

Zila Parishad as an Organ of Local Self-Government in Bangladesh: Problems and Prospects

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Abstract: The local self-government is considered as the most effective instrument to empower the local people and to ensure multidimensional development of the locality if that organ is formed properly and that perform accordingly. The Union Parishads (UPs) are, least or best, functioning throughout Bangladesh. The Upazila Parishads (UZPs) are formed through election but facing a dilemma of power and authority to satisfy the UZP Chairmen-Vice Chairmen and the local MPs. To satisfy the local MPs in terms of exercising power and authority on the local development activities, there is a prospective alternative proposal to form an effective Zila Parishad at the district level with the elected Chairman and Members. In this arrangement the local MPs would enjoy an ex-officio post of an Advisor as a Member of the Advisory Council of the Zila Parishads. The present proposal offers some other ideas to proceed for an effective people-friendly local self-government organ at the district level in Bangladesh.

Introduction:

Zila Parishad, a century old organ, is an important and significant local self-government at the district level in Bangladesh. But it is not active at all from the view point of self-governance and unfortunately no steps are found or endeavored by the respective authority for its development. It is a fact that democracy may be meaningful and fruitful only when local self-governments are nursed properly. Needless to say that such type of practice is not observed in Bangladesh. Recently it has been proved that the Upazila Parishads (UZP) has failed to fulfill the demand of public expectations due to the unnecessary interference created by the central authority though it has formed by the elected public representatives. At the same time nobody can ensure what would be the actual picture and functions of the Upazila Parishads (UZP) of Bangladesh in the future. Such type of possibility is thought due to the conflict among the UZP Chairmen, the Local MPs and the UNOs. There is a debate already has been raised that how to ensure coordination among them. In the mean time it is learnt that all the powers and authority of the UZP would be directed in favor the local MPs under the legal frame work what will not be positive sign for local self-governments of Bangladesh at all. On this backdrop a discussion has been started about the Zila Parishad as an effective local self-government at the district level. In this case, it is

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desired that, the Zila Parishads will have to be formed in a democratic way as well as it will have to get financial liberty so that it will be directed by the public representatives for their (public) betterment. All the local MPs in respective district shall be considered as the advisor of that Zila Parishad. Obviously they should get legal right to raise demand for their constituency and it would be considered positively and strongly for the fiscal budget of the Zila Parishad. In this way existing complexities of the UZPs may be abolished and the UZPs can play its effective role in local area as per its Ordinance and public demand. As a result all the local self-government organs (Upazila Parishad and Zila Parishad) would be effective if Zila Parishad is formed.

Importance of the Problem:

Development of local self-government in Bangladesh is not running smoothly and positively due to various types of complexities and obstacles some of which have been created intentionally. So the local self-governments are not getting strong foundation. It is a matter of regret that most of the obstacles have been created during the democratic regimes, not expected from the democratic point of view at all. Additional degrees of negligence for the local self-government have been experienced during the democratic age. In fact, democracy could not be strong and powerful without the empowerment of mass people of the root level. This reality is not being accepted by the Bangladeshi politicians. As a result democracy has taken a new shape which is treated as Bangladeshi democracy where the more democracy is running the more local self-government is being ignored. The lack of proper nursing and empowerment of local self-government as well as sheer political commitments of politicians are responsible for this. Here the democracy is being weaker due to unstable and unsettled local self-government. For this reality all socio-economic and political developments in Bangladesh are being hampered. The democracy is going to fall in a deep crisis. Eventually doubt, disrespect, mistrust etc are increasing in politics which are going to destroy the political culture. So there is no way without the stability of a meaningful local self-government for the entire development process in Bangladesh. For this reason Bangladesh needs to work for reaching in its advanced stage of democracy- local self government.

Powerful local self government is indispensable and significant for empowerment of mass people as well as root level society. Democracy

should be established at the root level and responsibilities must be shifted from the central authority to the local leadership. Meanwhile a debate has been raised about the Zila and the Upazila Parishads. Should government need to establish Zila Parishad in spite of existing Upazila Parishad? Why Upazila Parishad is equally necessary if Zila Parishad is formed? What will be the role of local MPs in local self-governments? Can they exercise the Veto Power in local self- governments? Will they become a catalyst of central allotments or investments? Will the structure of local self-governments be centralized? Can the central government abolish the elected local self-governments? Should local self-governments be directed by the appointed administrators? Such type of questions have been raised in this context.

