From Obligation to Practice:
Proactive disclosure of information by city governments in South Asia

DHAKA (SOUTH)

Researched & written by
Research Initiatives Bangladesh

Supported by:
Commonwealth Human Rights Initiative
and ANSA-SAR
REPORT OF THE STUDY OF PROACTIVE DISCLOSURE OF INFORMATION BY DHAKA SOUTH CITY CORPORATION

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## List of abbreviations and acronyms

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<th>Abbreviation</th>
<th>Description</th>
</tr>
</thead>
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<tr>
<td>ANSA-SAR</td>
<td>Affiliated Network for Social Accountability (South Asia Region)</td>
</tr>
<tr>
<td>BBS</td>
<td>Bangladesh Bureau of Statistics</td>
</tr>
<tr>
<td>CHRI</td>
<td>Commonwealth Human Rights Initiative</td>
</tr>
<tr>
<td>CPRO</td>
<td>Chief Public Relations Officer</td>
</tr>
<tr>
<td>DCC</td>
<td>Dhaka City Corporation</td>
</tr>
<tr>
<td>DOE</td>
<td>Department of Environment</td>
</tr>
<tr>
<td>DSCC</td>
<td>Dhaka South City Corporation</td>
</tr>
<tr>
<td>DWASA</td>
<td>Dhaka Water and Sewerage Authority</td>
</tr>
<tr>
<td>FOI</td>
<td>Freedom of Information Ordinance</td>
</tr>
<tr>
<td>GOB</td>
<td>Government of Bangladesh</td>
</tr>
<tr>
<td>IGS</td>
<td>Institute of Governance Studies</td>
</tr>
<tr>
<td>LGRD</td>
<td>Local Government and Rural Development</td>
</tr>
<tr>
<td>Miking</td>
<td>Announcement on microphone</td>
</tr>
<tr>
<td>PRO</td>
<td>Public Relations Officer</td>
</tr>
<tr>
<td>RAJUK</td>
<td>Rajdhani Unnayan Kartipakkha (Capital Development Authority)</td>
</tr>
<tr>
<td>RTI</td>
<td>Right to Information</td>
</tr>
<tr>
<td>SARTIAN</td>
<td>South Asia Right to Information Advocates Network</td>
</tr>
<tr>
<td>UN-HABITAT</td>
<td>United Nations Human Settlements Programme</td>
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1. Introduction

1.1. Background of the study

In South Asia, the first right to information laws were passed in India at the provincial level during the late 1990s. Pakistan was the first country to adopt a national level access law [Freedom of Information Ordinance (FOI)] in 2002. Later India, Nepal and Bangladesh enacted laws requiring governments at all levels to become transparent.

Usage of such laws varies from country to country and within each country. One common factor noticed across the region is the increasing number of requests made to urban local bodies such as City Corporations and municipalities. These bodies are responsible for providing a range of services and amenities to people in their jurisdiction. Given the size and concentration of urban populations, it is only natural to expect increased interaction between people and such local self-governing bodies in the context of the former’s needs and latter’s duties and responsibilities laid own in law. Ordinarily the statutes establishing such bodies require them to disclose some categories of information to their clientele proactively. Where such bodies are covered by the national or provincial (State) FOI/RTI\(^1\) law, they have additional obligations to be transparent event to the extent of responding to information requests under strict timelines and sometimes on pain of penalty.

Members of the South Asia Right to Information Advocates Network (SARTIAN) Community of Practice (CoP) have been filing information requests with various public authorities including urban local bodies. These efforts are linked to their own plans of action and strategies designed to bring abut governance reform in their countries. During discussions with some of the partners based in Pakistan, Bangladesh and India, a common concern emerged, namely, inadequate levels of transparency in the working of urban local bodies. As such, with support from ANSA-SAR\(^2\), the Commonwealth Human Rights Initiative initiated and coordinated a study of proactive disclosure principles and practice in three South Asian countries.

1.2. Purpose of the study

In simple terms the purpose of the study is to make an assessment of the theory and practice of proactive or voluntary disclosure of information in Dhaka South City Corporation (DSCC) and develop practical recommendations for improving transparency and timely disclosure of information.

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\(^1\) Right to Information

\(^2\) Affiliated Network for Social Accountability – South Asia Region
1.3. **Scope of the study**

The study focuses on the following areas of law and the extent to which they have been implemented in the DSCC:

- Proactive disclosure provisions contained in the constituting laws, rules, regulating and bye-laws in relation to each City Corporation.
- Provisions of law that require the City Corporation to give notices of its actions or proposed actions to people through various means.
- Provisions, if any, in the laws, rules and regulations relating to each City Corporation, according to which committee meetings must be held in the open so that people may attend, or if the minutes of such meetings are to be made available to people proactively or on request.
- Issues, such as: the laws, rules and regulations requiring the City Corporation to appoint any point person such as a public relations officer for providing information to visitors and legal requirements that the City Corporation disseminate information through the mass media.
- Applicability of the relevant RTI law to the City Corporation.

1.4 **Methodology of the study**

Provisions relating to information disclosure and transparency contained in the constituting laws, rules, regulations and bye-laws of Dhaka South City Corporation were reviewed, along with all other documents of relevance to governance in the Dhaka City Corporation.

