

**AN EMPIRICAL INVESTIGATION ON THE NATURE OF CORRUPT
PRACTICES IN THE LOCAL GOVERNMENT BODIES IN
BANGLADESH AT THE UNION LEVEL:
A WAY FORWARD FOR PROMOTING ENVIRONMENTAL
SUSTAINABILITY**

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Abstract:

Corruption is associated with the human civilization and it is a global phenomenon. It is largely found in the ASEAN countries. With a view to finding this truth, a study was done in a union parishad of Bangladesh and finds a lot of malpractices are there. In order to combat it, there are some important laws such as Prevention of Corruption Act, 1947; Independent Anti-Corruption Commission Act, 2004, Penal Code, 1870, the Criminal Law Amendment Act, 1954 etc. But unfortunately, these laws aren't effectively implemented due to lack of good governance. However, this study examines the nature of corrupt practices in the union parishad in Bangladesh based on the primary and secondary sources.

Keywords:

corrupt practice; good governance; environmental sustainability.

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1. BACKGROUND

Those who perpetrate injustice and those who tolerate the same Let both burn into ashes, My Lord, in Your ever wrathful flame... - Rabindranath Tagor

Corruption is a global practice now a day and its context is quite old in nature. The range of corruption in the Asian society is higher compared to the South Asian countries. In Bangladesh, it is alarming which is quite known to us. But at the local government levels, this rate is more terrible as compared to other administration bodies in the country. Let us examine the nature of corrupt practices in the Union parishad of Bangladesh. The union parishad, a rural development institution bears a long standing tradition of Local Governments in Bangladesh. It is around 200 year's old institution. It had different names and forms such as panchyat¹, council, assembly etc., which were observed during the Mughal period. In the Indian Subcontinent, the existence of union parishad was also in the same manner [1]. Since independence, the government of Bangladesh has been taking many initiatives for the development and conservation of the union parishads. With the introduction of the union parishads in Bangladesh, it is observed that the outbreak of corruption was found. But it is observed in the ancient time [2]. It is as old as our society [3]. The present state amounts that where there is a man there is a corruption in the case of the people of Bangladesh. It is global problems .Presently; the Government of Bangladesh has taken many steps to the development of the union parishads. The Government has already established many offices such as Bangladesh Rural Development Program (BRDP), Agriculture, Livestock, Land office, Union Health Complex etc., for promoting and empowering the union parishads of Bangladesh. Moreover, there are many schools, colleges, madrashas etc., serving in the union for the purposes of developing and upgrading the living standards of the rural people of Bangladesh. In this regard, these offices have to perform a significant work to the people of Bangladesh. These officers are to work through many channels and policies. The working policy may be termed as bureaucratic policy. But this system of Bangladesh is noted all over the country. According to the current report of Transparency International Bangladesh (TIB), the position of Bangladesh in case of corruption ranks one. According to Ralph Braibanti, governmental corruption is found in all bureaucracy and in all times or under all conditions. The common people of Bangladesh have been suffering much for it. From the point of common people perceptions, Bangladesh has to face a great problem in the near future. In the country, rich become richer and the poor become poorer by means of corruption. The government measures for combating corruption are very weak by nature [4]. It is noted that the policy makers are not free from corruption. Moreover, the bureaucracy along with the policy makers are more corrupted. As a case study of a union parishad, what we see as a pictures and nature of the employees of the Government of Bangladesh. With the introduction of the union parishads in Bangladesh, nature of corruption is observed. The history supports that the corruption has been existing in the rural areas of Bangladesh. For combating the corruption, there are many legal mechanisms [5] such as the Prevention of Corruption Act, 1947; Anti-Corruption Commission, 2004, the Anti- Corruption Act, 1957; the Code of Criminal Procedure, 1898; the Criminal Law Amendment Act, 1958 etc., implemented in the country. Moreover, some union parishads Act such as Local Government (Union Parishads) Ordinance, 1976 and Local Government Union Parishads, (amendment) Ordinance, 1983, the Village Chakidari Act, 1870 etc., are implemented in the union parishads of Bangladesh. For combating the corruption of Bangladesh, recently the Government of Bangladesh has established the Anti-Corruption Commission. But it regrets that the full independence has not yet been ensured for combating corruption in the country. It is almost ineffective at present. We need to introduce ombudsman in Bangladesh including at the grassroots levels.