Union Parishad is a historically animated tier of Local self-government though its effectiveness is being hampered due to miserable condition of its budget. At the same time conflicting situation has been activated in Upazila Parishad and it is not being effective. So, if both of the local self-governments are accepted as associated institution of Zila Parishad, all the local self- governments can be more effective and powerful which has been considered by the intellectuals and the civil society. In that case the Zila Parishad can be an ideal tier of local self-government in Bangladesh.

Objectives of the Paper:

The main objectives of this paper are:

- i) To uncover the historical background of the Zila Parishad;
- ii) To offer the present situation of the Zila Parishad;
- iii) To observe the future of the Zila Parishad as an effective local self- government; and
- iv) To suggest steps for an effective Zila Parishad.

Research Methodologies:

Necessary information and data related to this work have been collected from the secondary sources like published books, articles, unpublished research works and government documents.

Limitations:

Firstly, the Zila Parishad has not been established through the election. So providing observation, evaluation and suggestions would be risky as there is a little proper exercise.

Secondly, This research has been directed on a small scale. So, it may be considered as insufficient for generalization.

Historical Background of Zila Parishad:

The existing pattern of the district administration of Bangladesh is a direct inheritance from the British rule in India, but the British adopted many elements of the Mughal's rule in their administrative system. The Mughal government divided the whole empire into a number of Subhas (Province) for the efficient administration. The Subhas were divided into a number of Sarkers and each Sarker into a number of Parghanas. The Sarker is corresponded to the modern District. During the time of Emperor Shahajahan, the Primer Shadullah Khan established a new administrative unit called Chakla which included a number of Parganahs. But in 1722 the Sarker was transformed into Chakla unit. The Chakla was a revenue unit. Only a half century ago the district was a revenue unit only, because India was primarily an agricultural country and land revenue was the main source of income of the Government. Therefore, the district firstly originated as the revenue unit but gradually it became the unit of general administration.

The Bengal Local Self-Government Act 1885:

The introduction of the local self-government in country (British-India) all along had been an idea from the 'District Road Committee 1871' which had been introduced by Lawrence and Mayo. There was a very little demand for it from the intellectual class of the country and had no demand for it at all from the general people. Lord Ripon was a liberal reformer. He, Ripon, was always in favour of introducing the representative system of local government in the rural area in order to ensure the people's participation. He also suggested that more unit of local self government with definite functions should be set up throughout the country. His policy was declared in a Resolution, adopted on 18 May, 1882. On the basis of the resolution of Lord Ripon a Bill was introduced in the Bengal legislative council in 1883 for the extension of local self government. It became the Act iii (B.C.) 1885 in the same year. The act was actually inspired by Ripon's Resolution of 1882.

The Act iii (B.C.) of 1885 titled as an act to extend the system of local self government in Bengal was passed by the Bengal legislative council of the 6th Governor General on the 11th July. The objective of its enactment was to give the people of Bengal a substantial interest and

responsibility in the management of their own local affairs. The Act was applicable and effective in every district, except in the district of Singbhum, the Sautat parghana and the Chittagong Hill-Tracts.