Relevant documents for the study were obtained from the City Corporation’s office. RTI applications were filed for some necessary documents, report and policy papers.

Website contents were reviewed, and categories of website information are sorted, which match (and do not match) the proactive disclosure requirements under the constituting laws, rules, regulations and bye-laws applicable to the City Corporation, and which match (and do not match) proactive disclosure requirements under the applicable RTI Act.

The premises of the DSCC were visited to document the kinds of information displayed through notice boards, posters, hoardings, billboards, wall paintings, cloth bunting or flex banners.

The Corporation’s officials were interviewed to understand the use of mass media to disseminate information to the general public. For the purpose, Public Relations Officer (PRO), Chief Public Relations Officer (CPRO), Tax Officer of Zone -2, and Administrative Officer of Zone – 5 were interviewed.
A survey was conducted in three of the five zones of the DSCC, which include Zone – 2, Zone – 3, and Zone – 5. A semi-structured questionnaire was prepared for the survey. 50 persons were interviewed at the household level. The survey respondents included students, housewives and professionals.

The researchers did not deliberately use any personal relation to get information, rather approached the officials and sections of the City Corporation on citizen’s rights ground and for research purpose.

Schedule of visit to the DSCC premises:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Who visited</th>
<th>Who met / place</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Oct 2012</td>
<td>Afternoon</td>
<td>Researcher, and Associate Researcher</td>
<td>Public Relations Officer (PRO)</td>
</tr>
<tr>
<td>22 Oct 2012</td>
<td>Morning</td>
<td>Researcher</td>
<td>Chief Public Relations Officer (CPRO)</td>
</tr>
<tr>
<td>1 Nov 2012</td>
<td>Afternoon</td>
<td>Researcher, and Associate Researcher</td>
<td>CPRO</td>
</tr>
<tr>
<td>18 Nov 2012</td>
<td>Afternoon</td>
<td>Researcher, and a volunteer</td>
<td>Different wards of Zone - 2 and Zone – 5 to find display/information boards of the DSCC</td>
</tr>
<tr>
<td>19 Nov 2012</td>
<td>Morning</td>
<td>Researcher, and a volunteer</td>
<td>Tax Officer/ Zone Office – 2</td>
</tr>
<tr>
<td>20 Nov 2012</td>
<td>Afternoon</td>
<td>Researcher, and a volunteer</td>
<td>Administrative Officer/ Zone Office – 5</td>
</tr>
<tr>
<td>4 Dec 2012</td>
<td>Afternoon</td>
<td>Researcher, and Associate Researcher</td>
<td>CPRO/ notice boards</td>
</tr>
</tbody>
</table>

Reasons for selection of DSCC

As a result of the Local Government (City Corporation) Amendment Act (2011), Dhaka now has two city corporations – i) Dhaka South City Corporation, and ii) Dhaka North City Corporation. Dhaka South City Corporation has a website with limited information on what they are required to do as per the Ordinance. With little over one year into its formation, Dhaka North City Corporation has not built a website for disseminating public information. In addition, it has also not got its permanent building as yet. This will remain a limitation to searching of information, and seeking relevant documents for the study.

Since Dhaka North City Corporation is yet to be furnished with necessary facilities and information, and the study focused on Dhaka South City Corporation, which is in fact in its previous location (known as Dhaka City Corporation) with their continuous programs.
2. Background

2.1. Basic facts about Dhaka

Corporation under study: Dhaka South City Corporation (DSCC)

Dhaka currently hosts a population of approximately 14-16 million (GOB/BBS 2010, World Bank 2007). So, the DSCC has a population of 7-8 million approximately.

In recent studies conducted by the World Bank (2007) and UN-HABITAT (2008) Dhaka has been identified as the fastest growing mega city in the world. With an annual population growth rate of 4.4 percent it has been projected that by 2020 Dhaka would become the third largest mega city. Like most other fast growing mega cities in developing countries, Dhaka's rapid population is attributed to rural in-migration and associated with the resultant expansion of slums and the growth of the urban informal economy. It has been estimated that 300,000 to 400,000 migrants come to Dhaka from different parts of Bangladesh every year, drawn by the relatively higher wages and job opportunities that the national capital offers.

The UN-HABITAT's State of Cities 2010-11 (UN-HABITAT, 2011) report notes that Dhaka is a highly divided city where space is allocated and used for the benefit of a privileged few, while marginalizing the rest of the population from access to key social amenities.

2.2 Review of relevant documents to understand overall governance situation of the Corporation

Municipal autonomy is undermined when DCC is heavily regulated by the central government, leaving little space to make and administer decisions at the local level. The Local Government (City Corporation) Act, 2009 itself has paved the way for central government’s interference in three key aspects. First, Section 42 (1) of the Local Government (City Corporation) Act, 2009 empowers the central government to withdraw any institution or activity to its control from the purview of City Corporation. Second, the authority to appoint the Chief Executive Officer of the City Corporation rests with the government and his/her withdrawal from the Corporation has been procedurally very difficult (Section 62 of City Corporation Act, 2009). Third, central government has the power to make any changes to the Corporations’ budget (Section 76(3)). Furthermore, the Central government’s authority supersedes over all other delegated institutions, as it has the provision to abolish the formation of any City Corporation (Section 108).