2. METHODOLOGY

All traditional methods including case study, focus group discussion, formal and informal discussion, observation methods have been used for this work. The respondents are of multi-dimensional including ex-members, secretaries, school teachers, college teachers, businessmen, village mentors, shopkeepers, workers, postmen and some common peoples. This study is done in a union parishad named 7 no. Maharajpur Union Parishad in the sadar district of Jhenidah, Bangladesh. In fact, this study tries to focus the nature of corrupt practices directly or indirectly involved in the institutions based on primary and secondary sources. Moreover, the author tries to write it in his personal capacity and observations. He talked around 100 respondents regarding the impacts and power, functions done by the members along with other concerned people in the union parishads of Bangladesh. The researcher is a rural people. He has many personal experiences in the regard

3. OBJECTIVES

The broad objective of the study is to provide some ideas to the policy making levels. Moreover, there are some specific objectives of the study are as follows:

1. To identify the nature of corrupt practices
2. To identify responsible factors.

4. RESULTS AND DISCUSSION

At the district levels the Deputy Commissioner and the ADLG are very active for promoting union Parishades activities. On the other hand, the Upazilla Nirbahi Officer has a keen control at the Upazilla levels. The Upazilla Engineer monitoring the project management and its administration along with the Role of Project Implementation Officer. At the Upazilla levels, there are officers working for the welfare of the people. *The Clerks of the UNO and other related Offices have been assisting the concerned offices and personnel. At the Union levels, Chairmen of the Union parishads are the chief executive officer of the union parishads of Bangladesh. He/she executes the entire development project activities of the union parishad. Moreover, the chairman may supervise all other development works in the union parishad. The members of the union parishad are assisting the Chairman as well the Union Parishads. Besides, there are the Village Police, The Village Court are also working in this regard. But generally, the people are not satisfied with them. They have lot complaints over them.*

CASE STUDY

There are some case studies as follows:

Focus Group Discussion 1: A focus group discussion was made with them such as Abdur Razzak, Abdul Manna, Rezaul Karim, Sahiruddin, Salim, Shaban, and others and replied that the food grains of the union parishad is distributed among the power party politics. It is distributed in the members of the self-political party. The members also distribute their allocated food grains to the relatives in the above manner. The corrupt practice is found in the road constructions, tree plantation, bridge constructions, culverts etc. The allocated money is not properly spent for these purposes. The necessary materials designed by the Engineer for the construction works are not properly followed. The height and width of the road construction is not maintained. The contribution works are not properly followed. The contribution and subsidies taken from the government is not spend proper way for the poor people of the community. The chairman of the village court tries to settle the disputes in the legal manner. But sometimes, he cannot carry out it due to terrorists. The chairman becomes partial to the relatives and politics. Most of the chairmen do not follow the selection procedures for the VGF member. The cardholders are almost the members of the power party politics. The chairman and the members are sometimes guided by the village mentors as they are relatives to one another. In the appointments of the teachers in high schools, colleges, mad

rashes, around two lakh takes are given for the teacher ship. Although, the advertisements are circulated in the managing committee consisting of the uneducated people, terrorists, local political leaders etc. Most of the members of the committee hanker after money.

Focus Group Discussion 2: Mr. Shafiqul Islam, Khan. A. Lantu and Mst. Rokeya Sultana Bulu and others replied that corrupt practice is found in the line of road construction, culvert, bridge etc. Because, the concerned authorities have to give a good portion of money as bribe to the UNO, PIO, LGED engineer and even to the M. P. The concerned authorities are to given some money for passing every project. The chairman of the village court does not work properly due to power party politics, relatives, voting expectation. The chairman tries to make a fair judgment in the disputed matters but he sometimes failed. It also depends on the qualities of the chairman. The money transaction in relation to the influence of the judgment is rarely found. The chairman and the member's do not sit in the office regularly. They perform their official duties in the bazars and other places. Consequently, the common people have to face much trouble some. After passing the election, the chairman and the members don't pay heed to the common people's problems. In the appointment of the teachers in the school, colleges and madrash, the qualified teachers are not appointed whereas the weak and disqualified teachers are appointed by local managing committee by taking one or one and a half lakh taka forms each candidate [29]. The doctors advise and prescribe the medicine inspite of having medicines. These medicines are distributed among the rich patients.

