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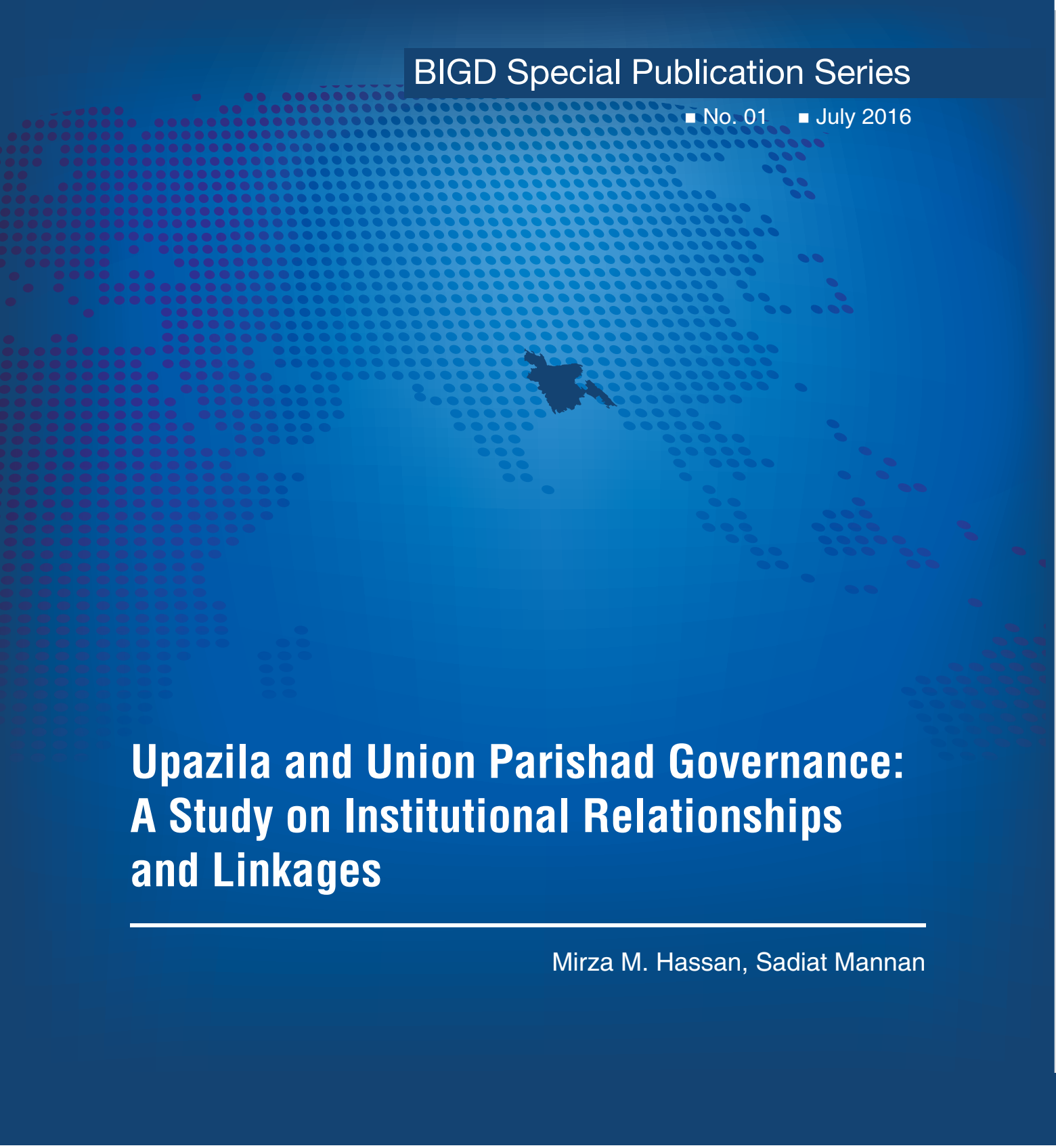

Upazila and Union Parishad Governance: A Study on Institutional Relationships and Linkages

Mirza M. Hassan, Sadiat Mannan

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By
Mirza M. Hassan, Sadiat Mannan

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Acronyms

ACR	Annual Confidential Report
ADP	Annual Development Programme
AL	Awami League
APR	Annual Performance Report
BBG	Basic Block Grant
BDT	Bangladeshi Taka
BGCC	Block Grant Coordination Committee
BIGD	BRAC Institute of Governance and Development
DC	Deputy Commissioner
FFW	Food-for-Work
GoB	Government of Bangladesh
HSI	Helvetas Swiss Intercooperation
IDI	In-depth Interview
JI	Jamaat-e-Islami Bangladesh
JP	Jatiya Party
KII	Key Informant Interview
LGD	Local Government Department
LGIs	Local Government Institutions
LGSP	Local Government Support Project
MP	Member of Parliament
NGO	Non-governmental Organization
NILG	National Institute of Local Government
PBG	Performance Block Grant
PIC	Project Implementation Committee
PIO	Project Implementation Officer
PPA	Public Procurement Act
PPR	Public Procurement Rules
PSC	Project Selection Committee
SDC	Swiss Agency for Development and Cooperation
SSC	Scheme Supervision Committee
ToR	Terms of Reference
TR	Test Relief
UNO	Upazila Nirbahi Officer
UP	Union Parishad
UZC	Upazila Parishad Chairperson
UZP	Upazila Parishad
VGD	Vulnerable Group Development
VGF	Vulnerable Group Feeding
WC	Ward Committee
ZP	Zila Parishad

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Glossary

Char	a strip of sandy land rising out of the bed of a river, or river island
Madrasa	traditional Muslim religious school/college
Muktijoddah	freedom fighter
Parishad	council
Pourashava	municipality
Samannya	coordination
Union	lowest administrative unit in the rural areas of Bangladesh
Upazila	sub-district
Ward Sabha	a ward level meeting
Ward	lowest tier of elected representation
Zila	district

Abstract

The principal objective of the research is to map and analyse the institutional linkages, both formal and informal, between Upazila Parishad (UZP) and Union Parishad (UP). Such linkages are found to be embedded in and shaped by larger contextual variables, such as national and local politics and bureaucratic culture. The study also briefly explores the nature of the mediating influence of the district administration on the ongoing relations between UZP and UP. The study shows the overwhelming authority and power (both formal and informal) of the Member of Parliament (MP) over the local government tiers that tend to deter the decentralisation process at the local government levels, particularly at the Upazila. The study also reviews the formal rules and policies and observed that these, at times, tend to prevent adequate decentralisation. When the two local government councils, the UZP and the UP, are compared, the extent of de facto devolution of power seems to have occurred significantly more at the UP level. The UZP is also found to be more vulnerable to the constraining influences of larger contextual variables (macro politics and bureaucratic culture).

Executive Summary

The principal objective of the study is to map and analyze the institutional-relational factors i.e., formal and informal linkages between Upazila Parishad (UZP) and Union Parishad (UP) as embedded in and shaped by larger contextual variables such as national and local politics and bureaucratic culture. The research aims to understand the de jure and de facto relations between UZP & UP and, although minimally, infer into the matter of any interferences of the district administration in this relationship. The research also looks at the de facto accountability relations between four major actors: Union Parishad Chairperson, local bureaucracy, Upazila Parishad Chairperson and MP. Additionally, the research explores the laws, policies and rules and the actors that tend to deter effective decentralization of power to locally elected bodies. Finally, the research adds to the understandingof the existing (de jure/de facto) balance of power within the UPs and UZPs. The main research questions put forward are:How are the linkages, both formal and informal, between Upazila and Union affected by the broader political economy factors? How national and local politics and bureaucratic culture affect the incentives, interests and power of the important actors at the Upazila level?

Currently, there are no direct linkages between the District Commissioner (DC) and Zila Parishad. The DC was the administrator at the district level until the recent appointment of district administrator. Nevertheless, the DC is member of different committees at the Zila Parishad and district level.The research finds that there exist no connections between the District Commissioner (DC) and the (local) Members of Parliament(s) (MPs),i.e. the DC is neither accountable to the MP nor is he/she required to report to the MP.However, MPs of the district and the DC are members of few Committees, related to social safety-net (Test-relief, Vulnerable Group Feeding and Food-for-Work). The study also finds that the Upazila Nirbahi Officer (UNO) is accountable to the DC regarding certain functions, and the Annual Confidential Report (ACR) of the UNO is written by the DC. Although the transferred departments being formally accountable to the UZP, there is a dual accountability since the Annual Performance Report (APR) is written by Upazila Parishad (UZP) and Annual Confidential Report (ACR) is written by respective ministries.

Formally, the UNO coordinates the departments transferred to the UZP. However, the UNO communicates any decision taken by the UZP with the central government a) if the official deems it necessary and b) if any 'abnormal' situation/issue arises in the UZP.This gives formal oversight power to the UNO over UZP. In fact, the UNO's previous formal position as 'secretary' to the UZP has been changed to 'chief executive officer' of the UZP. The above laws and rules and the formal powers of the actors tend to deter the effective decentralization of power to the elected bodies.

Strongest linkage of the transferred departments to the Union Parishad (UP)is the departments of the Project Implementation Officer (PIO) and the Upazila Engineer (UE), due to the nature of their functions. Thereby, they are most relevant for the UP. Since the UNO selects representatives from the civil society to the safety-net committees at the UP level, the UNO plays an important role in linking Upazila administration with the civil society at the UP level. This shows that engagement of part of the civil society is done through a bureaucratic process, the rationale being to ensure safeguard of neutral representation at the UP level.

Research on the de facto process of governance finds that DCs do not generally interfere in the Upazila due to MP's 'political interference/manipulation' in the business of Upazila, where UNO acts as a principal interlocutor between MP and Upazila administration.In addition, the study finds the DC as a personnel to be more involved in the technicalities of 'service delivery' as opposed to 'politics'. Consequently, he tends to have little incentives to interfere in the formal or informal transactions between the MP and the UNO. Also, the UNO observed that when a DC "gives advice" to the UNO the 'advice' becomes 'decision'. This provides insight on the hierarchical culture (of bureaucracy) where one has to remain compliant (both formally & informally) to the directives of a person that holds a superior position.Therefore, in effect, the relationship between district administration and UNO tend to be characterized by a de facto 'dual accountability' structure (to both MP and DC).

There is a tension between the generalist (UNO) and specialists (other transferred departments) in the upazila.Generally, the UNO has an overall coordinating role that gives him de facto leadership position in the system.However, due to the specificity of their jobs and control over resource the PIO and Upazila Engineer (UE) tend to enjoy greater de facto autonomy in the system compared to other officials of the transferred departments in the upazila.

The research finding indicates that bureaucrats tend to give less importance to the elected representatives (at the Upazila level), which is consistent with the dominant bureaucratic culture.The other reasons for officials bypassing the upazila parishad and their relatively greater focus at the UP level are grounded in political economy. The UP, where most of the resource allocation processes are based, provides rent-seeking opportunities to the upazila officials (particularly UE and PIO).Such marginalization of the upazila parishad is possible since the Upazila Chairperson (UZC) is largely unable to make officials accountable to him due to his lack of technical knowledge of the system. For instance, due to this lacking the UZC cannot handle the Annual Performance Report (APR) process effectively. Also, bureaucrats tend to ignore the performance appraisal process.Despite reforms for the devolution of power to the elected representatives very little substantive changes have taken place in the functioning of the administration.Consequently, the Upazila parishad continues to be a marginal entity and this makes the administration the pivot of the overall governance of upazila.

The research suggests that the balance of power among the members of the UZP (e.g. Upazila Chairperson and Vice-Chairperson, UP Chairperson) is deeply affected by local political equations.For instance, the nature of functioning of Committees and resolution writing process can be essentially an outcome of political bargaining between two actors (UZC and MP).Due to the successive changes in laws empowering MP, the political space and manoeuvring capacity of UZP has been largely constrained.

The relationship among members at the UP level tends to be collegial, indicating political settlement/equilibrium among the UP level actors.Project allocations at the end are, to a certain extent, determined by political bargaining and compromises among the elected members of the UP.The neutrality of civil society's representation in the UP level Committees (e.g. safety-net related Committees) is compromised by the interference of MP through the UNO. Finally, Standing Committees tend to be largely dysfunctional. However, Committees related to social safety-nets are relatively more functional, although their membership composition tends to deviate from their prescribed formal rules and regulations.

Based on the findings of the research, the role of the MP in the UZP should be further explored and revisions of the existing legal provisions are necessary to limit his role to a truly 'advisory' one.The formal role of the UNO vis-à-vis the UZP needs to be reconsidered to increase the autonomy and decision-making power of the UZP.To increase the autonomy of the UZP more effective accountability mechanisms between the UZP and the transferred departments need to be established, in addition to the effective implementation of the existing mechanisms, such as the APR, at the Upazila level.

