to the transplantation of institutional models by the British colonial rulers during the later part of the eighteenth century.

The British colonial government drastically changed the pattern of the indigenous local government system in Bengal. In fact, the present pyramidal structure of local institutions of Bangladesh owes it to the British rule. The *Chawkidari Panchayet Act* of 1970 was the first step taken by the British rulers

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originally intended to maintain village peace through local initiative. Subsequent acts are the Local Self-Government Act of 1885, the Village Self-Government Act of 1919, the Bengal Municipal Act of 1932 under the British rule, the Basic Democracy Order of 1959, the Municipal Administration Ordinance of 1960 during the Pakistan period, and finally, the Local Government Ordinance of 1976. However, among the principal legal frameworks that shaped the institutional makeup and gradual evolution of the present local government system in Bangladesh are the *Pourashava* Ordinance of 1977, the Local Government (*Thana Parishad*) Ordinance of 1982, the Local Government (*Union Parishad*) Ordinance of 1983, 1986, etc. (Bhuiya 1978:41-51).

Experiments on the Institutional Model

During the post-British era, development of a viable local government structure has always been a "critical concern" for the government. Different committees and commissions since the Pakistan period examined the institutional framework of the local government system. The report of the Services Reorganization Committee noted that the local government framework, especially at the district level, has been

... gradually languished, and with it the sense of identity between the people and the government. This has been largely the result of the concentration of power in the hands of Government officials and particularly in the district heads as well as the dominance of one particular corps of generalists officers (GOP 1970).

Similar observations were made by the Pay and Services Commission Report in 1977. The Commission stressed the need for developing a viable local government system in Bangladesh. The Commission accordingly highlighted the importance of *thana* (the lowest administrative unit in Bangladesh) as the future focal point of all local level development. The Commission also recommended that for the better management of local affairs, "higher level officers from the administrative service" be assigned "to carry out the difficult tasks of coordination of development activities... and a *thana* social complex is necessary to be created to act as an incentive to better administration and as a corollary to better development effort" (GOB 1977).

District Government Scheme

During the post-liberation era in Bangladesh, the most significant breakthrough in terms of local government institution-building was the introduction of the District Governorship Scheme in 1975. The then ruling party *Awami League*, through the 4th amendment of the Constitution, introduced a one-party system called *Bangladesh Krishak Sramik Awami League* (BAKSAL).

Through Act No. IV of 1975 known as District Administration Act of 1975, the division and the subdivisions as tiers of administration were abolished and each subdivision was converted into a district. The new districts were to be governed by district governors supported by a council composed of the following:

- (1) all members of Parliament from the district;
- (2) secretary of the district branch of BAKSAL;
- (3) superintendent of district police;
- (4) one member of BAKSAL to be nominated by the party president;
- (5) one representative each from the different party fronts—*Jatiya Krishak League* (Peasants Front), *Jatiya Sramik League* (Labour Front), and *Jatiya Mahila League* (Women's Front) to be nominated by the party president;
- (6) one representative of each thana unit of the party;
- (7) the chairman of each *pourashava* (municipality);
- (8) one representative from the Cantonment Board; and
- (9) one senior officer of the Army, Navy, the Air Force, the Bangladesh Rifles (BDR), and *Jatiya Rakkhi Bahini* (national paramilitary force).

The governor was to be the ex-officio chairman of the council and the district magistrate as the ex-officio secretary to the council.

The District Administration Act of 1975 also provided for the reorganization of the thana administration and constitution of an administrative council for each thana. However, after the August 1975 coup, the one-party system along with its governor's system in the district administration was discarded (Ali 1981).

District Development Coordinator (DDC)

In early 1980, following the Sri Lanka model of district minister, a special effort was made by the government towards making the local administration, especially the district level administration, more representative in character. This resulted in the appointment of one member of the parliament (MP) in each district as district development coordinator (DDC). These DDCs had the rank and status of a deputy minister. They were assigned the responsibilities of:

- (1) coordinating and assisting in the implementation of different development schemes in respective administrative districts, as directed from time to time;
- (2) entertaining and processing public complaints; and
- (3) performing other duties given by the president (GOB 1980a).

In addition, the DDCs were given the responsibility to look after agriculture, mass literacy and family planning programs of the government. The position of DDC was however abolished after the coup in 1982.

District Development Board

The Bangladesh Nationalist Party (BNP) Government had also planned for the introduction of a new body called District Development Board. Accordingly, a draft bill called District Development Board Bill of 1979 was placed before the BNP Parliamentary party for discussion. However, the bill was never placed before the parliament.

Gram Sarkar (Village Government)

At the grassroots level, a model called *Swanirvar Gram Sarkar* (Self-Reliant Village Government) parallel to the union parishad was introduced by General Ziaur Rahman in 1980. An executive order called *Swanirvar Gram Sarkar Constitution and Administration Rules of 1980* (GOB 1980b) provided the legal framework of the gram sarkar. Accordingly, 68,000 gram sarkars were formed through consensus election under the supervision of the local officials. Each gram sarkar was headed by a *gram prodhan* (village headman) and composed of eleven members (nine males and two females). These members were called *mantri* (ministers) and represented various interests including the functional groups composed of farmers, youth and women. Each gram sarkar was asked to prepare a village plan based on the needs of the functional groups. The plan was to be finally integrated with the Union Development Plan which in turn would be incorporated with the Thana Development Plan. After the assassination of President Zia during the abortive coup in 1981, his pet project of gram sarkar did not manage to get adequate support from his party colleagues. Later, the program was altogether abolished by the military rulers who came to power in March 1982.

The Zia Government also experimented with a model where one thana from each district was chosen as a pilot area. Selected central government officers

belonging to the locality were posted to that thana to accelerate local level development through their personal initiatives and administrative leadership. This experiment continued for about a year and was found to be unsuitable and ultimately abandoned.