According to the provision of the Act a three tier local self-government system was introduced in rural Bengal: Union Committee at the village level, Local Board at the sub-division level and District Board at the district level. Under this Act, 15 District Boards were constituted-Dhaka, Khulna, Rajshahi, Jessore, Faridpur, and Pabna from the present Bangladesh and the remaining from West Bengal of India. The number of the members of a district Board would be determined by the government from time to time but it must not be less than nine. A Board would be wholly appointive or partly appointive or partly elective. Where there was no Local Board, all members of the district Boards would be appointed by the government when full quota of the local Boards was instituted, not less than one half of the total number of the members of the district Board would be elected by the members of the local Boards in a district. Section 22 of the Act laid down that the Chairman should be appointed by the government or should be elected by the members of the Board from among their own members, if the government should so direct. But up to 1920 the District Magistrate was the ex-officio member and its Chairman. The term of the District Board was 3 years. There was a provision for a Vice-Chairman. According to the provision he should be elected by the District Board from among its own members. A District Board might elect another of its member as a second Vice Chairman provided that if District Board would fail to elect a vice chairman duly, the government might appoint the Vice Chairman accordingly. During this time the constitution of the District Board was undemocratic. Though there was provision for election of the member, yet all were nominated by the government. As the Chairman the District Magistrate had unlimited control over the Board. For the reorganization of the local bodies the government constituted a commission, known as the Royal commission upon Decentralization in India. Hob house was the Chairman of the commission. The commission started functioning in 1907 and submitted the report in 1909. In the report, commission suggested that there should be more elected members in the District Board and also suggested that the Chairman should not be an official. The Bengal District Administration Committee was also in favor of introducing representative system of local self-government in Bengal. Montagu-Chelmsford Report was issued in 1918. The Report emphasized that the district Board should have

substantial number of elected members. The proportion of nominated members should not exceed one forth. In response to the above recommendations, a Bill was introduced in the legislature by S.P. Shinha on 24th April 1918. In due process the Bill became the Bengal Village self-government Act V of 1919 in the same year. The Act created a two tier system of local self-government i.e. the District Board and the Union Board instead of earlier three tier system. The Act democratized the constitution of the District Board. It provided that the Chairman of the District Board should be elected by the public representative. In 1936, the Bengal local Self-government Act of 1885 was again amended. In 1936 the Local Board was abolished. According to the provision of the amended Act of 1936, two thirds of the members were elected and one third was nominated. When the Local Board was abolished, the two-thirds members were elected by the qualified voters.

On October 27, 1959 a system of Basic Democracies was introduced by President Field Marshal Ayub Khan, by a presidential order. According to the provision of the new order, a four tier system of local self government was introduced in East Pakistan i.e. the Union Council, the Thana Council, the District Council and the Divisional Council with the objective to "organize the people to take care of problems of their own areas and inculcate in their spirit of self help." Under the new order former District Board was renamed as the District council. A District council consisted of such number of official and elected members as it was fixed by the commissioner. Provided that the total member of elected members would not less than the total number of official members. The official members were the ex-officio members appointed by the government. The elected members of the District council were elected by an electoral college consisting of the Chairman of the Union Councils and the Town Committees within the jurisdiction of the district. The Collector was the ex-officio member and the Chairman of the District Council. The council elected one of its elected members as its Vice-Chairman. The term of office (5 years) of the Vice-Chairmen was co-extensive with the term of office of the District Council. He performed the delegated functions of the Chairman and such other functions as were prescribed by rules.

Local self-government at the District level in independent Bangladesh:

At the beginning of independent Bangladesh, Basic Democracy Order was abrogated by the president's Order no. 7, 1972. Under this order, all

Local Councils were dissolved and administrators were appointed to perform the functions of the dissolved bodies except the Divisional Council. Immediately the name of the Union Council was changed as Union Panchayat and an administrator was appointed to manage the affairs of the Panchayat. The name of Thana council was changed as the Thana Development Committee while the District Council was named as Zila Board or District Board. Again in 1973, Union Panchayat's name reverted to Union Parishad. A more significant change in the local self-government system was brought about in 1976 by the local government ordinance. This ordinance provided 'Union Parishad' for a Union, 'Thana Parishad' for a Thana and 'Zila Parishad' for a district. The Zila Parishad was to consist of elected members, official members and women members whose numbers were determined by the government. Its term of office was five years. However, no elections were held and government officials ran the Parishad. A major change was initiated in the local self-government system through the introduction of the Local Government (Upazila Parishad and Upazila Administration Reorganization) Ordinance in 1982. This ordinance was followed by the Local Government (Union Parishad) Ordinance in 1983, the Local Government (Zila Parishad) Act in 1988 and the three Hill District Act and Palli Act in 1989. The Upzila Parishad Ordinance (1982) was particularly significant as this was supposed to help for the implementation of the decentralization programme of the government. In the Upazila system, the elected chairman would have the principal authority in running the affairs of the Upazila and his tenure would be five years. After nine years of reasonably effective implementation, the government of Khaleda Zia, who came to power through a fair election, abolished the upazila system in 1991. During her five years tenure, the government could not provide an alternative democratic form of local self-government. When Sheikh Hasina government came to power in 1996, they constituted a Local Government Commission and came up with a Report on Local Government institutions strengthening in May 1997. The commission has recommended a four tier local self-government structure including Gram/Palli (Village) Parishad, Union Parishad, Thana/ Upazila Parishad and Zila Parishad.