Also, training is required to increase the knowledge and skills (in relation to administrative process) of the elected representatives at the upazila so they can effectively run the administration, and also make the administration accountable to them (for instance, the effective use of APR).Motivational training of the bureaucracy should also be conducted so that they appreciate the value of cooperating with the public representatives and strengthen their linkages with the UZP.The influence of the MP on the Committees at the UP level deters effective representation, and executive safeguards are compromised. Safeguards can be implemented to deter misrepresentation, and increase the overall integrity of the local government system.Governance reform (transparency, integrity, effective representation etc.) of the Committees related to projects and schemes are needed for effective implementation and monitoring.

1 Introduction

This study maps and analyses the formal as well as informal linkages between Upazila Parishad (UZP) and Union Parishad (UP). Linkages refer to administrative, financial, legal and accountability relations between the institutions. The study also explores the nature of relationships that exist between actors within each institution assuming that these relations are embedded in and shaped by larger contextual variables such as national and local politics and bureaucratic culture. The study attempts to explore the following questions:

How are the linkages, both formal and informal, between Upazila and Union affected by the broader political economy factors?

How do national and local politics and bureaucratic culture affect the incentives, interests and power of the important actors at the Upazila and Union levels of local government?

Based on the review of official documents and secondary literature and primary data, the study provides an in-depth portrayal of the de *jure*[1] and *de facto*[2] governance process at the UP and UZP levels. It also explores the laws and policies that tend to deter effective decentralization of the locally elected bodies. The analysis throughout the paper captures the relations in a dynamic way in the sense that changes in laws and policies over time have been documented as well. A major focus of the analysis of the formal structure has been the accountability relations that exist between four important actors: Union Parishad Chairperson, local bureaucracy (Upazila Nirbahi Officer or UNO and officials of transferred departments at the Upazila level), Upazila Parishad Chairperson and Member of Parliament (MP). The study also explores the capacity deficiency of elected Upazila members and its implications for accountability relations. Using a political economy approach it also explores the incentives of relevant actors at the Upazila and UP levels as well as the balance of power that exists among actors in the two institutions.

1.1. Structure of the Report

After introducing the study in this section, the following section (Section 2) provides the methodology used in the research. Section 3 provides the formal accountability structure and processes with a review of relevant secondary literature including legal documents. Section 4 provides the findings of the study to illustrate the de facto process of governance. The concluding analysis of the research and policy recommendations is provided in Section 5.

[1] Cambridge dictionary defines de jure as "having a right or existence as stated by law."
[2] Cambridge dictionary defines de facto as "existing in fact, although perhaps not intended, legal or accepted."

2 Methodology

The research has mainly utilised political economy and institutional approaches and tools. These are: a) institutional mapping of the governance structure and relationship between UZP, Upazila administration (local bureaucracy) and UP; b) stakeholder analysis of key actors, their power and incentives; and c) political mapping to show political interactions among, but not limited to, the four actors: MP, UNO, Upazila Chairperson (UZC) and UP chairperson.

Through the institutional mapping, the study intended to capture both hierarchical and multi?stakeholder (i.e. combination of vertical and horizontal relations) governance structures and processes to show the relationship between Upazila Parishad, Upazila administration and the UP. The multi? stakeholder analysis helped to analyse the inter?linked components, such as UZP, Upazila administration and the UP. The study has used stakeholder analysis to map the power, autonomy, influence and incentives of the various actors. Through political mapping the study aimed to identify the focal points of actual decision-making, the de facto accountability process and the balance of power among the important actors.

The research instruments used for this study consisted of desk review and fieldwork. Secondary data were collected through review of existing literature. Secondary sources included academic and policy literature on local governance, relevant government and legal documents and consultancy reports. The literature review provided a comprehensive and detailed mapping of the accountability relations of the local government institutions (LGIs). And as evident, the stated methodology provides sufficient insight into understanding the decentralisation process and the manner in which power is distributed among the actors and the institutions. Furthermore, the exploration of the formal setup using the official documents provides an analysis of the manner in which power is devolved to the locally elected bodies[3]. The review of the relevant laws is also necessary to understand the nature of the de facto governance, meaning that a review of the formal-legal system is required to map the deviations (from the formal) in the 'actual' governance process. The body of literature on the political economy of accountability relationships and linkages within local government tiers in Bangladesh tends to be minimal and sparse. Hence, the review also modestly contributes in filling the gaps in the relevant literature.

Field research methods included key informant interviews (KIIs) and focus group discussions (FGDs). Interviews were conducted mainly at the local level. One Upazila was selected from the Sharique Local Governance Programme[4] project area. Three Union Parishads were selected from the same Upazila for the UP level analysis.[5] The UPs were selected based on their political affiliation of the Chairperson: Awami League (AL), Bangladesh Nationalist Party (BNP) and Jamaat-e-Islami Bangladesh (JI). The UP selection was done with the aim to explore the varied nature of partisanship on the governance of UP. Interviews included civil society members,

[3] In a participatory development process devolution of power from the administrative authority to the legally elected bodies is necessary.

[4] Sharique Local Governance Programme is supported by Swiss Agency for Development and Cooperation (SDC), which is a consortium project of Helvetas Swiss Intercooperation (HSI) and BRAC Institute of Governance and Development (BIGD).

[5] We refrain from providing the names of the research sites to protect the respondents and other stakeholders as the study delves into sensitive (political) matters.

journalists, local elites, selected political leaders, and chairpersons, members and secretary of the selected UPs. At the Upazila level interviews of chairpersons, members and secretary of the Upazila Parishad and selected government officials of various departments were conducted. Three focus group discussions with both elite and poor citizens were also conducted at the research sites.

3 Formal Accountability Structure & Process

Article 59 and Article 60 of the Constitution of the People's Republic of Bangladesh (GoB) requires that every administrative unit of the "Republic" shall have a local government composed of persons elected in accordance with the law. Legally all local government institutions are autonomous statutory entities or authorities. Administratively, the local government institutions (LGIs) fall under the Local Government Division (LGD) of the Ministry of Local Government, Rural Development & Cooperatives. The units of the local government institutions are the districts (or *Zilas*), Upazilas (or sub-districts) and Unions. There is no common legal framework to govern the institutions and each unit or institutions have their own laws as "Acts". Along with the laws, rules and guidelines are provided and circulated, by the different ministries.[6] According to Ahmed (2014), such legal complexities can become cumbersome and contradictory. The rules, at times, take away the "power and authority" given by the laws (ibid: 48). Keeping such complexities in mind the section aims to provide an overview of the more prominent relationships and linkages among the three tiers of local government institutions and major actors involved in the governance process. The section is divided into three parts, with the first part (Section 3.1) contextualising the administrative arrangement at the district level to infer into the district level governance and to assess the scope of any interference of the district administration in the relationship between the Upazila Parishad (UZP) and the Union Parishad (UP); the second part (Section 3.2) commenting on the accountability process and connections of the Upazila administration and Upazila Parishad; and the final part (Section 3.3) showing the relationships within the Union Parishad. Linkages and relationships concerning the MP are also provided in each of the sections.

3.1 Administrative Arrangement (District)

The district council or Zila Parishad (ZP) is to be formed by an elected body through indirect elections. This is done through creating an electoral college with all other elected LGIs below the district level. The ZPs mainly implement schemes with Annual Development Programme (ADP) grants. It is through the district that the government distributes allocated funds, e.g. Vulnerable Group Feeding (VGF) and Test-Relief (TR) funds from the Ministry of Food and Disaster Management, to the lower tier of the government[7]. The Deputy Commissioner (DC) within the district poses as the prime actor "with hands in anything and everything" within the district (Ahmed, 2014: 53). However, the terms of reference (ToR) of the DC lists 602 specific functions under 62 broader heads that is to be discharged, depicting that all government functions are to be concentrated at the office of the Deputy Commissioner (Ahmed, 2014, GoB, 2011b).

The DC receives order from and is accountable[8] to the Divisional Commissioner[9] and has limited authority over the Upazila Parishad (UZP) (and the lower tiers). The function of the DC remains

6 Only LGD can provide guidelines to LG bodies as the administrative ministry of LGI. Other ministries are frequently issue orders which affect the LG bodies either by curtailing their power or by creating jurisdictional overlap.

7 There are provisions for keeping reserve amount of the goods (wheat in case of TR) to be allocated based on contingent needs. Upazilas are able to keep 20% of the total as reserve, and the rest goes to the Union Parishads (UPs).

8 DC is accountable to the central government through Annual Confidential Report, (ACR), by the superior, for his/her performance.

9 Divisional Commissioner is the head of the general administration at the divisional level.

purely administrative[10], and includes the coordination of development activities of the LGIs within the district. The DC is responsible for the supervision, monitoring and evaluation of the overall activities of the LGIs through the Deputy Director, Local Government. Any problems regarding the LGIs are reported to the LGD from the office of the DC (Zamil, 2012, GoB, 2011b).[11]

Although there exists no formal connections between the DC and the (local) Members of Parliament(s) (MPs), i.e. the DC is neither accountable to the MP nor is he/she required to report to the MP regarding the functioning and administration of the district, there are a few Committees the related MPs of the district and the DCs are members of. For example, in the Committees related to TR, VGF and Food-for-Work (FFW or KABIKHA) at the district level all related MPs are advisors to the Committees, which are chaired by the DC (GoB, 2013, GoB, 2012b, GoB, 2012a, GoB, 2010b, SDC, 2012). When we look vertically within the administration below the district level, the UNO, who is the chief executive officer of the UZP[12] (GoB, 2011a), provides reports to the DC regarding the activities of the UZP(GoB, 2013), which is discussed in greater detail in the next section (Section 3.2). The UNO is accountable to the DC regarding certain functions, and the Annual Confidential Report (ACR) of the UNO is written by the DC[13]. Formally, re-stating the assertion by Ahmed (2014), the fact that the DC has hand in "anything and everything" gives him/her no single authority at the district level. Consequently, political power is shared by the respective MPs within the district and administrative authority is shared by different persons and offices at the district level. DC is popularly regarded as head of district administration (*Zila Proshashak* in Bangla).

3.2 Upazila Parishad and Administration

The Upazila Parishad (UZP) must be formed by the democratically elected chairperson and a male and a female vice-chairperson, through a direct voting procedure. The Parishad must be comprised of members, which include the Union Parishad (UP) chairpersons and the mayor of the Pourashava (municipality), if any. Other members of the Parishad include one-third women from the reserved women seats at the UP and the councilors of the Pourashava, if any (Article 6 of Upazila Parishad Act, 1998: GoB, 1998). Although not a member of the UZP, the MP of the related Upazila is to play an advisory role to the Parishad (GoB, 2011a). The decision in a UZP is made through voting like in parliament. The members of the Parishad each have a voting right and decisions are to be taken formally through the voting process if consensus is not arrived at. The UZC has equal voting rights in decision-making as any other member of the UZP. Hence, the UZC is not above the UZP, but rather is accountable[14]to it. However, the UZC must set the date, time and place of the UZP meetings that must be held every month. Also, a notice regarding the date, time and place of the meeting must be sent to the Chief Executive Officer of the council or otherwise referred to as the UNO, who is to forward it to the related MP(s) and the District

[10] Currently, there are no direct administrative linkages between the DC and Zila Parishad. The DC was the Chairperson (Shobhapati) of the Zila Parishad until the recent appointment of District Administrator in 2011. Nevertheless, the DC is member of different Committees at the Zila Parishad.

[11] Budgets of UP and UZPs are sent to DC who has some other statutory supervisory authority over UP and UZP. DC chairs the District Development Coordination Meeting and many other committees such as law and order, FFW, Safety Net, District Relief and Disaster etc.

[12] Generally, the MPs are advisors to the social safety-net Committees at the district level, which decides the distribution of funds from the Ministry of Food and Disaster Management, using mathematical precision under certain criteria.

[13] Formally, the ACR of the officials at the Upazila level is to be written by their superiors of their respective departments. See Article 24(2) of UpazilaParishad Act, 1998 (GoB, 1998).

[14] Since UZP works like a parliament, UZC is accountable to the collective decision-making of the body.

Commissioner (DC). During the meeting, the UNO must provide/express his opinion whether the decisions are violating any of the laws of the country. If UNO objects to any decision of the Parishad, s/he will send this (decision) to the DC for clarification, but s/he cannot hold this decision for an infinite period. The rule says if the Local Government Division (LGD)[15] via the office of the DC does not reply within 30 days the Upazila Parishad's decision will be considered valid and lawful. Additionally, the UNO must keep a record of all decisions taken in the meetings as the official responsible for record keeping on behalf of the Parishad. The UNO will also review progress and monitor the implementation of the decisions and prepare ongoing reports of the implementation of decisions. All the proceedings of UZP meetings are to be forwarded to the local MP and the DC, giving them a de *facto* oversight power over the Upazila Parishad and its activities (ibid.). It is also worth mentioning that despite the legal precedent that decisions have to be taken through majority vote, the wording in the Upazila Parishad Act, 1998 (amended 2011) can be considered to be problematic. For instance, the law states that the UZP "will have to take the advice" or "shall accept the advice" (translated from the Act) of the MP (Article 25: GoB, 2011a), who has no voting right in the UZP.