Focus Group Discussion 3: Md. Helal uddin a Livestock Officer, Md. Farooque Hossain & Dr. Shariful Islam a village doctor stated on 12.11.06 that corruption is found in the road construction, bridges, culverts etc. The allocated money is most properly spend for the public services. Around 50% of the allocated money is not spent for the proper way and means. Sometimes, the chairman brings allocations of rice or other matters concerned for the road construction, infrastructure building etc. With it, he has to give a lot of money as bribe for this allocation. What will be done by the chairman after getting that allocation? In fact, the higher officers are the teachers of the chairmen and members for taking and giving bribe. In the VGD and VGF, the selection of the members almost depends on the political party.

Case Study 1: Mr. Rezaul Karim a man coming from Jessore district in the village of Shahapur said in a statement that most of the medicines are sold in the market to the Quack doctors with low cost. The doctor full fills the government registered in the legal manner. He said that the project works are not properly done. The Upazilla Nirbahi officer and PIO rightly sign the documents in exchange of money for the completion of the project work. The activities of the secretary are almost good. The village police disobey the union parishad's laws as the village police assist the offenders in the rural areas of the union parishads. [30].

Case Study 2: Mr. Md. Sajedul Islam a businessman stated that the chairman and the members give and spend a lot of money during the election. The poor man's votes are sold by those candidates. The corruption is found in the lines of the road construction, river, khal and beel digging, VGD and VGF activities. It is one kind of business for the chairman and the members. Those constructions are not properly maintained. The different monitoring officers don't properly look into the construction work as per the manuals. It is found irregularities in the food for work programs. Some chairman and members of the union parishads work all day and night. They don't get any remuneration for these works. In these regards, a good amount of money is given to the UNO office and LGED office for the completion of the project works for clearance. In the village court trial, the chairman tries to judges the case neutrally but he cannot do the work due to politics.

Case Study 3: Mr. Khanu Adhockery discussed that the people in the rural areas are almost unconscious relating to their rights. Consequently, different kinds of corruption have been created. The nature of corruption depends on the qualities of the members and chairman. It depends on the political identities of the people. The majority of the political parties create

corruption. The member selection of the VGD and VGF is almost depends on the relations of the chairman and the members of the union council. In the trial of the village court, the chairman of the court tries to do well but he has to face many challenges such as local politics, groupings, lobbying etc. In the union health centre, the doctors are almost good by nature. In the education, there is a great corruption found in the educational institutions. The local committee takes one or around two lakh taka from each candidate for the appointment as a teacher of the high school, madrashes, and colleges. The managing committee is corrupted. They take this money by name of donation. The donated money is deposited to the school fund. Most portion of the money is spent for the development purposes.

Case Study 4: Md. Rajab Ali, a Madrasha teacher discussed that the government allocates a good amount of money for the road construction, infrastructure building, bridge, culvert and other related matter etc. The concerned authorities try to construct those activities as short cut as possible. They ignore the government manuals. If the local people justify those works, that works are not properly done. The checking officers like UNO, PIO, LGED Engineer takes a good amount of money as bribe for the clearance of the project works.

Case Study 5: Halima Begum and Hussain Ali, ex member reported on 14.11.06 the chairman and the members of the union parishad often break and disobey the existing laws and policies concerned. There are some irregularities in the resolutions in the union parishads. In the appointment of the college teacher, the M. P. of the managing committee does not make any evaluation of the laws and policies for the appointment. The government gives a great responsibility in this regard. But he never evaluates any more. The local managing committee of the high schools, madrashes carry out their duties like the M. P. In the union hospital, it is found that the doctor respects the leaders and rich patient of the locality. The doctor tells to the poor patient that there is no medicine in the hospital [32]. The livestock officer frequently asks money as fee for the treatment to their cows, goats and hens etc [33].