At the last part of Khaleda Zia led 2001 government, initiated a change in the local self-government structure. Gram Sarkar in place of Gram Parishad has been introduced. There has been recent legislation to create Gram Sarkers. These bodies will be created at the ward levels. This way

has been criticized by different sections of the society. In the same way the issue of reestablishing Upazila system has come into extensive discussion among intellectuals, citizen organizations and civil society leaders.

After January 11, 2007, when Dr. Fakhruddin government came into state power took the issue with due importance and amended the Upazila Parishad Act. According to the previous Law, the Local Government Minister was responsible to schedule election for Upazila. New Act gave the Election Commission (EC) to do so while it was engaged to prepare a voter list for the Parliament poll. In that period the constitutional body was requested to conduct upazila poll on the same date. As a result of a tug of war between emergency government and political parties, the Upazila Parishad poll has been scheduled on January 22, 2009, nearly after three weeks of Parliament election.

The newly elected Sheikh Hasina-led grand alliance government is also committed to reactivate the Upazila system as it was on of the commitments cited in this election manifesto. Experts said that to ensure better democracy and good governance members of parliament (MPs) should not take part in the local level development activities, but the present law protects the MPs rights to advice the Upazila Parishad. Now the challenge for the government would be balancing the authority of the local MPs and Upazila Chairmen. If government fails to do so, the administrative and development system could be a total mess. Presuming the situation many of local self-government experts said that the Zila Parishad must be furnished by a political personality who would be responsible to oversee the causes of Upazila in terms of development and governance. The Zila Parishad Chief would enjoy the status of a Deputy Minister.

In the mean time it has been planned to appoint administrator for 61 Zila Parishads of those districts of Bangladesh. Deputy Commissioners (DC) will be appointed as administrator and this responsibility will be an additional to their responsibility. Meanwhile Prime Minister Sheikh Hasina has approved this proposal for appointing administrator in Zila Parishads sending from LGRD Ministry. Deputy Commissioners (DC) will be appointed as the Administrator of Zila Parishads for a provisional time. According to the source, Government will appoint political leaders as administrator for the Zila Parishad at the very beginning of next fiscal year. Meanwhile qualified and promising leaders are being searched in

district to district through the local Members of Parliament (MPs). According to the existing Zila Parishad provisions the government would appoint an interim administrator for doing its functions until a Zila Parishad is formed. According to the provision Zila Parishad is headed by a Chairman. Experts said, "Government has power to appoint administrator as per law. But election is the best way for that. Finance Minister AMA Muhith emphasized that it (Zila Parishad) should be formed as a district based government for reduction of local discrimination. District based government is also needed for the reduction of local inequality. If district based government is formed, power of secretariat will be decreased. As a result economic development will be balance and dynamic all over the country. Such type of initiative of government already has been appreciated by the experts and the civil society. The Zila Parishad would be active and effective is expected by all of them. But that Zila Parishad will have to elect its own authority and not be directed or operated by the nominated or appointed officers. Therefore, at first, the government should decide whether the local self-government will be active or not. If their decision is positive, necessary laws and provisions will have to frame in favor of it. So, initiatives to form Zila Parishad should be taken through an election, not by an unfair way.