Local Government and Constitution

The Constitution of Bangladesh which first came into effect in 1972 duly emphasized the importance of decentralization and function of local government. This is in keeping with the objectives set in the State Principles (Part II), Article 9 of the Constitution which outlined that "the state shall encourage local institutions composed of representatives of the areas concerned and in such institution special representations shall be given as far as possible to peasants, workers and women" (GOB n.d.). Accordingly, a separate chapter was devoted to local government. Article 59 of chapter III provided that the local government in every administrative unit would be entrusted to bodies composed of persons "elected in accordance with law." In order to fulfill the Awami League's (the ruling party which led the Liberation War) promise of establishing "a real and living democracy," the law envisaged that each local body would perform within the appropriate administrative unit such functions as: (1) administration and the work of the public officers; (2) maintenance of public order; and (3) preparation and implementation of plan relating to public services and economic development (DPR 1970).

To effectuate the idea visualized by Article 59, the Parliament was to confer by law powers of local taxation, budget preparation and maintenance of funds. However, the entire Chapter III of the Constitution which dealt with the local government system was deleted (Ahmed 1983).

Although the Constitution has been amended eight more times since then, no further addition has been made to clarify the role, structure, powers and functions of the local government bodies of the Republic.

Structure of Local Government System in Bangladesh

The administrative structure in Bangladesh consists of three tiers. In descending order, right below the national capital are 4 divisions, 64 districts, and 460 *upazilas* (subdistricts). Each of these tiers is headed by a central government official known as divisional commissioner, deputy commissioner and upazila nirbahi officer (UNO), respectively. In the rural areas, the upazilas are subdivided into 4,404 unions which are composed of 85,690 villages (GOB 1990).

The local government system in Bangladesh is also based on a three-tier structure, i.e., the *zila parishad* (district council), *upazila parishad* (subdistrict council), and *union parishad* (union council) at the district, upazila and union levels, respectively. For the urban areas, there are four metropolitan municipal corporations and 104 pourashavas which are mostly based at the division and district levels. All local government bodies in Bangladesh are controlled and coordinated at the national level by the Local Government Division of the Ministry of Local Government, Rural Development and Cooperatives. In addition to the city corporations are some special development bodies that are working in the four metropolitan cities. These are *Rajdhani Unnayan Kortipakha* (RAJUK) (Capital Development Authority) for Dhaka, Chittagong Development Authority (CDA) for the port city of Chittagong, Khulna Development Authority (KDA) for Khulna, and Rajshahi Town Development Authority (RTDA) for the divisional town of Rajshahi. These bodies have been established by government ordinances to design and implement the master plans for the respective cities. With the central government grants, these bodies undertake development projects like road-building, housing, development of commercial and industrial zones, parks, playgrounds and many other similar functions normally undertaken by a typical municipal body. Administratively, these urban bodies are under the administrative control of the Ministry of Public Works and is run by a board of governors composed of government officials and nominated public representatives.

Union Parishad (Union Council)

The union parishad (UP) is the first tier in the pyramidal hierarchy of local bodies in Bangladesh. A typical union parishad is composed of 10 to 12 villages in a rural setting with an average population of about 20,000. Shortly after independence of Bangladesh, the local government institutions framed under the Basic Democracy Model were dissolved by Presidential Order (PO) No. 7 of 1972. The erstwhile union council was renamed as *union panchayet* (village arbitrary council) and was brought under the administrative control of the union agricultural assistant or the *tahsildar* (village-level land revenue collector) as administrator. Later, the union panchayet was renamed as union parishad through PO No. 22 of 1973. According to this PO, each union parishad is divided into three wards. In each ward, there are three elected members. The chairman and vice chairman are elected by direct vote on the basis of adult franchise.

In 1976, the then Martial Law Government introduced Local Government Ordinance of 1976. The divisional councils were abolished and a three-tier local government system, i.e., union parishad, thana parishad and zila parishad (a district-based local body) was constituted. Under the new Local Government

Ordinance of 1976, the union parishad was again reconstituted with one elected chairman and nine members. The post of vice chairman was abolished. They were all directly elected. In addition, there were two nominated female members and two peasant representatives in the union parishad.

Under the current setup, the UP consists of a chairman, nine elected members and three women members. The chairman is the chief executive of the UP, who is directly elected by all voters of the union on the basis of adult franchise. The nine members, three from each of the three electoral wards of the union are directly elected by the voters of all the wards. The ratio of representation to electors is roughly one to a thousand. Women members are nominated by the upazila parishad, the next higher tier of local government. The inclusion of women members with the activities of local parishads is in keeping with the state policy as emphasized in the Constitution, Article 10 of part II to ensure the participation of women in nation-building activities (GOB n.d.). The term of the UP is five years. Functionally, a union parishad is responsible for "agricultural, industrial and community development in the union and may, for that purpose, perform such functions as may be prescribed" (GOB 1983). Any other measures are likely to promote the welfare, health, safety, comfort or convenience of the inhabitants of the union. The UP is also vested with the power of adjudication in minor offenses and civil disputes.

Upazila Parishad (Subdistrict Council)

The second tier of local government in Bangladesh is the upazila parishad or subdistrict council. The upazila covers an area of about 100 square kilometers and a population of about 200,000. It is the lineage of the thana¹ parishad of the Basic Democracy System of 1960 introduced by General Ayub, the then President of Pakistan. Soon after independence, thana councils were abolished and were replaced by a thana development committee (TDC) constituted by the officers of the different nation-building departments stationed at the thana level.

The thana parishad was revamped by the Local Government Ordinance of 1976. Its role and function more or less remained as the thana councils under the Basic Democracy Order of 1959. Regarding the turnover of officers, the subdivisional officer (SDO) continued to be the ex-officio chairman, the circle officer as vice chairman, and selected local officials and elected members of the union parishad as members of the thana parishad.

Another body called the thana development committee (TDC) was set up later in 1978. This body, in effect, was parallel to the thana parishad and was responsible for the development and training of the people in different economic sectors. The chairmen of the union parishads were representative members of

this committee. A chairman, a secretary and a treasurer of the committee were elected by the representative members. The chairman of the union parishads elected one of them as chairman of the thana development council. This council was assigned the responsibility of controlling the development fund and other resources placed at the disposal of the thana to carry out the Food for Works Programme (FWP), Thana Irrigation Programme (TIP), and Rural Works Programme (RWP).