As the UNO is involved in almost all the processes of the Upazila,[16] the official can be considered to be one of the most important actors at the Upazila level. Although the law stipulates that the UNO[17] is the chief executive officer of the Parishad, he previously held the position of the Secretary. According to the Act, as fairly evident, the UNO is vested with the duties mainly related to the implementation of decisions, maintenance of financial discipline and is the main executive officer of functions as prescribed by the rules. The UNO represents the central government as a general purpose official with oversight functions as opposed to an 'administrator'(Ahmed, 2014). Part of the responsibilities of UNO has been transferred to the Upazila Parishad, along with 16 other departments (see Appendix for the list of departments from the ministries transferred to the Upazila). According to the charter of duties of UNO (GoB, 2013), his/her responsibility is to coordinate the departments transferred to the UZP and the officials of the Parishad are to work under the supervision of the UZC. In terms of relationship between the UZP and the transferred departments, the relationship is hierarchical and the officials of the transferred departments are accountable to the UZP (Ahmed et al., 2010). For instance, the Project Implementation Officer (PIO), according to the charter of duties (GoB, 2013), is accountable to the UZC regarding Vulnerable Group Development (VGD)/Vulnerable Group Feeding (VGF) and similar programmes. Nevertheless, the UNO remains the principal staff to the UZP but the formal rules do not make him accountable to the UZP. One of the important functions of the UNO is that he is the official at the Upazila level who ensures whether the UZP is functioning according to the rules and laws (ibid.).

The charter of duties of the UNO in regard to UZP (ibid.) stipulates that the UNO is to communicate any decision taken by the Parishad with the central government if the UNO deems it necessary. Furthermore, the UNO is to inform the LGD if any 'abnormal' situation/issue arises

[15] The Local Government Division (LGD) in Bangladesh falls under the Ministry of Local Government, Rural Development and Co-operatives. The LGD deals with matters relating to local government institutions, in addition to the administration of the Local Government Engineering Department (LGED), Department of Public Health Engineering (DPHE), Water Supply and Sewerage Authorities (WASA) and National Institute of Local Government (NILG); among other functions.

[16] For instance, this means he is the Chief Executive Officer of the elected body of UZP and also coordinates the monthly meeting of different line agencies at the Upazila level in addition to sending minutes of the monthly meetings to the MP.

[17] As a member of the Bangladesh Civil Service (Administration) cadre, UNO is of the rank of Senior Assistant Secretary of the Government (Zamil, 2012).

in the UZP. The fact that, through these laws and rules, the UNO "acts as the chief central government representative", arms the executive officer with some important powers 'over' the Parishad (Ahmed et al., 2010).

The Upazila Parishad Act, 1998 (amended 2011) lists a total of 31 functions for the local government unit/institution (listed under Schedule 2, 4 and 5). However, Article 23 and Article 24 of the Act state that the government can allocate other functions from time to time. Article 29 of the Act states that 17 Committees (see Appendix for the list of Committees at the Upazila level) must be formed with the coordination of vice-chairpersons / members / women members to execute the functions of the Parishad. The vice-chairpersons of the UZP must chair the Committees and officials of the relevant transferred departments (or a government official in case there are no related functions with the Committees) must be the member-secretaries of the Committees. Prior to the formation of the UZP in 2009 with elected members, there existed Committees belonging to the Upazila administration. There are no formal provisions that require these Committees of the line departments to be dissolved. By law, such Committees can co-exist even if their functions overlap.

Even though pre-existing Committees still function, circulars and guidelines circulated by relevant ministries require the integration of the UZC into such Committees. For instance, the guideline (GoB, 2012a) circulated in 2012 by the Ministry of Food and Disaster Management regarding the Food-for-Work (FFW) programme, where allocation and distribution is based on mathematical precision using three criteria (population, area and vulnerability), requires the Committee to be chaired by UZC. Also, the relevant MP(/s) is(/are) the advisor(/s) to the Committee with relevant government officials at the Upazila level as members. Representation from civil society and the citizenry is also required, but they are to be selected by the UNO (in this particular case). The guideline circulated (GoB, 2012b) with respect to the Committee at the Upazila level regarding Test-Relief (TR) funds requires the inclusion of similar representatives and personnel. However, the most recent circular (GoB, 2010c) regarding VGF Committee formation at the Upazila level, although following similar inclusion rules, requires the representation from the civil society/citizenry to be selected by the DC. The PIO in all these Committees are considered to be member-secretaries. It should be noted that inclusion of the UZC is not limited to these three Committees and the UZC is required to be included into other pre-existing Committees of the Upazila administration, e.g. Upazila disaster management Committee. There also exist other Committees, e.g. Upazila Committee for old age allowance, where the UZC or representatives from the Upazila Parishad have not been integrated[18] (GoB, 2013, SDC, 2012).

As previously mentioned, the UZP has over 31 functions (subject to delegation of more functions by the central government), but Ahmed (2014) states that, similar to the district council, the de jure functions are limited to the implementation of few schemes[19] with the ADP block grant from the central government. According to the Upazila Parishad development fund use guidelines (GoB, 2014), in case of the inter-Union (/between Union) projects, the projects should be prepared by the Upazila Engineer (UE) or the concerned departments at the Upazila level. The

[18] UP chairpersons are members of the old age allowance committee at the Upazila level where the three local elites / respected members of the society are selected with consultation from the UNO and concerned MP. This depicts greater inclusiveness of the UP when compared to the Upazila in certain cases.

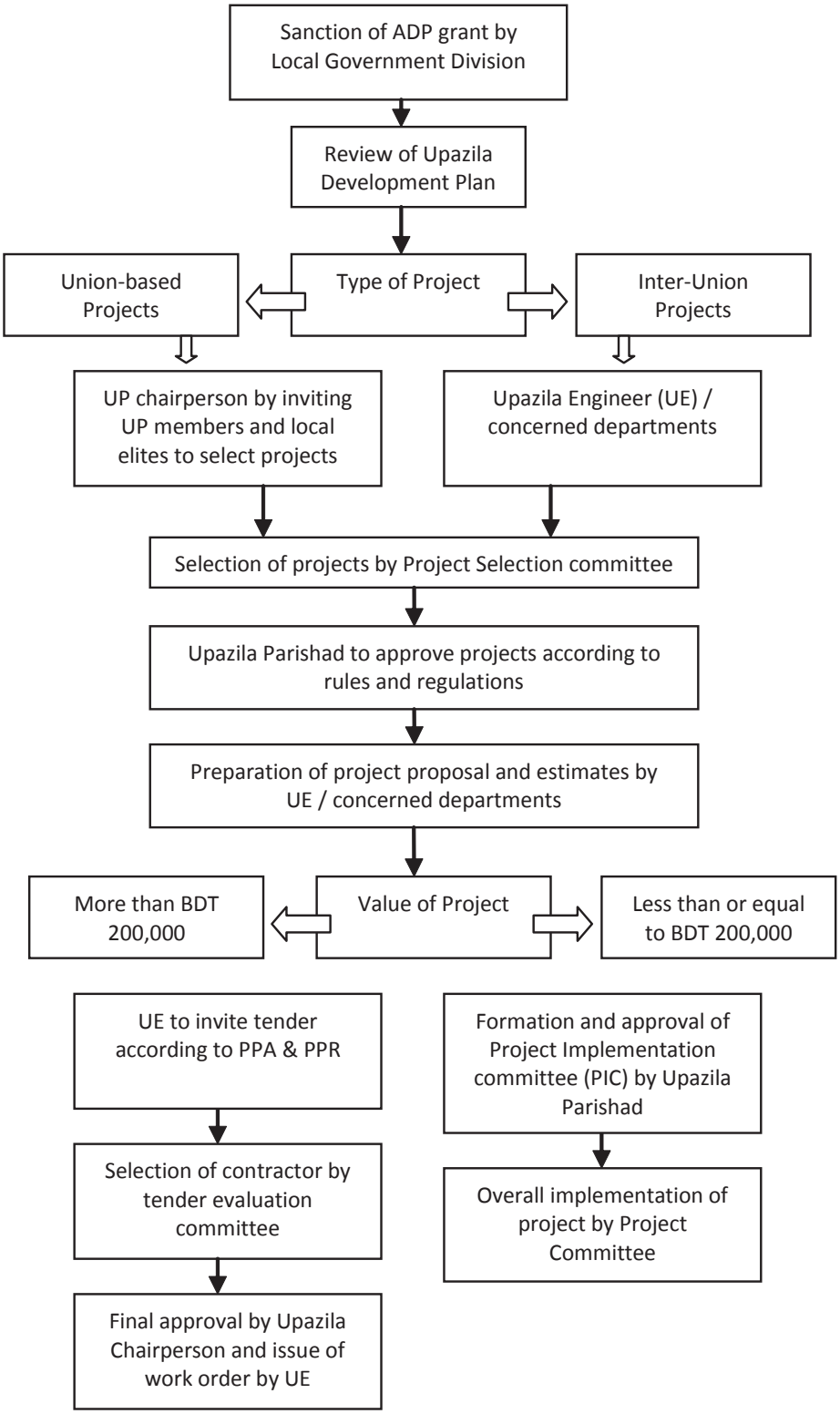
[19] See Appendix for the directives of sector-wise allocation of the ADP grants. Such formal precision in allocation can limit decision-making of the UZP regarding fund use.

intra-Union or Union-based projects should be prepared by the concerned UP chairpersons by inviting the members of the UP and the local elites. Then projects will be placed to a thirteen member Project Selection Committee (PSC), where the UZC will be the convener, the UNO, other transferred department officials are the members and related upazila female members along with the UP Chairperson and the UE is the member-secretary of the Committee. The PSC should select the projects that are to be implemented and present it to the Parishad meeting forapproval. After the selection of the project, the project proposals and estimate should be prepared by the UE / other concerned departments according to the fund use guidelines of the GoB at the Upazila level (ibid).

The implementation authority of the project is determined by the total value of the project. If the total value of the project exceeds BDT 200,000, a Committee must be formed for the invitation of the tender. The UNO is the convener of the tender evaluation Committee and the UE is the member-secretary. In the selection of the contractor, provisions of the Public Procurement Act, 2006 (PPA) and the Public Procurement Rules, 2008 (PPR) should be followed. The UE is responsible for the proper implementation of the project and is accountable to the UZP. In case of any shortcomings in the implementation of the project, if the problem is beyond the control of the engineer, the UZP will act according to the rules and laws in addressing it. On the other hand, if the total value of the project is up to BDT 200,000, the project must be implemented by a Project Committee. The total number of members of a Committee should be limited to 7-9 persons. The Project Implementation Committee (PIC) must be chaired by an elected representative and the members can include vice-chairpersons of the UZP, UP chairpersons, concerned female members of the reserved seats, members of concerned wards, officials of the concerned departments, school teachers, social workers and other local elite and important persons of the society. However, someone cannot be the chairperson of two PICs at the same time. According to the rules (GoB, 2013), all project Committees are accountable to the UZP (financially and concerning implementation of the projects) and the Parishad must act according to the rules to ensure accountability.[20] The Upazila guidelines restrict the total number of these projects under 16 for a fiscal year. The following schematic (Figure 2) shows the processes through which projects are selected and implemented 'within' and 'between' Unions at the Upazila level (GoB, 2014, GoB, 2013).

[20] The UZP can form project-related and project implementation committees regarding any project that includes elected representatives, government officials and non-governmental persons who are to be responsible for the implementation and monitoring of the concerned projects through coordinating with others. Such committees are also accountable to the UZP.

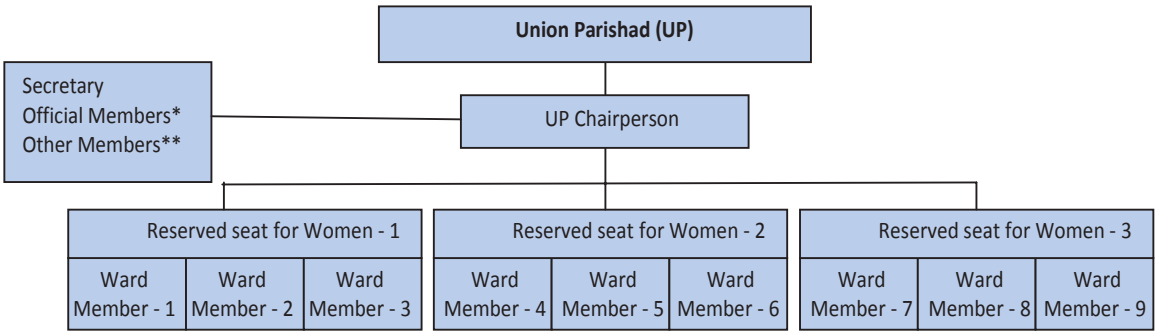
Figure 1: ADP Project Selection and Implementation Process



Source:GoB (2013),GoB (2010a),GoB (2014) based on Zamil (2012)

3.3 Union Parishad

The Union Parishad or UP constitutes of people's representatives through direct voting. Under each Union there are nine wards. Nine members are elected from each ward and one seat is reserved for women for each of the three wards. There is an elected chairperson in the UP from the nine wards under the Union (GoB, 2009). There is a secretary to the UP appointed by the government. The following diagram (Figure 2) shows the formal arrangement of the UP (which is relevant to the study).