Democratic Process at the Zila Parishad:

The District Magistrate was the Chairman of the District Board before 1920, but the Boards were given the privileges of electing their own Chairman from among their members offered in 1920. But if the District Board would fail to elect a Chairman within the prescribed time; the government might appoint the chairman. In 20 Boards the elective element was raised from one half to two-thirds while the Board was enlarged in 1920-21. The post of the Vice-chairman was an important matter before 1920, but it became less important after 1920. The nominated members were nominated by the commissioner before 1932 and after 1932 they were nominated by the minister in-charge of ministry of local government.

Before 1936 the election of the District Board was in fact indirect. The local Board acted as the Electoral College from 1885 to 1936. The Local Board was not large in size. The number of the members of the Local Board was to be fixed by the government but it was not less than six. There were 84 Local Boards and the average number of the members varied from 8 to 17. They were electing the members of the District

Board either from their own members or from outsiders. On an average about 50 percent of the members of the Local Board were the members of the District Board. This system of indirect election was criticized from several points of view. There was no direct contact with the primary voters and it violated the very nature of local self-government in a true sense. On an average 12 to 20 members of a Local Board could elect a member of the District Board. It was very easy to influence such small number of voters. It encouraged the double membership. The Sub-Divisional Officer (SDO) was the ex-officio Member and the Chairman of the Local Board and worst kind of influence was exercised by the SDO in case of election of members of the District Board by the members of the Local Boards. Usually he used to influence the members of the Local Boards to cast their votes in favor of his chosen candidates. The members who would refuse to carry out the decision of the SDO, there was every possibility of losing his membership. Nominated members were of two categories i.e. the officials and non-officials, of them, nominated members were not more than one-half of the officials. There was reservation of seats for the minority community. The qualification of the voters before the abolition of the Local Board was high but since 1973 the franchise was extended. Every male person of 21 years of age and more having a place of residence within the area and who paid eight annas as cess and six annas as chowkidary tax and who was a graduate or passed the matriculation examination, or middle English or middle vernacular examination or a registered medical practitioner or a pleader or a muktar, was eligible to vote in the election of the District Board. But the amendment Act of 1936 did not make any provision for the enfranchisement of the women. The Rowland committee of 1944-45 strongly recommended for the abolition of the system of nomination. But the Committee put forward no suggestion for the vote of the woman folk. Though the Committee suggested abolishing of the nomination system, one-third of the nominated members were not abolished during the British period. The government of Pakistan decided to introduce adult franchise in all local bodies. Government appointed a Committee in this point of view under the Chairmanship of S.D. Khan. Former District Board was renamed as the District Council under the Basic Democracies Order. Though elaborate provisions were made for the election of the District Council, at the beginning, there was no elected member. The District Council was completely devoid of any elective or representative character, because 50% of its membership was government officials, 25% was public representatives and 25% was nominated from the Chairmen of

the Union Council and the Town Committees. The composition of the District Council of that time was very undemocratic. There was no flavour or any trace of democracy. It was worse than the District Road Committee of 1871. The system of appointing members was abolished under the amendment order of 1962. Then The District Council consisted of elected and official members. In actual practice 50% was elected and remaining 50% was officials. The system of election was very indirect. General voters had no say to it. The Chairmen of 4032 Union Council and 38 Town committees were the electors of the members of the District Council. The Deputy Commissioner as the Chairman was the key figure of the Council. Since 1920 almost all the Chairmen were non officials. In this respect the system of Basic Democracy had put the "clock back." The elected members were the ineffective spectators. The Deputy Commissioner was the controlling authority of the district, as well as of the District Council. It proved that the official control and spoon-feeding over the local institution had greatly increased under the Basic Democratic system. The people of East Pakistan claimed for the elected chairman in the District Council from long before. The Zila Board was renamed as the Zila Parishad under Zia Regime. A Zila Parishad shall consist of such number of elected members, official members and women members as may be fixed by the Government. The elected member shall be elected by direct election on the basis of adult franchise. But in 1980 the Government appointed one Member of the Parliament (MP) in every District as the District Development Coordinator. This program came to an end when the Government changes in 1982. An Administrative Re-organization Committee was set-up during H.M. Ershad regime. The Committee has strongly recommended for the creation of the Zila Parishad of the newly formed district levels democratically. Bangladesh Zila Parishad Employees Federation has demanded to the Government to form the Parishad immediately on the basis of the adult franchise. A meeting took place under Chairmanship of President H.M. Ershad on November 4, 1986 for the formation of the Zila Parishad. The President had ordered to the National Implementation Committee for Administrative Re-organization (NICAR) to frame the policies, structure and model of the future Zila Parishad. The Government could not take any step for Zila Parishad composition as local self-government during five years tenure of BNP regime (1991-1996). When the Bangladesh Awami League came to the power in 1996, it constituted a Local Government Commission and came up with a report on Local Government Institutions strengthening in May 1997. The Commission