Genesis of Upazila. The military government of General Ershad undertook a massive reorganization of the local government system in Bangladesh in 1982 and 1983. Soon after assuming the office in 1982, the military government abolished the thana development committee and the gram sarkar.

In March 1982, the Martial Law Government constituted a Committee for Administrative Reorganization/Reform (CARR) with Real Admiral M.A. Khan, the then Deputy Martial Law Administrator and Minister-in-Charge of Communication, as chairman. The committee submitted its report to the government on 22 June 1982 identifying some characteristic features of the administrative system and process in Bangladesh (Ali 1981). They are as follows:

- (1) *tadbir*-based approach (lobbying) to decisionmaking;
- (2) absence of sound and durable political process to give appropriate, consistent and uniform policies with regard to public welfare;
- (3) vertical-functional departmentalism that vitiates area-based coordination;
- (4) weak local government system tendered weaker by lack of appropriate political direction;
- (5) weakening of the traditional administrative and representative institutions at different levels of administration;
- (6) creation of a parallel political and administrative institution leading to conflict of jurisdiction; and
- (7) reluctance on the part of political authority to devolve power to the representative institutions at the local level.

The Committee realized that it would be inappropriate to address all these issues at once. It was therefore decided that the most important step towards the reform approach would be to enhance the institutional viability of the local government system in Bangladesh. The following measures were recommended:

- (1) The chairman of the zila parishad (a district-based local body), and the thana parishad would be directly elected by the people. These were previously headed by official representatives.
- (2) The elected chairman of the zila parishad and thana parishad would be the chief coordinator for all development activities. To ensure this, all officers of the development departments would be placed under them.
- (3) All elected chairmen of the union parishad would be members of the thana parishad and the elected chairmen of the latter would be members of the zila parishad.
- (4) There would be adequate devolution of administrative, financial and judicial powers in favor of the zila parishad and thana parishad.
- (5) To further strengthen the zila and thana parishads, the existing thanas would be upgraded as upazilas and the existing *mohokumas* (subdivisions) would be gradually upgraded into districts.
- (6) The upazila should be given responsibilities to (a) act as development agencies for some development projects in behalf of the central government; and (b) prepare its own Periodic Development Plan and Annual Development Program in consultation with the relevant union parishads.
- (7) Besides the central grants, the upazila and the union parishad should also be given additional taxation powers to raise local revenue.
- (8) To further strengthen the upazila, all administrative ministries should be asked by the government to work out the schedule of administrative, financial and procedural powers that may be further decentralized in favor of the upazilas.

The Local Government (Thana Parishad & Thana Administration Reorganization) Ordinance of 1982 was promulgated and the institutional setup of the upazila parishad was introduced.

With the introduction of upazila parishad, the 110 year-old subdivisions were abolished. According to the new framework, the upazila parishad was composed of the following (GOB 1982):

- (1) all chairmen of the union parishads and pourashava of upazila area as ex-officio representative members;

- (2) specified officials of the nation-building departments like agriculture, health, education, etc. are posted at the upazila as ex-officio members without voting right;
- (3) three nonofficial women members and one nonofficial male member from the Freedom Fighters are to be nominated by the Central Government from among the residents of the upazila; and
- (4) the chairman of the Upazila Central Cooperative Association.

The activities of the upazila were divided into transferred subjects and retained subjects. The nation-building departments like health, agriculture, primary education, engineering, and livestock were brought under transferred subject, while judiciary, thana administration, registration, statistics, etc., were retained by the government.

The upazila parishads were delegated with power to plan and execute its own development projects. Criminal and civil courts were set up in each upazila.

The upazila parishad had been designed to work as the focal point of all administrative and development activities in Bangladesh. Responsibilities for all development activities at the local level had been transferred to the upazila. The central government had retained direct responsibilities only for regulatory functions and major development activities of national and regional coverage.

The most remarkable feature of the upazila parishad is the provision of an elected chairman. The first election of the chairman of upazila was held in two phases. One on 16 May and the other on 20 May 1985. This was the first time in the history of Bangladesh administration that an elected office has replaced the central bureaucracy at the upazila level.

There are 460 upazilas at present. Altogether, there are about 15,640 officers and 112,700 support staff working in all these upazilas. A typical upazila has 23 class I officers, 11 class II officers and about 245 class III and IV support staff.

Abolition of Upazila. Soon after assuming power in early 1991, the present ruling Bangladesh Nationalist Party (BNP) accused the previous "autocratic government" of using the upazila administrative setup to create "a power base of its own at the grassroots level in order to strengthen its grip over the countryside" (*Bangladesh Observer*, 7 June 1991). The BNP government also accused that the upazila was an expensive "political experimentation." According to the figures from the Ministry of Local Government, about Tk. 4000 crore² had been spent in 460 upazilas since 1982 for infrastructure development while about Tk. 1,265

crore for salaries of the staff alone. Other reports indicate that the average of about Tk. 100 crore are spent every year for the maintenance and upkeep of the upazila administration (*Bangladesh Observer*, 17 June 1991).

The BNP government also noted the alarming rate of corruption and inefficient use of public resources which characterized the upazila system of local government. A review report prepared by the Ministry of Local Government identified eleven reasons behind the abolition of the upazila (*Sangbad*, 24 January 1991):

- (1) general weakness in the overall management;
- (2) violation of financial and budgetary regulations;
- (3) negligence in preparing the development projects and the Annual Development Program (ADP);
- (4) irregularities in implementing and managing the development projects;
- (5) poor resource management and collection;
- (6) irregularities in making important decisions;
- (7) irregularities and deficiencies in the preparation of budget;
- (8) negligence and perpetual absence of the upazila chairmen from the duty station;
- (9) negligence in internal monitoring and evaluation;
- (10) lack of participation in the Zila Development Coordination Committee meetings; and
- (11) lack of harmonious relationship with the local members of the parliament.