* For the identity of the members, see Appendix 6
** For the identity of the members, see Appendix 6

Source: *Ahmed (2012), Khan (2008), GoB (2009)*

According to the Local Government (Union Parishad) Act, 2009, every ward must hold at least two ward-level open meetings. A ward shobha shall consist of the persons enlisted in the voter list of the respective ward. The meeting has a quorum of 5% (one-twentieth) of the voters of the ward. The legal provisions state that the UP chairperson must ensure the ward-level open meeting, the meeting must be chaired by the concerned ward member and the member with the reserved seat must act as an advisor to the meeting. This is where the constituency of the ward put forward their grievances and demands. Some of the ward shobha's functions include prioritizing the demands of the citizens that need to be actualized into schemes/projects in their areas and creating lists of beneficiaries concerning welfare-related programmes. For instance, the rules (see SDC, 2012: Compendium of Guidelines and Circulars) specify forming Committees at the ward level for old age welfare allowance where the concerned ward member is the chairperson and the woman member (whose seat is reserved) is the advisor to the Committee. There are ward level Committees such as the Ward Committee (WC)[21]. The WC helps in the preparation of the projects/schemes concerning the LGSP II (Local Government Support Project II)[22].

Formally, the UP has a total of 110 functions listed (Ahmed, 2014, GoB, 2009). Similar to the UZP, the law requires the formation of thirteen Committees at the UP level (see Appendix for the list of Committees). The Committees must be chaired by UP members and one-third of such seats

[21] Formation of Ward Committee is mentioned in the Union Parishad Operational Manual and not necessarily according to the Local Government (Union Parishad) Act, 2009. The manual stipulates that the total number of WC members is to be seven (07) (with two UP members and representatives from the civil society having a total of two female members in the committee).

[22] All UPs are eligible to receive funds from the LGSP-II project. There are two types of 'grants' under the LGSP-II project. BBG (Basic Block Grant) is provided to all UPs and Performance Block Grant (PBG) is only received by selected UPs based on their performance under mentioned criteria in the Union Parishad Operational Manual.

are reserved for women. The law (GoB, 2009) stipulates that the UP chairperson can only chair the law and order Committee. At the same time, there are several other Committees at the UP level that are prescribed by rules and guidelines. Some of them include the Scheme Supervision Committee (SSC) for the projects under LGSP-II and other Committees for the Test-Relief (TR), Food-for-Work (FFW), Vulnerable Group Feeding (VGF) and other similar (social safety-net) programmes (GoB, 2012c).

The SSC is formed by members of the citizenry (with a total number of seven (07) members and the Committee must be formed during the ward shobha meeting in front of the voters and a representative of the UP. The Committee members are to select a Committee chairperson and member-secretary, and no WC members can be members of the SSC. The function of the SSC is supervisory and they monitor the implementation of the LGSP-II schemes (along with giving advice to the WC in the implementation of the project). If any problem/issue arises they must inform the UP, and if no actions are taken they must then inform the Upazila-level LGSP-II Committee(s)[23] (GoB, 2012c). Regarding TR, FFW and VGF Committees formed at the UP level (GoB, 2010b, GoB, 2012b, GoB, 2012a, GoB, 2012c), generally the UP chairperson chairs the Committees, who are in charge of finalizing the beneficiary list at the Union level; with the UP members as members of the Committees, UP secretary as member-secretary, other relevant government officials and local elites/important members of the society/women, who are appointed by the UNO. Implementation of development-related projects, e.g. for TR and FFW, require the formation of a PIC[24]. Also, approval of the UP chairperson at the Union level is obligatory in the process of approval of projects and programmes.

As evident, the relationship between the UP and the UZP is not hierarchical but rather collegial where the UP chairpersons have a membership to the UZP (elucidated by the equal voting rights of the UP chairpersons as the UZC). The UZP channels government funds under clear-cut directions and rules, limiting their control and decision-making over the Union Parishad. The UP budget, which must be prepared by an open budget meeting, is not approved by the Upazila Parishad according to law (Ahmed et al., 2010, GoB, 2009). The UP submits a budget to the UNO and the UNO forwards it to the office of the DC (i.e. the DC is informed about the UP budget). Also, the administrative reports are sent to the office of the DC through the UNO (GoB, 2009). In terms of political jurisdiction, the constituencies of the MP, UZC and the UP chairpersons can and does overlap, and vested political interests and interests within their constituencies can coincide. The formal rules can create and exacerbate asymmetric power-relationships between the tiers of the government and the relevant actors. The provided outline of the de jure linkages and relationships portray some of these gaps. For instance, providing reports regarding the 'ins and

[21] Formation of Ward Committee is mentioned in the Union Parishad Operational Manual and not necessarily according to the Local Government (Union Parishad) Act, 2009. The manual stipulates that the total number of WC members is to be seven (07) (with two UP members and representatives from the civil society having a total of two female members in the committee).

[22] All UPs are eligible to receive funds from the LGSP-II project. There are two types of 'grants' under the LGSP-II project. BBG (Basic Block Grant) is provided to all UPs and Performance Block Grant (PBG) is only received by selected UPs based on their performance under mentioned criteria in the Union Parishad Operational Manual.

[23] Block Grant Coordination committee (BGCC) is a committee at the Upazila level under the LGSP-II project whose members mainly comprise of the Upazila administration officials (UNO as the chairperson and UE as the member-secretary), as well as some members of the civil society (private sector).

[24] PIC formation and memberselectionis subject to type of (programme and) project allocations and circulated guidelines. For instance, there are special allocations reserved for the MPs and the UNO is required to form PICs on behalf of the MP (for special TR allocations) at the Union level (GoB, 2012; SDC, 2012).

outs' of the Upazila Parishad to the Member of Parliament and the Deputy Commissioner(DC) by the UNO, being at the centre and the focal point of local government, can, de facto, create accountability issues among the institutions, and also create ambivalence within the UNO regarding 'loyalty'. The following section will analytically provide the findings of the field-study and look at such relationships that can and does pose to be problematic within the political economy of the local government institutions.

4 De Facto Process of Governance

This section analytically describes the de facto governance process and is divided into four parts. Section 4.1 comments on the administrative arrangement of the Upazila taking the UNO and transferred departments into account with inferences made on the role of the DC. Relationship with the bureaucrats and the MP are briefly covered in this section. Section 4.2 introduces the Upazila Parishad, particularly the Upazila Chairperson and Vice-Chairperson, and shows the relationships of the Parishad with the administration at the Upazila level. Section 4.3 provides a detailed account of the role of the MP vis-à-vis the Upazila, taking the Upazila Parishad, its members and the administration into account. Finally, Section 4.4 shows the linkages at the Union Parishad level along with linkages of the UP with the Upazila Parishad and the lower level bureaucrats.

4.1 Administration, Upazila and Transferred Departments

As discussed earlier in Section 3.2, the ADP funds come directly to the Upazila Parishad[25]. However, the allocations of the distribution of the funds related to social safety-net programmes are done at the district level. As stated in the previous section, the relevant MPs are advisors to the Committees (social safety-net Committees), at the district and Upazila levels that decide the allocation and distribution. These Committees are chaired by the DC in the district. The allocations are decided at the district level and are generally based on size and population of the Union, and also vulnerability of the local community. The Upazila administration follows the decision taken at the district level where, i.e. at that level, another study (Blumenthal and Elamon, 2013) has indicated that the MP is able to influence the DC. This leaves very little scope for the DC to further interfere in the allocation procedure/process at the Upazila level, having coordinated and sanctioned distribution already at the district level.

Our discussion with the UNO reveals that UNOs tend to consider themselves as the representative of the central government and work under the purview of the law as specified by the "central government". However, the DC fills the ACR of the UNO, which is then sent to the central government providing the DC with formal accountability over the UNO. The UNO also observed that when a DC "gives advice" to the UNO the 'advice' becomes 'decision'.[26] This provides insight into the hierarchical culture (of bureaucracy) where one has to remain fully compliant to the directives of a person that holds a superior position. Discussions with the officials also show that bureaucrats tend to give less importance to the elected representatives at the Upazila level. Historically, the tension between the two groups was evident during the emergence of the Upazila Parishad (UZP) in the 1980s (Ahmed, 2012, Blair, 2010, Siddiqui, 2005). The following incident tends to illustrate the attitude of the bureaucrats towards the elected representatives of the UZP. Discussions with officials (Upazila level) also disclose that in one occasion when the UZP vice-chairperson went to introduce himself to the DC during one of the very few times he visited the Upazila, the DC ignored the Vice-Chairperson and remained preoccupied in "grilling" (regarding formal rules) a UP Chairperson, who was present in the UZP

[25] The projects as mentioned in the 'formal' section are implemented at the Union level (including both inter-Union and intra-Union projects. See Figure 2.

[26] This comment had been made in comparison to the role of MP at the Upazila level, which is to be covered in greater detail in the following discussions.

during that time. However, the example perhaps also indicates the lack of importance of the Upazila Vice-Chairperson in the Upazila level governance. In such assertions, there may remain a certain degree of 'doubt' for generalization. Nonetheless, the lack of importance of the Upazila vice-chairpersons has been found to be an issue during the study. Additionally, (Blumenthal and Elamon, 2013)has made claims of the DC being able to influence project proposals and selection at the UP level, and thus is more closely related to the UP personnel than Upazila representatives, if not marginalizing them.

As mentioned earlier, there are a total of seventeen (17) departments, including part of the functions of the UNO, transferred to the Upazila Parishad. As stipulated and with the risk of repetition, the UNO is the principal or Chief Executive Officer to the UZP who is in charge of executing the decisions taken by the UZP. The UNO reports regularly to the DC and the MP regarding the works related decisions of the UZP. The UNO, who was interviewed, had suggested that his relationship/linkage with the UZP is that he "monitors" the UZP and gives them advice. The UNO had previously held the position of secretary to the UZP before the last amendment of the Upazila Parishad Act in 2011. However, the UNO has confirmed that the (re)-introduction of the UZP in 2009 has not brought about substantial changes in the administration of the Upazila. The change in the position of the UNO from the secretary to the principal executive officer gives greater formal power that essentially reflects the prevailing de facto role of the UNO. Also discussions with other officials pointed to the fact that the Upazila administration functions in the same manner as it used to prior to the introduction of the UZP, and this is equally true for the transferred departments.

The above discussion implies that although the departments have been transferred to the UZP which must be accountable to it, the absence of any formal accountability mechanisms linking UZP and the transferred officials and the existing directives that empower UNO to coordinate the departments, make him the de facto head of the Upazila administration. The advice that UNO provides to the UZP is of legal and procedural nature. The rules, guidelines and laws are lengthy and complex and some local government representatives acknowledged that they lack adequate knowledge and understanding of the complex laws which oblige them to seek assistance from the UNO. Also, the UZP is largely dependent on the ADP funds[27], and strict guidelines make the use and disbursement of funds a matter of following bureaucratic process rather than asserting independent judgment and engaging in autonomous decision-making. Such conditions tend to provide de facto additional authority to the UNO to execute the functions of the Upazila through the administration.

Historically, tensions have been found to exist among the bureaucratic cadres. Such cadres are broadly categorized as generalists and specialists (technocrats and professionals). These two groups have been in prolonged conflict in the past with the latter refusing the leadership of the former (Zafarullah and Khan, 2001, Ahmed et al., 2010, Jahan, 2006). In the Upazila setting, it is common to find the specialists (Upazila Engineer or UE, Project Implementation Officer or PIO, Upazila Agriculture Officer or UAO and other transferred officials) to have served their positions longer in the local government tier than the generalist (UNO) who usually takes on the administrative and leadership role. Such evidence was found in the Upazila case, and the UE had expressed his discontent towards having to 'serve' a 'younger' bureaucrat, whom he claimed

[27] See Section 3.2 for discussion on the dependence of UZP on ADP funds.

could be as old as his son. The UE and the PIO can be regarded as the most important technocrats in the Upazila. This is due to the nature of their formal roles where the PIO are in charge of the projects under the social safety-net programmes and the involvement of the UE in the ADP projects is essential in the important stages of the project implementation. In other words, these two specialists are involved in the areas of funding, budget and project implementation. However, coordination between the officials remains integral for the proper functioning of the Upazila, despite the tensions between the two groups of bureaucrats. One may assume that the UNO has some incentives to maintain a balanced relationship with these two officials due to the involvement and nature of the duties and functions of the two specialists.

The discussion so far has remained within the administration illustrating the hierarchical nature of the relevant structures. But our research indicates that the relevant Member of Parliament is one of the most important actors, who is also closely involved in the governance process of the local government institutions. The resources (safety-net related) are allocated and distributed to the lower tier with 'coordination'[28] and consensus between the administrative and political actors where MP plays a critical and powerful role. MP's role and influence, both de jure and de facto, clearly reveals that some important activities (especially the resource allocation related functions) of the Parishad are embroiled in national and local politics. Our case study reveals that the DC does not interfere into the politics (there are no findings of interferences of the DC at the Upazila or UP level in our study). The DC has been termed as a personnel to be more involved in the technicalities of 'service delivery' as opposed to politics, albeit indications of being politically motivated at times as asserted by another study (Blumenthal and Elamon, 2013). S/he tends to have marginal incentives to interfere in the formal or informal transactions between the MP and the UNO.