had recommended a four tier local self-government along with a Zila Parishad. According to the recommendations of respective Commission, two to four members will be elected from each Thana and one Chairman will be elected for the Zila Parishad. But election process was not crystal clear. The Zila Parishad Ordinance have been passed in 2000. According to this Ordinance Electoral College will be formed with about 150 electorates and they will elect 21 representatives. One Zila Parishad Chairman, five women members and 15 other members will be elected by all Chairman and Member of Union Parishad and the Chairmen and Commissioners of Pourosova and City Corporation and UZP Chairmen in respective district. This indirect election process of Zila Parishad was criticized by the experts. BNP led four parties Alliance, came to power in 2001, and initiated a change in the local government structure. Gram Sarker in place of Gram Parishad had been introduced. This government did not give any attention for establishing the Zila Parishad as well as Upazila Parishad. So, it is true that no government of Bangladesh (democratic or non democratic) could from the Zila Parishad as an organ of local self-government though various types of steps has been taken for that. But all those initiatives were undemocratic and against the spirit of local self-government. Moreover the Zila Parishad was not active and effective to protect bureaucratic power and authority at the district level as well as lack of fore sightedness of politicians is equally responsible for that. The Zila Parishad was nothing but a petty department of the district administration. Already some steps have been taken by the present Awami League led Grand Alliance government to activate the Zila Parishad which are appreciated by the experts, the civil society and the mass people.

Local self-government in the Constitution:

The constitution of Bangladesh was framed in 1972, within a year of the country's independence, categorically emphasizes the need for establishing local government with a representative character (Chapter 3, Article 59). It also implies direct participation of the people in constituting the local bodies. However, in the years following the adoption of the Constitution, the spirit of people's participation in local bodies was not always adequately maintained. Frequent changes in the local government structure are partly responsible for this. The extent and quality of people's participation have also been varied. The best participation was the opportunity of casting votes during the election of local bodies. But the elections were not held at regular intervals. Moreover the election was never held for the Zila Parishad.

Necessary Policies for Effective Zila Parishid:

The Zila Parishad is a century old local government. Recently it has been changed as a rhetorical organ of local self-government due to various types of tests by the government in different tenures. Actual formation of Zila Parishad has failed in spite of different initiatives taken by different governments. All of these initiatives had limitations in making laws and provisions which were not activated in spite of its necessity. Who will lead and how will he lead to the Zila Parishad? What will be the election process to elect the leaders of the Zila Parishad? Whether the power would be decreased or not or the authority of the government at the district level would be responsible for the formation? How the local MPs would be managed (those who dose not want to establish the Zila Parishad.)? Different kinds of questions come in front when any government wants to take some initiatives in this regard. But there is no debate among the civil society, the intellectual, the experts and the mass people about the Zila Parishad. The Zila Parishad was to be established with a absolute power and authority. The representatives of the Zila Parishad must be elected as well as must be directed by the electing authority in that case. Thus an effective government can be formed at the district level and at the same time responsibilities of central government would be decreased. But in the mean time debate has been raised about the election process of the Zila Parishad. The election process of the Zila Parishad Chairman should be direct, not to be indirect to maintain the process of the parliamentary form of government, emphasized by some experts. They suggest that the members of the Zila Parishad will be elected by the local voters. And the Chairman of the Zila Parishad will be elected by those elected members. In fact the Chairman of the Zila Parishad will be an elected leader by the public representative. But this indirect election process of the Chairman of the Zila Parishad can not be free from faults and failure. For that reason this process is not supported by some other experts. To them the whole Parishad will have to be elected by the local voters. Apart from that the Zila Parishad can not be accepted and appreciated by the mass people. But the question has arisen whether is possible? Moreover how this poll will be arranged? This arrangement may be expensive and free and fair election could be difficult because of its large area and huge population. In that case, the way of solution is to be provided. One alternative is the parliament election and the Zila Parishad election can be arranged on the same date to manage both the elections under the supervision of the Election Commission (EC) and to