5. RESPONSIBLE FACTORS

There are some responsible factors [24] in the regard based on the field studies:

- *Noncompliance of the responsible persons:* Most of the people of the country are uneducated and illiterate. The responsible persons like chairman, member and the educated people etc; are responsible to the people of the society. In fact, the uneducated people don't know about their rights and others rights properly. Their rights are not ensured by the rich people as per the demands in the locality. But they are given responsible duties. They cannot perform their duties properly to the people.
- *Expenses of Election Purpose:* The chairman and the members spent a lot of money for the election purposes. That is why, the people think that they have to collect that amount of money by any cost and consequently, they involve in corruption in the different funds of the union parishad.
- The chairman and the members of the union parishad have to spend money initially for passing of the Delivery Order. The expenses of the carrying cost are not given instantly. That is why; the concerned authorities try to sell some food grains of the allocated food dishonestly.
- *Poverty:* Poverty is a main cause of corruption. The people in the union are almost poor and they have been living from hand to mouth. Moreover, the human wants are unlimited. There is no balance of income expenditure. The economic condition of the country is not sound. For that reason, the people including government authorities indulge in corruption.
- *Over population:* It is one of the main causes of corruption. The population rate of the country is very much alarming. It is affecting the development and conservation

of the environment of the country. For meeting up the needs of the people, they indulge in corruption.

- *Insignificant allowance*: The chairman and members of the union parishads get a very insignificant amount as allowance in comparison to their expenditure. Their allowance is not increased with the change of time. But the allowances of the M. P. including Prime Minister have been increased. But the fate of the union parishad's chairman and the members are not increased with the socio economy conditions of the country.
- The Environmental situations of the country are not favorable for combating corruption in the country especially in the union parishad. Everyone is habituated of taking corruption. One has to take bribe normally. The corruption is associated with the mental faculty. What can the people do for the country?
- *Moral Character & Insufficient Training*: the people are almost uneducated and they are not given any moral education. The concerned government authorities are not trained with the moral country.
- The people of our country are idle by nature. They are not habituated in hard working. Even they pass their life through gossiping. Although they can do a lot of works and they are capable for the works. They have no sense of the value of time.
- The increasing rate of daily commodities is very high than the income-expenditure. The concerned officials don't cope with the expenses with the income.
- Unemployment problem is a great problem in the country. After getting university degree, the young generations become unemployment. They are addicted to gambling for which the young generations become involve in corruption.
- There is no birth controlling measures for the welfare of the country. There is no sufficient training for the government authorities and the young people of the country.
- The candidate of the schools, colleges and madrashes are selected as teachers of the concerned institutions on the basis of corruption. What can they do for the nations?
- The local managing committee looks for money. There are no religious sentiments in the committee. Moreover, the candidates offer money to the committees.
- Non application of the law and policy in the country. There is no proper application entitled "Rule of Law".
- Salaries are not given regular basis to the staffs to the non-governmental teachers of the high schools, colleges and madrashes.
- It is observed that controlling authority involve in corruption for which the subordinate officials get chance of taking corruption.
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6. THE ROLE OF EXISTING LEGAL FOUNDATIONS

The legal bodies including the Anti-Corruption Commission are active and concerned with the matters at the grass roots level.

The judiciary is one of the major components of combating corruption in the globe but in the case of Bangladesh [25] unfortunately, the judiciary in Bangladesh is also weak as compared to other countries in the world [26]. This organ may be revised with giving adequate benefits to the officials along with modern equipment. A Judicial Transparency and Accountable Cell may be developed.

7. RECOMMENDATIONS AND CONCLUSION

After the study, the following may be made:

Setting Ombudsman-Ombudsman is one of the important legal mechanisms of the world for checking corruption in all spheres of the administration. It is admitted in all hands that ombudsman of the other countries of the world has been working as a watchdog of the country with reputations. There is no alternative way for setting this mechanism in Bangladesh in all areas including union levels of the administration in Bangladesh.

Amending Legal Mechanisms- There are a good number of laws functioning for combating the corruption in the countrywide. It is observed that these laws and policies are almost outdated and British colonial laws and therefore, these laws have almost become ineffective in the present socio economy context of Bangladesh. Moreover, the punishment of the existing Acts is insignificant. The offenders do not think twice for breaking the laws. That is why; the present laws require amending for updating.