Nevertheless, members of the opposition parties in the national parliament have seen the abolition of upazila as a "politically motivated" action taken by the BNP government. The main opposition party—Awami League—noted that "the dissolution of the upazila parishad was part of government's plan to politicize all tiers of the administration." The decision was also reportedly made to influence the ensuing union parishad election by using the upazila administration in favor of the BNP candidates" (*Daily Star*, 1 November 1991).

Empirical findings, however, indicate that by the time of its abolition, upazila had become a well-rooted machinery of the local government institution in the peripheral Bangladesh (Aminuzzaman 1992b). Massive development of the upazila system incurred a huge amount of national expenditure, but it helped develop sizeable infrastructures and development programs. It also made local level politics much more accountable and representative in character. It also facilitated transmission of civic, social and cultural values and traits from the center to the peripheries. Therefore, it will be wrong to under estimate the importance of upazila rural infrastructure development. The present state of affairs definitely calls for identifying the functional, structural and operative defects and shortcomings, but not necessarily a total abolition.

Zila Parishad

The zila parishad stands at the apex of the three-tier local government system in Bangladesh. After the independence of Bangladesh by Presidential Order No. 7 of 1972, the then district council was renamed as zila parishad and the respective deputy commissioners were made the administrators of the respective zila parishads. The zila parishad enjoys the status of a corporate body and statutory organization since its creation by the Local Self-Government Act of 1885.

The zila parishad is a vital organ of the district administration. It dates back to the Local Self-Government Act of 1885 which transformed the district committee established by the Road Cess Act of 1871 into district board composed of elected and nominated members. Under the Act, the district magistrate was chairman of the district board. The Royal Commission Upon Decentralization, 1907-1908 and Montague Chelmsford Report, 1919 emphasized that the district board be provided with an elected chairman. The Basic Democracy Order of 1959 again put the deputy commissioner as the chairman of the newly constituted zila council with a balance between official and nonofficial members.

The zila parishad has a long list of responsibilities but in reality, it performs only a few (Siddique 1984). It is known mainly for its role in the field of construction and maintenance of infrastructure which includes roads, culverts, bridges, rivers, canals, and ferries. According to the Local Government Ordinance of 1976, the zila parishad "shall consist of elected members, official members and women members" and their number would be fixed by the government. The elected members were to be elected directly on the basis of adult franchise. The women members would be nominated by the government from among the women residents of the district. The zila parishad is to elect its chairman from among its elected or women members. Later, according to the Local Government Act of 1988, the zila parishad should be composed of representative members, nominated

members, women members and official members. The members of the Parliament, the upazila chairman, and the chairman of the pourashava were the representative members. The deputy commissioner and other officials as determined by the government were official members. The chairman of the zila parishad would be appointed by the government. The tenure of the chairman was fixed at three years. The rank and status of the zila parishad chairman was raised to that of a deputy minister of the government. However, in actual practice, one of the members of Parliament of the district was appointed as chairman of the zila parishad. As of today, however, the zila parishad has not been constituted as per the Local Government Ordinance. No election took place for the zila parishad.

At present, the state of the century-old zila parishad is in shambles. After the fall of the Ershad regime in 1990, the interim government dissolved the zila parishad and directed the concerned deputy commissioners to take over the responsibilities of the zila parishad. But the government directives were found to be contradictory to section 6 of the Local Government Act of 1988 which bars any employee of the Republic to hold the post of the chairman of the zila parishad. Consequently, the district commissioners were not in a position to occupy the post of the chairman of the zila parishad. It is to be noted that the District Board was headed by an elected chairman for a period of only 38 years (1921-1958) since its inception in 1885.

Summing up the present condition of the zila parishad, it is quite clear that the district coordinator is the sole authority in the absence of its chairman. The century-old position of the district engineer of the zila parishad has been downgraded to a post of an assistant engineer. Moreover, with the creation of the Local Government Engineering Bureau (LGEB), a line agency of the Ministry of Local Government and Rural Development, the role, function and overall responsibilities of the zila parishad have been reduced considerably. Constant debates and contradictions now prevail over the assets and liabilities between the zila parishad and LGEB. Because of nonallocation of government funds and lack of administrative and political leadership, the zila parishad has become a local body of no importance.

Special Local Bodies for Chittagong Hill Tracts

Bangladesh is a homogenous society. Only about 0.45 percent of the total population of 110 million are tribal. The tribal people are mostly concentrated in the three southeastern hilly districts, namely: Rangamati, Khagrachari, and Bandarban, commonly known as Chittagong Hill Tract. Considering its unique sociopolitical and demographic features, Bangladesh has three special local

government bodies for each of these districts under the Local Government Act 19 of 1989. The newly-formed special local bodies have been assigned with 22 different municipal and development functions. As compared to the other local bodies, these special local bodies have the following distinctive features: (1) provision for constituting local police; (2) additional financial and functional autonomy; (3) fixed quota-based representation of the different tribes; and (4) no scope or provision for ex-officio or nonelected members.

Urban Local Government

Urban local bodies bear a long historical tradition in this subcontinent. These were set up in big towns as early as 1688 in Madras followed by Calcutta and Bombay in 1726. The local government system was brought under formal enactment in 1842. It was followed by a number of acts and regulations such as Act XXVI of 1860. The local bodies in this part of the then India was formalized by the Bengal Municipal Act of 1864, 1876, and 1884. Under these legal provisions, Nasirabad (now Mymensingh) became the first municipality in 1856 in the then Eastern Bengal. It was followed by Sherpur in 1861, Dhaka and Chittagong in 1894, and Brahmanbaria in 1886 (Siddique 1984).

The colonial British government attached considerable importance to the Urban Local Government System especially the municipalities. Different commissions or committees were set up in different periods to recommend rules and regulations suitable for colonial rule in the urban areas. Among these are the Lord Ripons Resolution of 1882, the Decentralization Commission Report of 1909, the Montagu-Chelmsford report of 1918, and the Simon Commission Report of 1920. Based on the overall resolutions and findings of these reports, the Bengal Municipal Act 1884, the Municipal Act 1898, and the Bengal Municipal Act 1932 were introduced.