As mentioned earlier, the study also noted the tensions within the Upazila administration between the generalist and the specialist cadres. The study has observed a certain degree of dominance of two technocrats as well as their discontent over the leadership of the principal executive officer of the Upazila Parishad (i.e. the UNO). The specialist bureaucrats observed that they may not like it but the fact remains that the UNO is the de facto 'boss' at the Upazila level[29]. In addition, the UNO being the de facto representative of the local MP may also have contributed to the increased authority of the generalist. It should be noted that the political influence may not only be forced upon the bureaucrats and they may have incentives to be loyal to political representatives, leaders and parties (cf. Zafarullah and Khan, 2001, Jahan and Shahan, 2008, Jahan, 2006, Stanislawski et al., 2013), as exemplified by the following quote of an Upazila administrative officer who is appointed relatively recently:

"UNO is very careful and afraid of the MP. He tries to act as he is told by the MP. I, personally, lean towards the incumbent ruling party. But to tell you the truth I have no problem. I am not afraid of anyone.. The Minister has recommended for my current position".

[28] The word coordination, translated from the Bangla word Samannya, is heavily used in the legal documents. Respondents (at the Upazila and Union level) have repeatedly used the word when addressing situations where local elected representatives and other relevant personnel had to work with persons having asymmetric power relations, e.g. MP, UNO representatives in committees at the UP level. This word has also been used by local bureaucrats and elected representatives of the Upazila Parishad in relation to working with each other. The following section will provide an analysis of the relationships and linkages between the UZP and the administration at the Upazila level.

[29] It may not be out of context to state that the interviewed official had been a long serving bureaucrat at the Upazila level who had been 'eagerly' awaiting a promotion where he would not have to serve the UNO any longer.

The discussions in the following sections will illustrate how the local MP and politics in general influence the local government tiers. At the Upazila level the UNO becomes the central figure in facilitating the patronage distribution of the local MP. Bureaucrats, as have already been mentioned, are very well informed about the complex legal web and administrative procedures and regulations. Such specialty of the bureaucracy tends to make it attractive to the interfering politicians who would like to develop a closer relationship with it. The following analysis will demonstrate that the de facto relationships between administration and the UZP (including the MP), manifests major deviations from the accountability process as prescribed by law.

4.2 Upazila Administration and Parishad

Most of our respondents, including government officials, Union Parishad (UP) representatives and informed members of the citizenry, have confirmed that the Upazila has been running as it used to prior to the introduction of the Upazila Parishad (UZP). What has changed is that only the UZC has been provided with 'some' signatory authority and there are linkages with the chairperson and the officials of the transferred departments, although such linkages have remained very weak. In fact, only the UNO has some linkages with the UZC in relation to the signatory authority of the latter.

The transferred departments hardly have any incentive to provide authority to the UZP. Given the tension between elected representatives and bureaucrats at the Upazila level, as discussed previously, the transferred departments have greater incentive to bypass the Upazila and focus at the field-level, which is the UP. The Upazila Engineer (UE) and the Project Implementation Officer (PIO) have the most duties in relation to the implementation of funds received by the Upazila[30]. In-depth interviews at two UPs, where one chairperson belongs to the ruling party (AL) and the other to the opposition (BNP) have shown that the specialists take advantage of their functional authority and signatory power to seek (informal) rent[31] from the UPs. For UP chairpersons, it is usually very difficult and at times impossible to receive project estimates from the office of the UE, which is required prior to the implementation of ADP projects[32], without paying informal payment to the relevant Upazila official(s). The interviewed Assistant Commissioner (Land) has also confirmed the proclivities of the Project Implementation Officer (PIO) to seek rent in the implementation of projects. Another study by Hassan (2014) on the governance of Upazila administration in Bangladesh[33] has found that in an Upazila the UP chairpersons need to pay an amount of 2,000 BDT to the PIO for each ton of wheat.

Discussions with the key informants also indicate that the Upazila administration (transferred departments particularly) is generally reluctant to be linked with the UZP, which means to be accountable to it especially through the Annual Performance Report (APR), which is to be written by the UZC. Many of our key informants, including Upazila officials, have observed that the Committees at the Upazila tend to be non-functional/inactive. One official confessed that despite receiving requests from the representatives to attend meetings he has refused to and/or has

[30] The activities of the former are predominantly related to the utilisation and implementation of the ADP funds of the Upazila, the functions of the latter is related to the social safety-net funds/projects implemented at the Union level that come from the various ministries.
[31] Rent can be loosely defined as 'extra' income, and can indicate bribery.
[32] See the flowchart in Figure 2 for the project proposal and estimate stage from ADP funds.
[33] The study on the governance of Upazila administration in Bangladesh by Hassan (2014) is commissioned by CARE Bangladesh, and is at the first draft stage.

been delaying attending such meetings. He believes that the previous 'administrative' Committees are sufficient for the Upazila to function properly and also that attending such meeting hampers their efficiency and takes up time from their busy schedule. Similarly, the PIO, who is the member-secretary to the social safety-net Committees at the Upazila level, refused to attend the (safety-net Committee) meetings as these Committees are presided by the UZC. However, the PIO stated that he should be in charge of the safety-net projects as prescribed by the formal rules, for instance GoB (2013)[34]. Such non-cooperation tends to generally characterize the relations between the UZP members and officials of the Upazila administration. In addition, the officials use their specialized knowledge of formal rules and regulations to take advantage and marginalise the UZP.

One of the major consequences of such non-cooperative relations is that it is difficult to hold meetings where the elected representatives of the Upazila are included, and also that Committee meetings rarely take place. As observed by one of the Vice-chairpersons, only one meeting took place in our studied Upazila since s/he assumed the position after the elections in early 2014. Given the non-cooperation, the elected representatives tend to rely on informal linkages to maintain relationship with the officials. As the Vice-Chairperson observed, in order to gain more influence at the Upazila level the Chairperson is trying to establish informal relationship(/s)[35] with the administration, especially with the UNO and also with MP.

Finally, the only linkage that exists between UZP and transferred departments is the Annual Performance Report (APR), which is supposed to be written by the UZP Chairperson. However, observation shows that such linkage continues to remain dysfunctional since the UZP Chairperson hardly fills the APR. This is mainly due to the reluctance of the officials of the transferred departments who in general are very disinclined to establish their formal accountability to the Chairperson. The study by Hassan (2014) has also shown that UZP members also lack relevant technical skills and knowledge to prepare the APR. The UZCs are not seriously pursued by GOB to send the APRs.

4.3 The Role of MP vis-à-vis Upazila

The study has noted the increasing influence of the MP over the Upazila administration (cf. Hassan, 2014, Ahmed et al., 2010). Not following the directives of the MP (whether formal or informal) can have serious negative implications for the UNO and other officials. This finding of the research largely corroborates the findings of another study by Hassan (Hassan, 2014) on Upazila administration mentioned in the previous section (Section 4.2), where it has been observed that consequences for not following the order of the MP can range from misinformation campaigns against the official to forced transfers of the officials to remote areas. Whereas forced transfers may have been a common practice, campaigning against labelling any personnel as 'anti-liberation sympathizer' or supporter of the 'Islamist' party Jamaat-e-Islami (JI) have been a relatively recent phenomenon brought about by the current political dynamics in Bangladesh. The following case (Box 1), told in a focus group discussion (FGD) of social elites and informed citizenry at an UP[36], illustrates the argument:

[34] This is in addition to neglecting the formal requirement to attend the safety-net committee meetings.
[35] Informal relationships can mean building of good personal rapport and other 'informal' personal relationships.
[36] The chairperson of this UP belongs to the party Jamaat-e-Islami Bangladesh or JI.

Box 1: Influence of MP over Upazila Administration

The power of the MP over a government official in this Upazila can be understood from an incident with the forest officer. There was a char [floodplains or river islands] on the river. A disagreement between the local Awami League [ruling party] leader and the people from the surrounding areas had occurred regarding gaining control over the char land. The Awami League leaders and workers convinced the MP that members of BNP and Jamaat are enjoying the fruits of the land. The TNO [referring to the UNO] made an announcement that all the crops of the char land are to be stocked. The char was under the jurisdiction of the forest division [referring to the transferred department of the Forester]. The forest officer became an obstacle for the Awami Leaguers who did not allow them to occupy (or gain control of) the land. After finding this out, the MP directed the officer to leave the premises. He said, "If you don't leave from here I will not transfer you, I will also take some other actions." This is how the MP maintains his domination over the government officials.

The local MP had stated publicly during the official ceremony of the current UZC when he assumed the position that the Upazila belonged to the administration and the Upazila Parishad (UZP) was redundant. The high influence of MP in the Upazila can be gauged from the fact that dates of UZP meetings are set by carefully accommodating the schedule of the MP, while the law dictates that dates for meeting will have to be set through coordination between UZC and UNO.

In our studied Upazila, we noticed that the local MP closely monitored the Upazila administration. He attended almost all meetings of the Parishad. The following incident (Box 2) related to us by the former Upazila Chairperson provides a glimpse of the excessive interference by the MP in the Upazila governance and the power relations between the MP and other elected representatives of the Upazila.

Box 2: The Salience of Informalities in Upazila

TR was allocated to the Upazila, which was to be distributed within seven days. Despite tryingTR was allocated to the Upazila, which was to be distributed within seven days. Despite trying a number of times, I couldn't reach MP Sir. Later, I spoke to the UNO who discussed the matter with the PIO. I called a meeting with both of them and we developed a resolution with reference to the MP's consent to distribute the allocation accordingly. I ended up sanctioning the allocation. Two days after the sanction I had a party assembly to attend to at zero point in Dhaka. At that point, the PIO phoned me and requested me to stay back in Rajshahi. Meanwhile, the MP yelled at the PIO saying, "How dare you do this [allocation]?" The PIO said, "I didn't do it on my own; I did it in compliance with your will and demands. We developed the resolution in accordance with your advisory comments, Sir. However, you weren't able to comment on the resolution in person." MP then said, "Take a letter from me." The content of the letter was more or less like this, "Since the Chairman has not consulted with the 'Advisor' to the Upazila Parishad, the distribution of this allocation of wheat has been postponed." But only two days were left before which the allocation must be distributed, otherwise it would be returned to the District and the Upazila would not receive the allocation. I went to Rajshahi, stayed in a house, and called

the PIO to come over. The MP compelled the PIO to take that letter containing directions to postpone the distribution and sent him to me. He came with that letter and said, "It seemed that MP Sir would lock me up in the toilet, if I refused to bring this letter to you." Having received that, I, too, wrote a letter to the MP, even though the PIO refused to take that. So, I personally sent the letter to the MP's office having the letter received by the PS [personal secretary to the Member of Parliament] and left Rajshahi for Dhaka. What I referred in the letter is that everything has been managed as per the verbal order of the MP. And, also, only two days remained before the distribution. Having failed to do so within this time period would result in cancellation of the allocation.

Subsequently, the MP summoned me through the Upazila Vice-Chairman. I was directed via the PIO that the letter I wrote needs to be revised in many aspects. I was told to change certain lines. But I didn't agree and said I know what I wrote. If I do anything wrong, I will be accountable for that. The PIO left me and returned during the night requesting to write another letter addressing the MP at the top of the page [instead of the bottom, which the respondent/interviewee showed us with hand gestures]. I prepared the letter changing a word or two as directed by the MP but retained the same content, addressing the MP at the top of the page and took the signature of the Vice-Chairman. I got the letter received. I told the PIO that I am the Chairperson of this Committee, so don't do anything beyond my opinion.

When I went to Dhaka, there was a program of the Prime Minister. The MP had someone call me again. I said that if I could be able to spare some time after attending the Prime Minister's invitation, then I would go. "The MP is not greater than the Prime Minister," I said. I phoned the Vice-Chairman who was staying at the MP hostel. I asked him where the MP was. The Vice-Chairman told me to ring the MP. I rang a couple of times but the MP didn't pick up the phone. At that point, the PIO phoned the MP and the MP told the PIO to take me to him. A UP chairman and some other fellows were with me at that time. I thought they shouldn't be going with me as I feared that the situation may escalate to something extremely undesirable. . So I went there alone and found that the Upazila Awami League's president and my Vice-Chairman were already present there. I was served with fruits [refreshments] and the MP said, "Anowar [fictitious name of the UZP ex-chairperson provided due to the sensitive nature of the material] bhai, it's your say." "I don't have anything to say," I replied. "You tell me what you called me here for? What I have to say I said them all in the letter," I further replied. Then he asked me, "Why didn't you communicate with me?" I replied, "How could I? Besides I was not supposed to communicate with you. I don't have any intention to earn something illegally so I do not need to keep ongoing relations with you and it is not possible for me to get involved in any wrongdoings. Moreover, if you don't receive the telephone, how could I communicate with you? My UNO communicated with you, didn't he? So distribution has been carried out as the way you said." Then the MP said, "Why don't you behave well with the Vice-Chairman?" I then turned to the Vice-Chairman and asked him directly, "Do I not behave well with you?" "No, no, no, that's not right, you behave fine," he replied. MP once again said, "You don't treat Ameer [fictitious name of serving Upazila AL President provided due to the sensitive nature of the material] bhai well." I, then, asked Ameer bhai, "Don't you have good relations with me? Don't you do your work at the Upazila office on my table?