Need to proper Role of the Independent Anti-Corruption Commission- The Government has established the Independent Anti-Corruption Commission for combating corruption in the country for the purposes of attaining sustainable development and conservation of the environment of the country. It is discussed all over the country that the formulation and setting of the Anti-Corruption Act and Commission are not properly done. It is regret that the independent Anti-Corruption Commission has not yet been given freedom for exercising its functions accurately

Strengthening the People's Participation- The common people of the country are almost good for their perceptions. They deliver valuable opinions of rooting out corruption in the country. The corruption is spreading day by day with the above mentioned wise people of the day. For that reason, the country has reached this position. The Government should empower the surroundings people and the rural people of the union of Bangladesh. They should be given adequate training for combating corruption. Consequently, the corruption of the administration shall become less and will be free from the corruption in course of time.

Not Rank down but Discharge from the Services- It is highly noted that the government officials are almost corrupted. It is well known to the world for their qualities. The world takes them hatred situation. Presently, it is increasing very alarmingly in the country. For that reason, if the authorities find any kind of corruption, the corrupted officers should be discharged from the services. They are not given as opportunities of rank down from the service. The Government should investigate it from the field level officers.

Repealing the Office Secrecy Act- If it is focused all over the country including unions that the Office Secrecy Act, 1923 should be declared null and void for the present needs of the country. Because, the socio-economy condition of the country has already been changed but the legal mechanism remains unchanged and unlamented.

The Awarding Systems to be introduced- The awarding system should be introduced to the officials for outstanding performances. On the other hand, the award may be given to the persons who help for catching the corrupted staffs in the offices.

Implementation of the Research Findings- It is often found that the findings of the research works almost remain in the research papers and books. The government sometimes gives importance to the research work. But what we see in the developed countries of the world. We see that those countries always try to implement the research findings and by all means, they have achieved the present position.

Implementation of Law & Policy-Above all, it is admitted in all hands that we are habituated to compromise with the wrong or the corruption in most of the cases. We always try to save the corruption and corrupted persons. As a result, the country has been facing so problems.

Mind Set up Should be Changed- The people of Bangladesh are conservative in nature and it seems to me that they do not believe in fundamental changes and interested in working in general environment and that is why, they are to be ready for compromising in any work which is either wrong or right.

*Understanding of the Religious Values-*In fact, the people of Bangladesh and also sub-continent, belief in respective religion and apparently try to lead their life in that way. But it should be understood that how can we exercise our life. Can we really serve the religious purposes or not?

Awareness Building- The government should make some pragmatic policy such as advertising in the paper, circulating in the Television and Radio etc., in order to create awareness so that the people will realize about realities and they will act accordingly.

Introducing Human Rights Law- It is observed that the modern world is giving emphasis on the implementation of the human rights all over the world which is very essential for the growth and development of the human personality. But it seems to me the scope of human rights in Bangladesh is very insufficient compared to other countries of the world.

Strengthen the common people- The people should be given more training and education for which the people will be more aware about their rights and duties.

Reorganization of our education policy- The Government should rethink over the education policy of our country. The government may reorganize the education system compared to the developed countries of the world for the purpose of eliminating of corruption in the country.

*Reorganization of syllabus:-*The government should rethink and reorganize the syllabus of our curriculum. The syllabus can be based on pragmatic and people oriented for which the students as well as the common people will clearly understand the impacts of education.

Need to proper implement of the Information Act in Bangladesh- It is one of the remarkable Acts in Bangladesh that may ensure the rights of the people. The United Nations has called it the touchstone of all the freedoms to which UN is consecrated.

*To develop a Local Transparency and Accountability Program-*All mechanisms in this regard for ensuring transparency and accountability at all levels of local governance can be made immediately for sustainable future and environment in Bangladesh.

*Need to Introduce Complain Box at the Local Level Governance-*At the grassroots level in the different areas, different types of complain box may be made which should be opened by a high powered committee for judicial redress.

*Need to Implement the International Legal System-*In order to eliminate the corruption, it is necessary that the existing legal foundations are needed to be implemented for ensuring the human rights the people on the earth.

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