Pourashava (Municipality)

After the independence of Bangladesh, the municipal committee was renamed as pourashava under the Presidents Order of 1973. Keeping in view its location, different types of government officials like circle officer, subdivisional officer (SDO), or additional deputy commissioner (ADC) were appointed as administrators. Later in 1977, another Pourashava Ordinance was introduced with no notable changes in the fundamental characters of the then municipal committees. Under the new ordinance, women members were nominated in addition to the elected members, though they were not more than one-tenth in number of the total elected body.

Taking into consideration the size, population and civil problems, the government also created four municipal corporations at the four divisional headquarters. Separate Municipal Corporation Ordinances for Dhaka, Chittagong, Khulna and Rajshahi were introduced in 1982, 1983, 1985 and 1987, respectively. The composition of the municipal corporation requires one mayor, one deputy mayor, and a number of ward commissioners. The ward commissioners are elected on the basis of adult franchise within the respective wards which number is determined by the government. The mayor and deputy mayor are to be elected by the commissioners. Functionally, there is no difference between the municipal corporations and the pourashavas with respect to role and scope of responsibilities. Both are statutory autonomous bodies and are empowered to perform a variety of socioeconomic and civic functions in urban areas.

The status of the pourashavas was redefined under the Pourashava (Amendment) Ordinance 1991. Its term is fixed at five years in this ordinance. The elected chairmen of the pourashavas are replaced by the additional deputy commissioners or the union nirbahi officers (UNOs), and elected members of the four city corporations have also been suspended. After four months of interval, the pourashava election date was scheduled on 4 June 1992 but had been suspended indefinitely (*Daily Star*, 10 May 1992). The election date for the city corporation is yet to be announced.

Issues and Observations

This section presents some broad issues that characterize the local government bodies in Bangladesh. An overview of the role and function of the local bodies and their evolution illustrates that several structural as well as institutional factors severely affect the normal functioning of these bodies.

Lack of Consistent Government Policy

Since Bangladesh gained its independence, each government brought changes in all tiers of the local governments. A chronological analysis of the history of the local government in Bangladesh reveals that there were only four major changes in the local government system within the span of 102 years (1870-1972). But the post-independence Bangladesh has already experienced five abrogation in the local government ordinances within 19 years (1972-1991). Because of these frequent changes, the local government institutions could not retain their independent and self-governing character.

Over the years, the successive governments in Bangladesh have simply twisted the inherited local bodies to suit their political needs. Due to such

frequent changes and experimentations, the institutions have suffered and could not take a permanent and viable shape. There is also a noticeable tendency towards building and expanding an institution rather hurriedly without going through necessary stages of development and maturation (GOB 1977).

In the quest for sustainable improvement of human life, strengthening of local bodies particularly at the lowest tier of government is an essential long-run condition. Nevertheless, a UN-sponsored study reviewing Bangladesh experience concluded by saying that "the past twenty years have seen a failure to maintain and strengthen local bodies" (UNDP 1992).

A critical review of the performance of the local bodies shows that the local bodies in most cases have been dissolved well ahead of their terms. With the exception of the abolition of the upazila, the governments of Bangladesh have never given any official explanation for dissolving these local bodies.

There seems to be a lack of consensus among the national political parties on the role and functions of the local bodies in Bangladesh. After the abolition of the upazila system, there were some debates in the national parliament. A critical examination of the pattern and content of the debates clearly indicates that the political leaders were more concerned about the legal modalities of the abolition than about the importance of the body in the national development process.

Institutional Issues

The upazila system is a mixture of two types of decentralization models, namely: deconcentration and devolution. It can be categorized under the deconcentration system because it functions under the guidelines of the Ministry of Planning and Ministry of Local Government and Rural Development. It may be called a delegated one because the government empowered the local body to supervise the development schemes and implementation of its own plans. But it is not beyond the control of bureaucracy and hence it lost the character of delegation. Devolution can be found in it in the sense that its activities are outside the direct control of the government. At the same time, it lost the character of devolution because of its financial and legal dependencies. Perhaps due to the mixture of these two types, the widely publicized decentralization program could not be materialized in the upazila system.

Different studies have appropriately indicated that there is a lack of well defined and effective linkage between the union parishad, upazila parishad on one hand and the district administration and the central level authorities on the other. Given the financial and administrative dependency, such problems of institutional linkages severely affect the performances of the local bodies (GOB 1977).

The links between the upazila and zila parishad have not been appropriately designed. Upazila parishads shoulder a lot of overlapping responsibilities with zila parishad in the rural areas.

Moreover, the nature of central government control and supervision also varies from one local body to another. In case of the union parishad, there is a dual control and supervision exercised by both the upazila parishad and the government in various matters. The upazila parishad has been empowered to approve the annual budget and the development plan of the union parishad. Levying of taxes, fees and rates by the union parishad has also been made subject to approval by the upazila parishad. The union parishad is also required to submit to the upazila an annual state of its account. The audit of the accounts of the union parishad is however carried out by the officials of the central office, who submit a copy of the audited accounts to the respective upazila parishad. The upazila parishad, on the other hand, is authorized to approve its annual budget. Its development plan, however, requires the approval and due sanction of the government with respect to financing, execution and implementation.

Similarly, the zila parishads, the pourashava and the municipal corporations are required to have their annual budgets and development plans approved by the central government, more precisely, by the Ministry of Local Government, Rural Development and Cooperatives. Such conditions of "approval" and "submission" not only limit the functional autonomy but also bring the local government bodies under direct government control.