MP told me that you don't invite him. Why should I invite?" I asked. "When I eat, I ask Ameer bhai to eat with me. But I don't invite anyone formally. Even, I haven't invited you [MP] formally so far," I continued. Then the MP called his PS and told him that he would go to Nepal the next day. Then the MP finally had his PS write a letter to the effect of releasing the postponed allocation of wheat, but without any reference to my letter. I have many stories like this with the MP.

The case illustrates the level of difficulty an MP can exert on the UZC as well as on the bureaucracy. As evident, the allocation was made under the directives of the MP and the personnel had not been able to confirm it with the MP in person due to unavailability. Nevertheless, the MP blocked the distribution as a symbolic gesture of 'showing off' his power. It also illustrates that the Upazila bureaucrats have to act in accordance to the 'whim' of the MP.

Another case (verbatim account of a former UZC in Box 3) reveals the prevalent informality in the resolution drafting process of the UZP meetings and how formal rules in relation to Committee formation are ignored by the officials:

Box 3: How Formal Rules are Overridden in Committees

According to the Upazila Committee's decision, a member in the Agriculture Committee needed to be co-opted and a relevant resolution needed to be passed in the Upazila meeting. An Awami League party member named Salam [fictitious name due to the sensitivity of the material] was given membership to the Committee. Salam's name was suggested on each and every Committee where the MP can assign a representative. I told the MP, "This arbitrary involvement of Salam will give you a bad name. People will have a bad perception of you and doubt your integrity. In your Upazila there are 9 Unions and 2 Municipalities. Don't you have any person other than Salam who you can make a member of the Committee?" Besides, he himself is not a farmer; he is a lecturer at a college. So he is not supposed to be included on the Committee. In the face of my disagreement, Salam came to me and said, "The UNO has recommended my name to be enlisted on the Agriculture Committee." I asked, "Who is UNO? Is he above the law? I can never do this."

The previous day I asked the MP if he would come to the meeting of a program. "No, I won't," he replied. "I will go to a char, you hold the meeting," he instructed. In the meantime, Salam lobbied with the MP to get him into the Committee. On the other side, the UNO phoned me to inform that MP will join the meeting. I said, "Good, let him come." The meeting was held and some issues out the meeting agenda were discussed. Our female Vice-Chairman said that we did not receive anything, not even a towel, newspapers and so on. Some rough talks were spoken around these issues. At that point, the MP was about to leave the meeting. The UNO stopped the MP and said, "The chairman does not want to include Salam in the Committee." I thought at that time that I could not be able to deny MP's will as he is present here in person. Chairmen of the UPs were also there. I asked them if Salam should be included on the Committee, but they did not reply. As they kept silent, the MP pointed at me and wanted to force me to include Salam in the Committee. I insisted that I would not agree to his inclusion and the MP left the council

angry. I drafted the resolution of the meeting and Salam was not finally incorporated in the Committee.

However, a resolution with the name of Salam included in the Committee was later written by the UNO on behalf of the MP. I wrote the resolution yet again striking his [Salam's] name off and sent it back. UNO had the MP listen to the new resolution over the phone. Later, the MP asked me over the telephone whether I had written the resolution. I answered with an affirmative and reminded him that the resolution was due a month back. Exchanges went on when the council members opted to remain silent, not taking anyone's side. Despite the formal procedure the MP had included Salam in other Committees.

The above case highlights the Upazila bureaucrat's disregard of formal provisions on the behest of the MP. The case also shows that Committees are deemed as an important source for MPs to oversee the UZP and distribute his patronage. It has been found that the involvement of the MP has been the greatest in the Committees that particularly deal with the distribution of resources and funds[37].

4.4 Union Parishad and Other Linkages

A major function of the UZP is to disburse ADP funds to the lowest tier of the rural local government, namely the Union Parishad or UP. Unlike other funds, e.g. social safety-net funds, where Upazila level (administrative) Committees have the signatory authority to sanction the distribution at the tier, the ADP projects are selected by the Project Selection Committee (PSC), which are to be implemented by either Upazila administration or the UPs themselves. There is little scope for the misappropriation of the ADP funds on a large scale through 'politics'[38] due to the safeguard provided by the project selection criteria. In our studied area each UP receives projects amounting to a total amount of 100,000 BDT per year at the time of the study[39].

The section on the formal accountability structure and process (Section 3) has shown that projects below 200,000 BDT are to be implemented by the UP and the Upazila vice-chairpersons can be members of the PICs. In the field, it has been found that the intra-Union projects are implemented by the UP. Nevertheless, a consensus had been reached, as informed by UP elected representatives, at the UZP that each vice-chairperson will (select and) implement a UP project worth 100,000 BDT[40] each year. This is to be done on a rotation basis covering one UP out of the nine every year. Since the constituencies of the Upazila and the UP overlap, such arrangement allows the UZP vice-chairpersons to meet some demands of their constituencies.

The UP research sites have chairpersons belonging to the ruling party, AL, and the oppositions, BNP and Jamaat (henceforth we will call these UPs AL-led UP, BNP-led UP and Jamaat-led UP). The members of all the UPs, despite belonging to different parties, have acknowledged that they

[37] It has been previously mentioned that the Upazila Standing Committees are not active and those committees do not involve fund and resource management/distribution.

[38] The reader may be made aware that there remain scopes for Upazila administrative officers, particularly the Upazila Engineer, to seek rent and misappropriate funds. This does not imply that the projects are implemented without misappropriation by the relevant UP persons.

[39] This is based on the formal development fund use policy (GoB, 2010a) of the government. Also, the field investigation was carried out in October, 2014.

[40] This figure is based on the previous government policy (GoB, 2010a).

require coordinating their activities and work together to function properly. The UP is one of the oldest tiers of the local government structure in Bangladesh (Siddiqui, 2005, Ahmed et al., 2010, Ahmed, 2012, Khan, 2008) and has a certain degree of autonomy[41] (unlike the UZP[42]) that have been institutionalized over the years. The LGSP-II scheme provides financial support to all the UPs and they can implement projects based on the demands generated at the ward level. This provides the substantial independence to the UPs and allows not only the UP chairperson but also the elected members to serve their constituency. The Jamaat-led UP[43] chairperson had candidly stated:

Look, as a chairman, we try to give projects to our members here and there. We have to work together and such measures keep the members happy.

The statement shows that in reality the relationship among members of the UP tends to be collegial. Although the UP chairperson is a more powerful figure due to the size of his constituency and electorate, he still needs to maintain cooperative relations with the members since their help will be required to garner votes during the election, which tends to be highly competitive at the UP level.

Our focus group discussions with local citizens indicate that selection of projects and their implementation are heavily sensitive to popular demands. The UPs usually receive a large number of demands but are able to meet only a few. Although the citizenry are involved in the project selection and budgeting process through *ward shobha* and open budget meetings respectively, our group discussions have revealed that members of the citizenry are not generally aware of the projects or the status of their implementation. However, such participatory activities make the rural citizens feel more inclusive. Such claims have been verified by the elected representatives at multiple sites, and they have stated that a more inclusive nature of the UP has facilitated them to increase their tax revenue significantly. This is particularly true for the BNP-led and Jamaat-led UPs, which have collected taxes exceeding 600,000 BDT each in the last fiscal year.

Interview with the chairperson of a Scheme Supervision Committee (SSC), which is a Committee formed for the supervision of LGSP projects, revealed that actual practice deviates from the formal procedures. As discussed in the formal accountability structure and processes section (Section 3.3), SSCs are to be formed with seven members during the *ward shobha* meeting in front of the citizens. However, in actuality they are usually chosen on an ad hoc basis as part of a ritualistic compliance[44]. The respondent (Chairperson of SSC), whose knowledge[45] regarding the Committee is minimal, further claimed that he oversees any project that the UP requires him to do and he has been appointed in the position by the UP, particularly on the recommendation of the UP office secretary. He, alone, looks over a couple of projects choosing members from the citizenry upon the demand of the project. The Committees[46] which are to be formed during the *ward shobha* meeting in front of the local citizens are not done according to the formal

[41] This observation is based on pre- 2016 reality of UP. In 2016, the government has made the UP election based on partisan identity.
[42] The devolution of power is more real in UP than UZP.
[43] Out of the three surveyed UPs, the Jamaat-led UP has been chosen for the Sharique UPLA (Union Parishad Local Academy) pilot project based on performance.
[44] It is done merely as a formal obligation without sincerity and real practical value.
[45] Concerning constituents, functions and such.
[46] These include Ward Committees or WCs.

procedure. Most of the time, the same people are included in multiple Committees at the UP level that require varied representation.

Governance of the Committees at the UP-level differs considerably from that of the Upazila Committees. One may consider the Committees at the Upazila level, which are mostly the "administrative" Committees, to be more symbolic and deals with formal processes having a *de facto* oversight by the MP. However, the Committees at the UP level are more functional. Although Standing Committees at the UPs have been found to be somewhat active in comparison to the Upazila, the members of these did not even know the names of Committees they belong to. Respondents, particularly the UP chairpersons, have claimed that intervention by the non-governmental organizations (NGOs) in the local government tier has strengthened the Standing Committees to a certain extent.[47] However, the Committees that deal with funds, resources and beneficiary listing, referring mostly to the social safety-net programmes, tend to be more active than the others.

It was stated in the section (Section 3.2) on formal accountability structure and process that social safety-net Committees require representatives of UNO from the Upazila administration and it is at the UP level that the funds are finally distributed. Hence, UP becomes the main point for distributing patronage by the political parties. The study has found that members of the UP as well as the local citizens tend to perceive the UNO selected representatives as selected by the MP. In reality, in many cases, the UNO is heavily influenced by the ruling party MP in selecting the members of the safety-net Committees. This is true for both the ruling and non-ruling party -led UPs in our study. Discussions with the key informants and local citizens revealed that it is an "open secret" that representatives of the MP are included in the beneficiary lists of safety-net programmes, that include food-for-work, vulnerable group feeding, test-relief, old age allowance among others. This becomes visible during the distribution of funds and resources like food grains: the visible differences in status[48] of beneficiaries are striking at times. Even then, the UP members have admitted that increased inclusiveness of their constituency and the citizens into the UP through legally mandated social accountability mechanisms (ward shobha, open budget, participation in various Standing Committees) have made the citizens more aware about the informal processes that occur within it.

In-depth interviews with the key informants show that in all UPs (BNP-led, AL-led and Jamaat-led), a consensus has been reached with the representatives of the MP/UNO to divide the safety-net allocations into two halves ("50-50" or "fifty-fifty", as the interviewees informed). The representatives elected by the MP and the members of the Committees, which generally includes UP chairpersons and members, prepare the beneficiary list together. According to the UP chairpersons and members, such a process with clear informal guidelines to divide the resources is a helpful strategy as it does not create added pressure of conflictual political bargaining. The UPs have accepted such informal distribution of safety-net resources as the 'reality', which has been established over the years. Additionally, respondents claim that the share of the MP on UP safety-net resources has increased considerably in recent years. A member of the Ward Committee (WC) has provided important insights to the matter. He claimed that:

[47] Similar finding has been witnessed in the CARE Bangladesh study by Hassan (2014).
[48] For example, clothing and medium of transportation like motorbikes.

> *"I am an MP nominated representative [emphasis ours] of the [social safety-net] Committees... No, I am not a member of any Standing Committee or any other Committee... Inclusion of members [of the Union Parishad] in the VGD-VGF Committees just creates problems."*

The above quote highlights the conflict of the 'representatives' of the MP with the elected members and their reluctance to 'share the spoils', which they are not 'entitled' to. As previously stated, politics is prevalent in the Committees where systematic misappropriation of funds is possible. The WC[49] member, who is a member of the local AL Committee, provides a list of people directly to the principal executive officer or the UNO. The UNO selects the required number of people for the Committees to be selected as his representatives. Although the procedure is similar for all the UPs, the respondents from the AL-led UP have claimed an added advantage. In the non-ruling party -led UPs, the chairpersons and members have absolutely no supervisory or oversight power over the 'handed over' safety-net funds to the selected representatives of the MP. However, in the AL-led UP, the chairperson can and does monitor such projects. Serving constituencies and increasing vote-banks is an integral ingredient of local representation[50], and the chairpersons (of the ruling party) seem to have added advantage in assuring the implementation quality of such projects.