ensure a free and fair election. Nobody would complaint to hold the Zila Parishad election if this process is maintained. Sheer political determination, commitment and unity are necessary for that.

Composition of the Zila Parishad:

The Zila Parishad shall consist of the following positions, according to the present provisions, namely:

- a. The Chairman
- b. 15 Members and
- c. 5 Women Members for reserve seats (Article 40, Zila Parishad Ordinance-2000)

All of above positions will be elected by electoral vote which will be formed by Mayor and Commissioner (now treated as councilor) of City Corporation (if exist), Chairmen of Upazila Parishads, Chairmen and Commissioners (now treated as Councilor) of Pourosova and Chairmen and Members of Union Parishads.

Such type of indirect election process of the Zila Parishad has been heavily criticized. As there are no alternatives without a free and fair election for the formation of the Zila Parishad, the Zila Parishad may be formed as following;

- i) The Chairman
- ii) Two Members from each Upazila of respective district.
- iii) One Woman Member from each Upazila of respective district for reserve seat.
- iv) All of the representatives of the Zila Parishad (above mentioned) would be elected by the local voters on the same arrangement of the Parliament elections.
- v) All the Mayors and Chairman (City Corporation, Upazila Parishad, Powroshava) shall have an ex-officio Members without voting rights in the Zila Parishad.

Advisory Council:

Each Zila Parishad will have an Advisory Council. The Members of the Parliament (MP) of the district shall become an Advisor of respective Zila

Parishad and they can provide advice to Parishad for doing its functions properly.

So, all the Members of the Parliament (MPs) in respective district will be an advisor of that Zila Parishad. They can give advice related to the Parishad, if necessary. But such type of advice may be accepted or not by the Parishad. The Zila Parishad will distribute all development budgets for each Upazila according to the demand of the area. This demand will be submitted by the UZP Chairman with a direct consent of local MP within a stipulated time frame before the budget of the Zila Parishad. But if they do not reach on an agreement of this point, the Zila Parishad will be empowered to declare the budget for that Upazila. Such type of obligation will make sure the good relation between UZP Chairman and the local MP, as both of them sincerely want development for their local area. They would oblige to prepare a welfare budget for their respective area reflecting their commitment toward local development. Thus UZP can be an effective and powerful organ of local self-government. The Zila Parishad can be a catalyst for all kind of development and the focal point of local self-government, if it is formed through the public representatives with the spirit of local self-government which is maintained all over the world.

Status of the Zila Parishad Chairman:

Some experts think that the Chairman of the Zila Parishad would enjoy the status of a Minister, while others in favor of a status of a State Minister.

Jurisdiction of the Zila Parishad:

Each organ of local self-government of Bangladesh needs a specific jurisdiction for its effectiveness. But if that power and authority is limited in Ordinance, it will be chained in lieu of effectiveness. Reality of local self-government of Bangladesh is as much pathetic as we see. However, there is no alternative except giving the specific powers and authority to the local self-government for its effectiveness. Unlimited control is the main cause of failure of local self-governments in Bangladesh. Such type of control comes from the central authority and the bureaucracy. Financial control is the most important control about this issue as local self-governments obliged to be controlled by central authority. This control must be decreased as early as possible for effectiveness of local self government. The central authority should give financial power to the