Although the Local Government Ordinance provides an elaborate list of development and routine functions for the union parishad, in reality, due to some institutional and financial limitations, the union parishad does not get the opportunity to be involved in all activities mentioned in the ordinance. Union parishads, in practice, confine themselves to four activities: (1) construction of rural roads, bridges, canals under central government funded by the Food for Work and Rural Works Programme; (2) collection of local taxes to pay the village police (*chawkidar*); (3) correspondence with the central government; and (4) mediation of minor local disputes (Noor 1984).

As per the local government ordinance, the central government is also empowered to conduct inquiries into the affairs of a local body. It also has the powers of suspending the parishad depending on how satisfied the government is with its performance in discharging its duties, meeting its financial obligations, and exercising its powers. Such monitoring and controlling power of the national government keeps the local bodies under the "axe." These bodies, in effect, lose their political, administrative, as well as financial autonomy.

The issues which need the special attention of the policymakers is that nothing is specifically mentioned about the controlling authority of the local bodies excepting the union parishad. It has only been vaguely stated that "government" is the controlling authority of these bodies. But it does not seem feasible for the Ministry of Local Government to control and closely supervise the 460 upazilas, 64 zila parishad, 104 pourashavas and 4 municipal corporations, and different local level special development bodies throughout the country.

Upon the recommendation of the National Implementation Committee for Administrative Reform (NICAR), the government in 1984 established a national level engineering setup known as Local Government Engineering Bureau (LGEB). The creation of the LGEB at the initial stage was resisted by both the district administration and also by the zila parishad on the ground that this will create an unnecessary bureaucratic layer of decisionmaking. The argument for the creation of LGEB was to bring order and discipline, to streamline the system and to establish a departmental hierarchical control. Likewise, its creation was essential for the smooth functioning of the upazila engineering setup. In actuality, the LGEB has taken over several development activities that used to be under the management and control of the zila parishad as well as the upazila parishad. This is more true for the zila parishad. As an effect of the functional expansion of the LGEB, the zila parishad is practically left with office management and welfare of its staff (*Bangladesh Observer*, 13 April 1992).

Weak Financial Resource Base

Local parishads are provided with local sources of income such as taxes, rates and fees which yield very little revenue. The major revenue-yielding sources like landbase taxes are retained by the government. As a result, the local bodies are completely dependent on government grants to finance their activities. This dependence made the local bodies vulnerable to government pressure and manipulation to mobilize local support for the regime in power (Asaduzzaman 1988:184-195).

Pourashavas and municipal corporations have virtually no financial autonomy since they cannot go beyond the prescribed rules and regulations of the central government, and development functions are essentially dependent on central government grants (UNDP 1992). Findings of a UN-sponsored study noted that "the autonomy of local government at the zila, upazila and union levels is negligible." The study concludes that "the possibility of mobilizing local resources by the union parishad is hampered by the activities of its leaders who are more interested in longer grants and external resources. They are more concerned with schemes under Food for Works, the Annual Upazila Development Program and distribution of relief" (*Daily Star*, 4 April 1992).

The financial condition of the pourashavas is miserable. The *pouta* tax, rent, fees etc. are not collected regularly. Poura commissioners do not press for tax collection to keep their personal and political image and popularity. The government and semigovernment offices consequently became delinquent in clearing their dues (*Bangladesh Observer*, 17 April 1992). The government grant to the pourashavas is not sufficient. Most pourashavas have surplus staff despite their inability to pay their staff regularly. Worse is that a lot more cannot even offer civic services to the community due to their financial limitations.

Local Government Performance

The creation of the upazila undoubtedly brought about a significant qualitative change in the local government system in Bangladesh. However, the government seems to have introduced these changes in a hasty manner. As a consequence, it suffered from several institutional and structural-functional limitations. For example, both civil and criminal courts in many small upazilas have nothing to do after an hour of work in a day. The government should have established such courts in the bigger and important upazilas only. On top of this, the country's political instability, bureaucratic attitude, financial dependency, inadequate manpower, physical infrastructure, and faulty planning posed hindrance to the desired success of the upazila system. The system was introduced with an ambitious goal to make the upazila a politically and administratively viable institution. However, according to the assessment of the then vice president, "the upazila parishads had failed to mobilize local resources for national development as envisaged in the concept of decentralization of administration" (*Bangladesh Observer*, 10 November 1990).

A decade after the introduction of the upazila, the evaluation report of the Planning Commission testified that as a local government body, it "could not achieve any significant socioeconomic progress to bring any positive change in the quality of life of the people in the upazilas. Health status, literacy rate, and employment opportunity have not improved as promised or envisioned by the government" (*Bangladesh Observer*, 11 January 1992).

Political Use of Local Bodies

As mentioned earlier, the local government bodies have been used by the national political leaders as political mobilization platforms and not as genuine institutional partners. The gram sarkar which was created by late President Ziaur Rahman was more of a political propaganda than a genuine institution-building effort.

The gram sarkar was not an elected body. Hence the political party in power simply accommodated its own people in the so-called village governments by appointing them as *mantries* (ministers) of the gram sarkars. As a result, it could not become a representative local body but only as an adjunct unit of the ruling Bangladesh Nationalist Party (BNP). Moreover, the gram sarkars were assigned a wide range of functions but without resources and taxation powers at their disposal. Furthermore, its creation generated conflict with the union parishad in terms of responsibilities. The gram sarkar, due to its built-in institutional limits, could neither become politically viable nor credible to the local people.

The zila parishad as a local body does not have, as yet, a democratic makeup. The chairman is still appointed by the government and is liable to be removed anytime for no reason. Under such circumstances, the zila parishad served better as a political tool of the party in power than as a socioeconomic development tool.