The MP (belonging to the ruling party) tends to have uninterrupted de facto power over the local constituencies that overlaps with his. However, the UPs are not completely powerless to contest against the informal political authority of the MP. An Upazila administration officer had informed that an allocation of fertiliser (worth approximately 6,000,000 BDT) had been returned back to the district and ultimately transferred to another Upazila because of "coordination" problem between UPs (the word samannya was used and its excessive use has been highlighted previously). Upon exploring the case, it was found that the MP wanted a share of over 50 per cent of the allocation. The UP chairpersons collectively refused the proposition and did not sign the beneficiary list whereby majority share of the input would have gone to the MP. Thus, there exist some formal mechanisms through which the UPs can deter influence, however at the cost of not being able to serve their constituency.

In terms of linkages with the Upazila the research has found that the UPs are more connected with the administration than the Upazila Parishad (UZP) (cf. Ahmed et al., 2010) as the bureaucratic actors have more leverage in the power dynamics and the rules of the game is dictated through them. The perception of the marginalization of the UZP and the elected representatives also exist among the local citizenry. During a group discussion a citizen had stated:

> *What can the Upazila Chairman do? He does not have any power. He is like a 'Kala Gach' (banana tree-meaning a dummy).*

[49] The function of the WC is the preparation of the projects / schemes concerning the LGSP.

[50] Along with the elected representatives making this assertion, it seems logical from the perspective that they are the closest to the (local) citizenry and can be made accountable, even if electorally, quite easily.

As this study points out the UP is more autonomous and can make decisions when compared to the Upazila Parishad. Legal provisions with insufficient and ambiguous formal accountability mechanisms and terms of reference of the elected representatives at the Upazila tend to hinder the decentralization process at the Upazila level. This, intrinsically, gives greater authority to the Upazila administration along with the 'advisory' role provided to the MP. The MP remains in a position of great authority where the administration can be used to manipulate the 'system' and extend MP's political power, even over the relatively fluid and decentralized UPs. Formal provisions (e.g. inclusion of representatives by UNO in Committees at the UP and inclusion of administrative officials in Upazila-level project Committees among others) tend to be used as instruments of rent-seeking mechanisms and political abuse as opposed to safeguards of the executive. The study finds the balance of power to be tilted towards the ruling party not only in areas of political competitiveness but also in procedural areas, which, in theory, should be insulated from politics.

5 Concluding Analysis and Policy Recommendations

The Upazila Parishad (UZP) was introduced in the 1980s as an institution with high promises of effective decentralisation and devolution of power at the local level despite resistance from powerful actors like the bureaucracy and the MPs. The UZC had the power to write the Annual Confidential Report (ACR) of the local level bureaucracy, which shows the level of power the UZC enjoyed vis-à-vis the local bureaucracy during the inception of the Parishad. Now, the ACR of the head of the different departments at the Upazila level are written by their respective administrative superiors. The transferred departments were also effectively brought under the Parishad. Even judicial power was decentralised at the Upazila level. Over time compromises were made under pressures from vested interests such as bureaucracy and MPs and at one point the government was compelled to abolish the system altogether. Although, the UZP was revived in 1997 through the UZP Act, it was not until 2007 that serious initiative for the 'true' revival and actual implementation were taken by the military-backed Caretaker Government. Subsequent government continued to reform the system and the original spirit of devolution of power was gradually compromised (Blair, 2010, Siddiqui, 2005, Ahmed et al., 2010, Hassan, 1993). For instance, the MP has been given a prominent power in the supervision of the UZP. Similarly, the UNO has been given more monitoring power over the elected representatives and his designation has been changed from the secretary of the UZP to the Chief Executive Officer of the UZP.

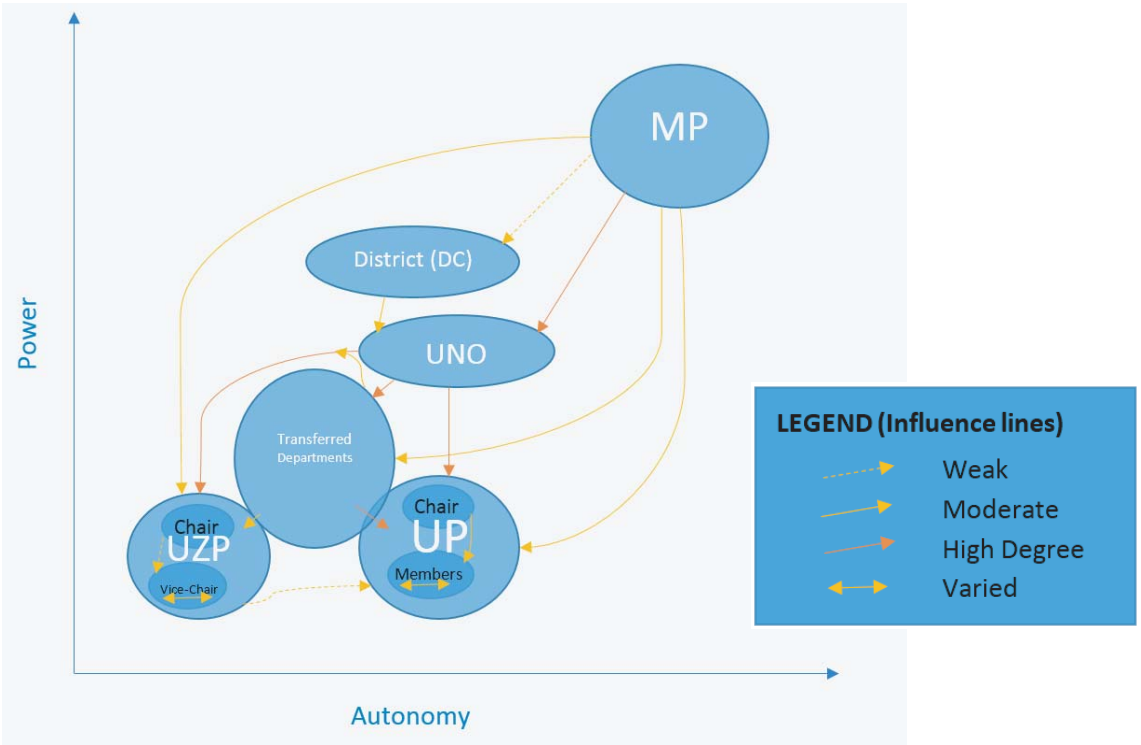


Figure 3 sums up our discussion of the findings section. Clearly, the two dominant actors are the MP and the UNO. The transferred departments have de facto greater power than the UZP despite being accountable to it. In terms of both autonomy and power, the UZP tends to rank at the bottom, even below the UP. Despite decentralisation and devolution of power, the bureaucracy looms large in the system. According to law, UNO is supposed to monitor the UZP and the UP on behalf of the Local Government Division of the central government. However, the UNO in reality keeps a close eye on the UZP and the UP at the behest of MP. Moderate link between district and UNO and strong link between the MP and UNO show increasing influence of political party on the administration. Although, the UZP is like a 'parliament' of the UP, it seems that it does not have any significant influence over the governance of the UP. The transferred departments are more linked with the UP than the UZP through various administrative processes in practice. All these point to the fact that the UZP has been virtually marginalised in the overall governance of the Upazila.

The study points out to the fact that the question of devolution of power needs to be addressed, which is being systematically compromised. At each level of local government, roles and functions of the institutions and actors have been found to be overlapping and at times contradictory. Such problems need to be addressed so that better coordination is possible between the actors and the institutions. The role of the MP in the UZP should be further examined and revisions of the existing legal provisions are necessary to limit his role to a truly 'advisory' one[51]. The role of the UNO vis-à-vis the UZP needs to be reconsidered to increase the autonomy and decision-making power of the UZP. Furthermore, to increase the autonomy of the UZP more effective accountability mechanisms between the UZP and the transferred departments need to be established, in addition to the implementation of the existing mechanisms at the Upazila level. The current accountability tool, such as the Annual Performance Report (APR), has remained largely dysfunctional, so advocacy should be done so that both elected representatives and administrative officials take this accountability tool seriously[52]. Training of elected officials should be organized so that they can write the APR effectively.

The knowledge and skills of the elected representatives need to be enhanced to increase their technical efficiency and supervisory capacity. The members of the UZP require systematic training to achieve these objectives and make the autonomy of the Upazila public representatives effective. Training is required to increase the knowledge and skills (in relation to administrative process) of the elected representatives at the Upazila so they can effectively run the administration, and also makes the administration accountable to them.

Motivational training of the bureaucracy should also be taken into consideration so that they appreciate the value of cooperating with the public representatives and strengthen their linkages with the UZP. External pressure and interference of the politicians are major obstacles to the

[51] Such intervention in local resource allocation by legislators, popularly known as 'pork barrel' politics, can be seen in many countries in the world, both developing and developed. This is not unique to the case of Bangladesh. Our concern is that such pork barrel politics should be constrained by formal rules and regulations, which should be strictly enforced. This does not seem to be the case in Bangladesh. For detailed discussion, by several authors, on patronage and/or pork-barrel in developed and developing countries see Kitschelt, H., & Wilkinson, S. I. (2007).

[52] For detailed empirical discussions on the dysfunctional nature of APR in UZP see 'State of Accountability of the Transferred Departments at the Upazila Parishad and its Consequences for Allocation and Utilisation of Resources' by Hassan et al; BIGD Special Publication Series; Forthcoming October 2016.

decentralisation process and it seriously compromises the integrity of the system. Keeping the larger contextual variables in mind, the broader role of the MP vis-à-vis the UZP needs to be addressed.

The effect of the bureaucrats and the political pressure from the MP at the UP level should also be taken into consideration. The de facto coalition of the MP and the UNO seriously hinders the governance process of the UPs. The influence of the MP on the Committees deters effective representation, and executive safeguards are compromised. Also, the rent-seeking behaviour of the lower level bureaucrats at the UP level needs to be assessed.

Committees related to projects and schemes should be strengthened for effective implementation and monitoring. Sharique can monitor whether the principles of good governance linked to the functioning of committees related to projects and schemes (WC and SSC) are being implemented. In addition, Sharique can run campaigns to make local citizens aware of their roles in their committees. Safeguards can be implemented to deter misrepresentation, rent-seeking and increase the overall integrity of the local government system.

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Appendix

Appendix 1: Respondent list of Institutional relationships and linkages among LGIs

Area	Designation/Identity of respondent
Administration/Government officials	
1 Upazila& 3 UPs	UNO
	Upazila Engineer (LGED)
	Upazila Agriculture Officer
	Upazila Social welfare Officer
	Upazila Women Affair Officer
	Upazila Accounts Officer
	Office Secretary UNO
	UP Secretary (BNP-backed)
	UP Secretary (JI-backed)
	UP Secretary (AL-backed)
Elected Representative	
UpazilaParishad	Upazila Chairman
	Upazila Vice Chairman (Male)
	Upazila Vice Chairman (Female)
	Ex-Upazila Chairman
BNP-backed Union Parishad	UP Chairman
	Chairperson of Project Implementation Committee
	Chairperson of Ward Committee
	Chairperson/advisor of SSC-LGSP
	Female UP Member
JI-backed Union Parishad	UP Chairman
	Chairperson of Project Implementation Committee
	Female UP Member
	Chairperson/advisor of SSC-LGSP
AL-backed Union Parishad	UP Chairman
	Chairperson of Project Implementation Committee
	Female UP Member
	Chairperson/advisor of SSC-LGSP

Area	Designation/Identity of respondent
Civil Society	
Site UZ	President Of Journalist association, Site UZ
JI-backed UP	Journalist & College Teacher
AL-backed UP	Retd High School Head Teacher
AL-backed UP	RetdGovt official
Partner NGO	
MSP, Rajshahi	NGO (Sharique Partner): Team Leader, MSP
	NGO (Sharique Partner): Field Facilitator, MSP
Local Political Party leader	
BNP-backed UP	Union Secretary of AL
	BNP
JI-backed UP	Political Party leader of Jatiya Party (JP)
	Political Party leader of JI
AL-backed UP	Political Party leader of AL
	Political Party leader of BNP
	Political Party leader of AL
Poor/Marginalized and elite citizen	
BNP-backed UP	Poor/Marginalised and elite citizen (BNP-backed UP)
JI-backed UP	Poor/Marginalised and elite citizen (JI-backed UP)
AL-backed UP	Poor/Marginalised and elite citizen (AL-backed UP)
Government official (NeighbouringUpazila in Rajshahi District)	
Non-site Upazila	Assistant Commissioner (Land)

Appendix 2: Departments Transferred to UZP

Name of Departments Transferred to UZP (12 Ministries)	Officials of Transferred Departments (17 Officials)
Ministry of Establishment	Upazila Nirbahi Officer (UNO)
Ministry of health and Family Welfare - Directorate of Health - Directorate of Family Planning	Upazila Health and Family Planning Officer (UH&FPO) Upazila Family Planning Officer (UFPO)
Ministry of Agriculture - Directorate of Agricultural Extension	Upazila Agriculture Officer (UAO)
Ministry of Fisheries and Livestock - Department of Fisheries - Department of Livestock	Upazila Fisheries Officer (UFO) Upazila Livestock Officer (ULO)
Ministry of Food and Disaster Management - Department of Relief and Rehabilitation	Upazila Project Implementation Officer (PIO)
Ministry of Social Welfare - Directorate of Social Welfare	Upazila Social Welfare Officer (USWO)
Ministry of Primary and Mass Education - Directorate of Primary Education	Upazila Education Officer (UEO)
Ministry of Women and Children Affairs - Directorate of Women	Upazila Women Officer (UWO)
Ministry of Youth and Sports - Directorate of Youth Development	Upazila Youth Development Officer (UYDO)
Local Government Division Ministry of Local Government, Rural Development & Cooperatives - Department of Cooperatives - Local Government Engineering Department - Public Health Engineering Department - Bangladesh Rural Development Board	Upazila Cooperatives Officer Upazila Engineer (UE) Assistant Engineer (AE) Upazila Rural Development Officer
Ministry of Education - Department of Secondary and Higher Secondary Education	Upazila Secondary Education Officer
Ministry of Environment and Forest - Bangladesh Forest Department	Forester / Deputy Range Officer