Zila Parishad according to the constitutional commitments. Two essential elements for effective local self-government are the planning and budgeting. Opportunity and capability of its implementation and establishment of self administration for performing their duties properly are included of them. Such type of tier of local self-government in Bangladesh has been ready made and that is nothing but a district. So, the power of planning and budgeting for the local area should be given to the Zila Parishad. And that will be free from all kinds of obstacles created by the central authority. But financial liberty can not be considered as absolute until Parishad gets financial power and authority like necessary and sufficient allocations and asset from the central government and also the power of imposing tax for a self-reliant powerful Zila Parishad. Planning will be of two types; district will make plan on the ground of national policies while UZP will make a plan for root level. So that balance would be maintained between the both sides. All the planning of Upazila would be coordinated at the district level and finally the Zila Parishad will make a budget for the whole district where the demands of Upazila Parishads will be reflected. According to the Zila Parishad Ordinance some taxes, rates, tolls and fees which may be levied by Zila Parishad. These are;

- 1) Tax on the transfer of immovable property.
- 2) Tax on advertisements.
- 3) Tolls on roads, bridge and ferries maintained by the Zila Parishad.
- 4) Rate for the execution of any works of public utility by the Zila Parishad.
- 5) School fees in respect of schools established or maintained by a Zila Parishad.
- 6) Fees for the use of benefits derived from any work for public utility maintained by the Zila Parishad.
- 7) Fees for special services rendered by a Zila Parishad.
- 8) Any other tax of the Zila Parishad has been empowered to levy by the government.

These are not sufficient for a powerful and effective Zila Parishad. For this reason some more power should be given to the Zila Parishad for imposing tax and rates such as all types of license fees, vehicles tax, business tax, arms tax, professional tax and so on. Any recreation related charge may be collected by the Zila Parishad. The Zila parishad will be

responsible to collect all land revenue where the property hand over or purchase or gift registration fees or charge of record transformation will be included.

According to this way sufficient revenue collection will be possible. Power of collecting the value added tax (VAT) and its administration may be shifted to the Zila Parishad. In the same way service charge of health and education may be collected by the Zila Parishad. Various service charges may be fixed and collected by the Zila Parishad, but national policy will have to specify and fix up the highest and lowest rate for that. A percentage of national revenue would be the principal source of revenue for the Zila Parishad. This proportion will have to distribute on the basis of area, population, communication condition, backwardness, opportunity of asset derive, success and failure of development implementation etc. In present time only 4% of national budget are spent at local level, if this would be increased 60%, the Zila Parishad can make good plan, budget and implement properly. Needless to say that Zila Parishad would be a self-reliant local self government in this process. Thus the Zila Parishad will be transformed as an effective organ of local self government.

For a financially capable and effective local self government the Zila Parishad needs some specific powers and responsibilities which are being mentioned below:

- i) Local land administration and land revenue.
- ii) Law and order and police administration.
- iii) Primary, secondary and vocational education.
- iv) Public health, Sanitation and Population.
- v) Local agriculture.
- vi) Local forestry resources.
- vii) Local livestock resources.
- viii) Local fisheries resources.
- ix) Local public works and housing.
- x) Local communication and vehicles.
- xi) Local water resources.
- xii) Medium, small and handy craft.
- xiii) Food preservation and distribution.

- xiv) Recreation.
- xv) Social security and social service.
- xvi) Relief management.

Concluding Remarks:

A self-reliant, powerful and effective local self government is essential for the empowerment of mass people. There is no fair and better system for responsible administration than that. Above all local self-government is more important for providing service and achieving capability in development functions. But the present system of local self-government in Bangladesh is under a severe control of the central government. It is hoped, however, that the ongoing process of empowering local government by the present regime will be able to bring about a significant change in its structure. Even though it is a partial success, there would be some gain in favor of local autonomous bodies. In fact a powerful Zila Parishad will enable to empower the people. In addition, this government (Zila Parishad) has an important and significant tier for maintaining good governance and necessary development initiatives. The central government and large administration generally create obstacles to the development initiatives. So, there is no other better way for proper development unless establishing a powerful Zila Parishad. In that case bureaucracy must accept all the functions and initiatives if political unity and commitment is strong enough to set up a meaningful Zila Parishad. For this reason government will have to form a Zila Parishad through a free, fair and transparent election.

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