Local Government and Role of Members of Parliaments

The participation of the members of parliament (MPs) in local government affairs has been a contentious issue since liberation. Lately, there is an elaborate discussion in the national parliament on this issue. The MPs strongly argued in favor of their effective involvement and supervisory role in the management of Food for Works Programme (FFWP) and the allocation of development and relief materials in their respective districts and constituencies. They also argued that the local MPs should share the responsibilities of all development activities with local government bodies. Local governments are under "severe pressure" from both political and institutional quarters (Aminuzzaman 1992b). As a matter of fact, since the inception of the upazila system, there has been a hitch between the elected upazila chairman and the member of the parliament elected from the constituency where the upazila falls. Before the introduction of the upazila, the local MP was more or less the unquestioned political leader of the then thana. He was the sole political representative and was involved in designing and approving different local level development projects. Through the introduction of upazila, the role and responsibilities were considerably curbed as far as local level development management is concerned. Upazila parishad and the upazila chairman have become the source of authority and power for both local politics and development management. For the members of the parliament, irrespective of their party affiliations, the very institution of upazila parishad became a "sore throat" (Babar 1991c). It was not a matter of party rivalry. The Jatiya Party MPs themselves looked upon their own chairmen with suspicion. The conflict concentrated on the issue of power and control over local politics and use of

administrative and political authority. Neither the MPs nor the upazila chairmen were prepared to share the "limited resource" as well as power at that level. In Bangladesh politics, the upazila is considered the platform to have access in national politics. It is alleged that the MPs, irrespective of their party affiliations, did not want to see the emergence of a political rival in their respective constituencies.

Soon after the Bangladesh Nationalist Party came into power, the upazila system was abolished and there was practically no debate on the basic issues regarding the abolition of the upazila system.

Local Elections and Political Leadership

Local bodies have always served as a competition arena of local leaders vying to obtain government patronage. Part of this competition involves candidature for the positions in the local government representative offices. The leading factions in the local areas who are able to get government patronage and manage to win the local government elections provide the support base for the ruling regime. These factions also maintain a close relationship with the government officials at the local level (Blair 1978). During the Pakistan era, General Ayub introduced the Basic Democracy System in order to create a power base. "...Major rationale behind the Basic Democracy was to help create legitimacy for the regime by establishing a new cadre of rural leaders who would master support for the regime" (Westergaard 1979).

Similarly, during the post-liberation period, the Awami League regime also maintained a rural support base within a section of the rich farmers by accommodating them in the Relief Committees and later bringing them under the political fold through the union parishad (Hasanuzzman 1986:171-194). After the overthrow of Mujib, the election for the union parishads (UP) was held in 1977. It was again found that "union parishads were dominated by the big farmers who, because of their UP memberships, were in a position to acquire more land as well as social power" (Rahman 1987:102-106).

The local government elites in rural Bangladesh are the representatives of the rural rich and they themselves belong to the large landowning class. With the given power and social structure, local level leaders, as a matter of fact, "constitute a substantive portion of the minority" (Hasanuzzaman 1986). The First Five-Year Plan of the Government of Bangladesh also admit the fact that:

... these (local bodies) were never truly representative because the richer and influential classes manage to win elections. The election system failed to recognize the authoritarian nature of traditional power structure and no provision was made to protect the politically weak, depressed and exploited class (GOB 1973:155).

At the local level politics, the party in power always has greater influence than the other parties. So persons interested in local politics always try to be the members of the party in power in order to establish their influence in their respective localities more easily along with the support of the local level bureaucracy and national government. Thus, local level politics of Bangladesh is also characterized by loose party loyalty at the grassroots level and a high rate of defection from opposition parties to the party in power.

The keen interest for local body politics is revealed by the amount of interest and risk taken by the local leaders. All major opposition parties officially announced their boycott of the upazila elections held under General Ershad's government. Although the election was held on a nonpartisan basis, the local leaders of all leading opposition parties defied the order of the party high command and actively took part in these elections. The Jatiya Party, the then ruling national party, emerged as the leading one and followed by Awami League and Jamaat, while BNP candidates were placed in fourth (Babar 1992b).

NGO and the Local Government

Like most of the third world countries, NGOs have become an active partner in development management in Bangladesh. The Government of Bangladesh in principle has accepted the NGOs as a supportive partner in nation-building. Major donor agencies like the World Bank, United States Agency for International Development (USAID), Swedish International Development Agency (SIDA), Norwegian Agency for International Development (NORAD), etc. in varying degrees, are making the involvement of NGO part of the conditions of their support. Due to the institutional and managerial weaknesses of the local government bodies in Bangladesh, the government is actively considering the involvement of the NGOs in managing local level development (*Daily Star*, 27 April 1992). On the positive side, the involvement of NGOs could enhance the managerial capabilities of the local bodies, but on the other hand, they could also weaken the already weak local bodies and this will in the long run jeopardize the democratic governance system in local government. No serious research has been undertaken in this emerging area of local government-NGO collaboration. As a matter of policy issue, this needs immediate and serious attention for further study.

Present Reforms

The BNP Government's decision pertaining to the abolition of the upazila system also coincided with a program to bring major changes in all the tiers of local government. A high-powered commission headed by the minister of information has been formed. One of the major goals of the commission is to

"examine ways and means to build union parishad or gram sarkar more effective" (*Daily Star*, 28 April 1992). The commission has circulated a questionnaire among the political leaders, bureaucrats, professionals, technocrats and NGO officials to solicit their views and opinions. However, the response to the questionnaire has been poor. Out of the 20,000 questionnaires distributed, only 500 were returned to the commission secretariat (Babar 1992a).

Summary of the Research Findings and Recent Trends

This section presents a brief summary of the findings of different research works on local government administration and politics in Bangladesh.

- (1) Local governments have played a significant role in the national political mobilization process. In order to strengthen their political base, almost all political regimes in Bangladesh carried out different reform or reorganization programs in local government system.
- (2) Empirical evidences prove that the national political leaders use the local government units as their "power house" and "vote banks" and "political platforms."
- (3) It is also evident that the Ministry of Local Government has always been held by a senior member of the cabinet who also holds a highly influential position in the party hierarchy.
- (4) Governments have indiscriminately used the resources of different development projects channeled through the local governments with political motives and purposes. Resources of different development projects like Integrated Food For Works (IFFW), Rural Works Program (RWP), and *Khal Khonon* (Canal Digging) have been used in favor of the political interests of the party in power.
- (5) Large-scale and open corruption characterize the local government bodies in Bangladesh.
- (6) Comparative data on local government elections reveal that after the independence of Bangladesh, relatively younger people are taking up leadership positions at the local levels.
- (7) Local bodies have a very weak financial and resource base. Local level tax collection is however not up to the mark. Distribution of patronage by the local leaders is one of the prime reasons for poor recovery of local taxes. Too much dependence on the government has

virtually made the local body a local level extension of the national government.