Appendix 3: Department Retained and Linked with UZP

1. Officer-in-Charge (Police)
2. Upazila Ansar (VDP)
3. Upazila Statistics
4. Upazila Accounts
5. Upazila Land Office
6. Upazila Sub-Registrar
7. Upazila Election Office

Source: Ahmed (2012)

Appendix 4: Sector-wise Allocation of ADP funds in the Upazila

Sectors	Allocation	
1. Agriculture and Small Scale Irrigation	**Minimum share (%)**	**Maximum share (%)**
i) Agriculture and irrigation	10	15
ii) Fisheries and livestock	5	10
iii) Small and cottage industries	5	7
2. Physical Infrastructure		
i) Transportation and communication	15	25
ii) Housing and physical planning	5	7
iii) Public health	10	15
3. Socio-Economic Infrastructure		
i) Development of education	10	15
ii) Health and social welfare	10	15
iii) Sports and culture	5	10
iv) Miscellaneous	5	8

Source: GoB (2013)

Appendix 5: Upazila Parishad Standing Committees

Article 29 of the Upazila Parishad Act 1998 (As amended up 2011) requires that the Upazila Parishad set up one Standing Committees for each of the following subjects:

1. Law and order
2. Communication and Physical Infrastructure Development
3. Agriculture and Irrigation
4. Secondary & Madrasa Education
5. Primary & Mass Education
6. Health and Family Planning
7. Youth and Sports Development
8. Women and Child Development
9. Social Welfare
10. Freedom Fighter
11. Fisheries and Livestock
12. Rural Development and Cooperatives
13. Culture
14. Forest and Environment
15. Observation, Monitoring and Control of Market price
16. Monetary, Budget, Planning & Local Resources Procurement
17. Public Health, Sanitation & Clean Water Supply

Source: GoB (2011a)

Appendix 6: Union Parishad Structure

1. Chairperson: There shall be a chairman of Union Parishad directly elected by the voters of the Union.
2. Members: Nine members shall be directly elected from the nine wards constituting the Union.
3. Women members: Three seats shall be reserved for women. Each of the women members shall be directly elected by the male and female voters of three wards within a Union.
4. Official members: The Block Supervisor (Directorate of Agriculture), Health Assistant, Family Planning Assistant, Family Welfare Worker, Ansar/VDP and all other field staff of government departments working at Union level will be the official members of Union Parishad. They will have no voting rights.
5. Others members: Representatives of Muktijoddah (freedom fighter), Cooperative Societies Disadvantages groups/professions e.g. weavers, fishermen, landless workers, destitute women, etc) will be members of Union Parishad without voting rights.

Source: LGD (2004)

Appendix 7: Union Parishad Standing Committees

Section 45 (Formation and Functions of Standing Committees) of the Local Government (Union Parishad) Act, 2009 has stated that the Parishad form 13 standing committees to perform its assign functions. The committees are:

1. Finance and Establishment
2. Audit and Accounts
3. Tax Assessment and Collection
4. Education, Health and Family Planning
5. Agricultural, Fisheries, Livestock and Other Economic Development Works
6. Rural Infrastructure Development, Repair, Maintenance etc
7. Law and Order
8. Birth and Death Registration
9. Sanitation, Water Supply and Sewerage
10. Social Welfare and Disaster Management
11. Environment Development, Conservation and Tree Plantation
12. Reducing of Family Conflict, Women and Child Welfare (Not applicable for CHT)
13. Culture and Sports

Source: GoB (2009)

Appendix 8: Common Checklist

Background Information Respondent (Elected representatives, officials, civil society & political elites):

Name, Age, Education, Main occupation, Political party affiliation and experience, Experience on local government/ Experience on Civil Service, Experience in this Upazila, Experience in other Upazila, Relation with Upazila/Union Parishad (UZP/UP)

Committees:

- How many committees and types of committees are there in Union Parishad (UP)? According to the law/rules, how many committees are there supposed to be? How are they supposed to be formed and how are they formed in actuality? How are the designations/responsibilities assigned, or how are they supposed to be assigned, and why are they assigned as such? What are the terms and conditions, how active are the committees, and if they are not active, what is/are the reason(s)? What types of relationships are there or are there any relationships with the Upazila Parishad (UZP) and departments of the Upazila administration according to the rules? (have to know the details of the different committees, for example standing committee, UDCC, PIC, ward sabha, scheme supervision committee, planning committee etc)
- How many committees and types of committees are there in UZP? According to the law/rules, how many committees are there supposed to be? How are they supposed to be formed and how are they formed in actuality? How are the designations/responsibilities assigned, or how are they supposed to be assigned, and why are they assigned as such? What are the terms and conditions, how active are the committees, and if they are not active, what is/are the reason(s)? What types of relationships are there or are there any relationships with the departments of the Upazila administration according to the rules? (have to know the details of the different committees, for example standing committee, PIC, law and order committee, scheme supervision committee etc)
- How many committees and types of committees are there in the Upazila administration? How many committees are there supposed to be? How are they supposed to be formed and how are they formed in actuality? How are the designations/responsibilities assigned, or how are they supposed to be assigned, and why are they assigned as such? What are the terms and conditions, how active are the committees, and if they are not active, what is/are the reason(s)? What types of relationships are there or are there any relationships with the departments of the Upazila administration?

Meeting procedure, agenda/issues discussed:

UP

- After how many days are the meetings of the different UP committees held? (have to know the details of the different committees, for example standing committee, law and order committee, scheme supervision committee etc) After how many days are they supposed to be held according to the rules/law? Who gives the notice of the meetings?

How is the agenda set and who sets the meeting? Are the supporting documents of the agenda distributed, and what is the importance of this? What types of matters receive the most importance, and why? Which matter receives less importance, and why? Which matters are resolved without problems? Which matters initiate the most debate/discussion?

- Does anyone apart from the UP members attend the meetings of the council regularly? Why? Who is the most active in the discussion? Why? How is the attendance of the women members, how active are they, in what context/matters, and why?
- Have you faced any problem in raising an important matter? Event, case.
- How are decisions taken in the meetings, and how are they supposed to be taken according to the rules/law? What happens if you/others do not agree on a matter, and who plays what role?
- According to the rules what is the relationship between each committee and with whom (UZP/UNO/district council/DC/different departments of districts or Upazilas) and what is the medium of communication with senior officials/authorities? What are the reasons behind the communication, and what is the attitude of the authorities regarding these matters?

UpazilaParishad/Administration

- After how many days are the meetings of the different UZP and Upazila administration committees held? (have to know the details of the different committees, for example standing committee, PIC, law and order committee, scheme supervision committee, different administration committees etc) After how many days are they to be held according to the rules/law? Who gives the notice of the meetings? How is the agenda set, who sets the meeting, and how are the meetings to be held according to the rules/law? Are the supporting documents of the agenda distributed, and what is the importance of this? What types of matters receive the most importance, and why? Which matters receive less importance, and why? Which matters are resolved without problems? Which matters initiate the most debate/discussion, and how are they resolved?
- Does anyone apart from the members attend the meetings regularly? Who attends? Why? Who is the most active in the discussions of the meetings? Why? How is the attendance of the women, how active are they, in what context/matters, and why?
- How are decisions taken in the meetings, and how are they supposed to be taken according to the rules/law? What happens if you/others do not agree on a matter, and who plays what role?
- According to the rules what is the relationship between each committee and with whom (UP, district council, DC, LGD) and what is the medium of communication with senior officials/authorities? What are the reasons behind such communications, and what is the attitude of the authorities regarding these matters?

Planning and implementation of project

UP

- Does the UP have an annual / five-year plan? Regarding what types of programmes can the UP take decisions?
- Who are involved in the development plan at the UP level? Who is the authority/who is authorized to verify the plan? With respect to the approval of the plan, what types of problems do the UP face? How is the plan implemented? Who is responsible for monitoring? By what process/procedure does the UZP accomplish the work? How are the members of the different planning committees selected, and how is it supposed to be according to the rules? What is the role of UZP/Upazila chairman/different departments of the Upazila/local MP/political leadership in the formation of planning committee and plan preparation, implementation and monitoring? What is the manner in which the plan is decided whether it is to be ward-based or Union-based? Why? Which sectors are given the most importance?

Upazila

- Does the UZP have an annual/five-year plan? If not, why? Regarding what types of programmes can the UZP take decisions?
- Who are involved in the development plan at the UZP level?Who is the authority/who is authorized to verify the plan? With respect to the approval of the plan, what types of problems do the UZP face? How is the plan implemented? Who is responsible for monitoring? By what process/procedure does the UZP accomplish the work? How are the members of the different planning committees selected? What is the role of district council/DC/UNO/different departments of the Upazila and district/local MP/political leadership in the formation of planning committee and plan preparation, implementation and monitoring? What is the manner in which the plan is decided whether it is to be Union-based or Upazila-based? Why? Which sectors are given the most importance?

Budgeting in Upazila/Union Parishad

UP

- Has a budget been created for the UP in the current fiscal year? How is it created, and how is it supposed to be created according to the rules? What is the process of passing the budget? Do the activities proceed according to the budget, and if not then why? What is the role of the UZP / UNO is making and passing the budget? Who keeps the record of income and expenditure according to the rules, UZP / UNO? Do the UZP chair / UNO / DC / district council inspect the projects? If yes, what types of projects, why and what is their role?
- What are the main sources of income of the UP? What are the main sectors of expenditure? How are the sectors selected?

UZP

- Has a budget been created for the UZP? Who created the budget? If a budget has not been created, then what is/are the reason(s)? If a budget has not been passed, how are the activities managed? Does the DC require any explanation for this, or does he take an account of the income-expenditure? Does the DC/commissioner inspect any project? If yes, what types of projects, why, and what is/are his role(s)?
- What are the main sources of income of the UZP? What are the main sectors of expenditure? How are the sectors selected?

Relation with different departments

UP

- What are the relations of the UP with the different divisions/departments of the Upazila administration according to the rules/law? Regarding what functions are they related with the UP? What isthe execution of the functions and the relationships based on, and how are they assigned and practiced? Do any problems arise in the execution of the functions of different departments and the Union Parishad? How are the functions coordinated?
- What is the type of relationship between the Upazila executive officers and the head of the different departments of the Upazila? In what matters/issues do they need to coordinate?

Upazila

- What are the relations of the UZP with the different divisions / departments of the Upazila administration? For what types of functions are the departments accountable to the UZP, and what is the practice? How are the UZP and the departments related? Regarding what functions are they related with the UP? What is the execution of the functions and the relationships between the departments and the council based on, and how are they assigned? Do any problems arise in the execution of the functions of different departments and the Upazila Parishad? How are the functions coordinated?
- What is the type of relationship between the Upazila executive officers/DC/Upazila/ district/head of the different departments and the UZP? In what matters/issues do they need to coordinate?

Roles and relations of different actors

- Who has the most influence in the preparation and decision-making of projects, UZP chair/MP/DC/Minister/UNO?
- What types of files of the UP go where/come from for approval?
- What is the most important duty of the UNO? What are his duties? What types of work and how are they or are they not related to you?
- For what types of work do the officials of the different Upazila departments have to go to the UZP/UNO/superior authority? What can they do directly, and how? Are any problems faced, and how are the problems perceived? How do the authorities influence

the planning and implementation of works of the different departments? Compare the previous activities of the departments with the current ones.

- What are the issues that the UZP chair and UNO do not usually agree with or misunderstanding arises? How are they solved?
- What is the number of local MPs or advisors? Do advices come from the advisors formally/informally? How is the relationship between the local MP and the chair/UP/UNO? How does good/bad relationship with the UZP/UZP facilitate or obstruct the administration of the councils?
- What is the relationship between the UP and the UZP? Are the UP chair and the Upazila collaborators or adversaries, and how? What is the level and quality of the involvement of UP in the Upazila? Do the UP chair need to compromise to gain support in the Upazila? What is the type and importance of the support/lack of support?
- What is the relationship of the UZP with the district council and the DC? According to the rules/law, for what type of works do they need to communicate/coordinate? What is the practice?
- What is the type and importance of the work of UZP vice-chair? Who do they generally give the most importance to for gaining support or lobbying? And why is it the case?
- How is the relationship of the UP with the transferred departments? For what types of works are the departments dependent on the UP? What types of problems arise and support that they receive?

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