- (8) Municipal corporations were used as the mobilization ground for the party in power. These bodies never had popularly-elected mayors. The post of city mayor is normally given to a person who is not only an influential party leader but also has strong links with different urban pressure groups.
- (9) Local politics especially at the upazila level is characterized by a strained relationship between the local member of parliament and the upazila chairman.
- (10) From an organizational point of view, the local bodies in general do not have a rationally structured personnel system or any long-term manpower planning. Many local bodies have extra staff who have been recruited not on the basis of a vacancy but on political consideration.
- (11) Local bodies are not only resource poor but they are also weak in financial management skills.
- (12) Local bodies do not have professionally trained financial managers. Most of the projects undertaken by the local bodies have not been properly appraised and/or monitored.
- (13) Local level elections over the years have been increasingly marred by violence. The lower the level of the local body, the higher the degree of election violence committed.
- (14) Because of poor financial condition and lack of managerial capability, the role of the different small municipalities are increasingly shrinking.
- (15) The zila parishad as a unit of local government never received due importance. Its roles and functions which overlap with the municipalities are yet to be cleared. The zila parishad, in effect, is suffering from an identity crisis especially after the introduction of the LGEB.
- (16) Local elections have become costlier. Although the election commission has set guidelines for election expenditure, such guidelines are never followed by the election participants. Local level electoral posts are considered to be political as well as socioeconomic investment.

Conclusions

An overview of the growth and evolution of local government bodies in Bangladesh establishes the fact that these bodies have all along been under the administrative control of the public bureaucracy on one hand and under the extreme political control of the national government on the other. The bureaucrats like the divisional commissioner, deputy commissioner, subdivisional officer, upazila nirbahi officer and other field-level officials did not spare enough time towards solving the problems of such local bodies.

The local bodies never enjoyed the freedom to choose their projects and work without the direction and control of the bureaucrats. As a result, the local bodies could neither become politically viable nor could they gain any credibility from the local people.

None of the local bodies except the union parishad is now functioning with the spirit in which they were created. Local Government Ordinance 1982 which created the upazila parishad was repealed by Local Government Ordinance 1991 (XXXVIII of 1991). Consequently, the upazila parishad was abolished. The development activities to be carried out by the democratically elected officers henceforth will be vested to the members of public bureaucracy stationed at the upazila level. The UNO is now assigned to take over the possession of all assets and liabilities of upazila parishads and to continue the function of the development activities. The government has also abolished the Assistant Judge's Court based at the upazilas.

In summary, local government bodies in Bangladesh under the present legal framework are neither "self-governing" body nor a viable form of "government." These could simply be branded as extensions of the national government with guided local participation. These pseudo local government bodies have been politically exploited by the national leaders. Institutionally, these bodies are weak, poorly managed and do not have political credibility.

Agenda for Future Research

Local government has always been a core area of investigation for the scholars and researchers of Bangladesh. Since independence, Bangladesh has witnessed several experiments in local government institution-building. Different models/approaches like union panchayet, village development, gram sarkar, thana development committee, district development coordinator, upgraded thana, upazila etc. have been experimented. Critics have however noted that most of these models and reform packages were designed in line with the political mobilization process of the party in power rather than with a genuine local

government institution-building exercise. These reforms and institution-building ventures, nevertheless, have generated considerable attention and enthusiasm among the Bangladeshi and expatriate scholars to examine the sociopolitical and administrative viability of these local level bodies.

The volume of research carried out in the field of local government and administration since the last decade is indeed significant. Most of these research works however have been done after the introduction of the upazila—the modified structure of the century-old institution of thana. A critical examination of these reference materials indicate that most of these researches in general are descriptive and only a selected few have strong empirical foundation.

Research materials on local government in Bangladesh can be broadly classified into the following areas, namely: Local Government — Growth and Evolution; Local Government Structure, Management and Related Issues; Decentralization: Processes and Issues; Local Finance and Resource Management; Local Level Participation and Electoral Process; Local Politics and Leadership; Planning and Development; Local Level Courts; Government Orders and Ordinances; Research Data and Other General Information etc. (Aminuzzaman 1992a).

In addition to being merely descriptive, these studies generally offer only some vague prescriptions for improving the situation. These studies have been mostly based on traditional approaches and the researchers to a great extent have failed to expand into new areas. As a result, policymakers could not make the optimum use of these research findings. As one critical observer notes, “these contain mere restatement of facts without adding to the existing knowledge” (Hoque 1988:16-32).

There is, however an acute need for the analysis of problems and issues that overshadow the institutional makeup of the local bodies in Bangladesh. Serious attention has to be focused to some selected “critical areas” and fine tuning is also needed in determining the methodological approaches to be followed in designing future researches.

The following are some of the proposed topics that would need immediate attention by researchers:

- (1) Institutional analysis of the relationship between the local bodies; local bodies and the government; and, local bodies and other local level institutions.
- (2) Sociocultural review of the broader issues of democratization and people’s participation at the grassroots level of governance.

- (3) Strengthening financial base of the local government and modalities of development finance.
- (4) Administrative and planning capabilities of the local government institutions.
- (5) Local level project formulation, management, monitoring and evaluation.
- (6) Local government and its institutional relationships with the Members of Parliament and the civil bureaucracy.
- (7) Role of the local ministers of parliament in local government administration.
- (8) Involvement of local government in the management of nationally-guided integrated development programs.
- (9) Modalities of the institutional relationship between the NGOs and the local government bodies.

Endnotes

¹The literal meaning of thana is police station.

²Taka (tk) is Bangladesh currency. US\$ = Tk. 39. One crore = ten million tk.

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