Applying this authority, the government has on November 29, 2011, abolished the DCC and split it into two parts – DCC North and DCC South by passing the Local Government (City Corporation) (Amendment) Bill 2011.
The Local Government (City Corporation) Act, 2009 stipulates that the City Corporations could invite Heads of different agencies in the Corporation’s meetings; but they are not obliged to attend the meetings. DCC’s immediate past Mayor Mr. Sadek Hossain Khoka, in an interview with the authors, said that the legal provision of participation of Heads of different agencies is quite superficial in practice (IGS 2012).

The Local Government (City Corporation) Act, 2009 allows every City Corporation including the DCC to undertake any development plan and its implementation under the approval of the Government’s Local Government Division. In practice, the subjection of the DCC to the purview of the Local Government Division leaves limited space for autonomy to the DCC. **Third schedule** of the Act lists 28 types of activity of the Corporation; but little scope exists for the Corporation to undertake any major step that may impact the lives of city dwellers in a greater way. Central government agencies are mainly responsible for major urban services. Meanwhile, local people see the elected representatives of the municipal Corporation as the designated authority to meet their needs although they do not have the statutory power to do so.

On the back of weak formal governance, an informal governance structure has been active in providing urban services and securing livelihoods, especially for the poor and excluded in the city. This informal governance structure mediates with the formal one and imposes an unofficial system of charges and/or bribes on those aiming to secure a livelihood in the city from garments workers, to hawkers and rickshaw pullers. Hawkers, for instance, have become organized under informal leadership and wield their political influence through participation in political demonstrations in streets and neighborhoods.

The informal governance structure is largely defined by patron-client relations. Clientelistic relationships have personalized the nature of politics in the city. A personal contact with politicians or officials is often a more successful solution to grievance resolution than formal complaint channels, particularly in service delivery (Banks 2006 cited in IGS 2012).

Both horizontal and vertical structures of patron-clientelism are witnessed in the city governance. In horizontal patron-clientelism, the ruling party creates loyalties and allegiances and colludes with key state actors and organizations. This patron-clientelism is predominantly evident in urban administration where all kinds of appointments, promotions and transfers are often decided based on political party affiliation.

The vertical patron-client relationship depicts that followers of the party are rewarded based on their loyalty to the immediate party leaders. Entrance into his relationship which spreads downwards in a chain of *neta-karmi*\(^3\) (leader-follower) relationships, is determined by kinship and personalized ties (Panday and Jamil 2010 cited in IGS 2012).

\(^3\) Leader-activist
The relationship produces *mastaans*⁴ who collect extortion and mobilize a vote bank for the collection, and promotion within party hierarchy. Their role has grown up as the formal institutions fail to deliver.

Weak institutions provide the space for informal actors to deliver services through patron-client relations. When state institutions exclude the poor from services and fail to provide entitlements to the middle class such as right to security, the *masttans* fill the institutional gap between the state and the citizens. Access of citizens to this informal governance is highly expensive.

**2.3 Brief history of the Corporation:**

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1840</td>
<td>Committee of Improvement existed in Dhaka as early as 1823. Dhaka Committee was formed in 1840.</td>
</tr>
<tr>
<td>1864</td>
<td>Dhaka Municipality was established on the 1st August, 1864 with the introduction of District Municipal Improvement Act (Act III B.C. of 1864). Lt. Governor had power to appoint municipal Commissioners from among the inhabitants and their number was not to be less than seven.</td>
</tr>
<tr>
<td>1884</td>
<td>The Act of 1884 recognized for the first time the elective principle in unambiguous term. The first elected Chairman was Mr. Ananda Chandra Roy and the first elected Vice-Chairman was Mr. Khawaja Amirullah.</td>
</tr>
<tr>
<td>1922</td>
<td>Bengal Municipal Act of 1922 extended franchise to women also, who had so far been denied this right.</td>
</tr>
<tr>
<td>1947</td>
<td>Dhaka became the provincial capital of the then East Pakistan in 1947.</td>
</tr>
<tr>
<td>1947</td>
<td>Municipal Committee was superseded by the Govt. on the 19th of November, 1947 for collection of taxes development activities etc. Supersession was extended by annual orders on the score of non-preparation of electoral rolls, until 1953.</td>
</tr>
<tr>
<td>1953</td>
<td>In December, 1953, the elected Chairman took over his office, and again in August, 1959, Municipality was superseded.</td>
</tr>
<tr>
<td>1960</td>
<td>The Municipal Administration Ordinance of 1960 repealed all previous municipal laws and provided that the chairmen would be an official member appointed by and holding office during the pleasure of the Govt.</td>
</tr>
<tr>
<td>1960</td>
<td>The Government in 1960 divided the city area into 25 Unions, which were later enhanced by 30 Unions in 1964.</td>
</tr>
<tr>
<td>1977</td>
<td>City area was divided into 50 wards and election of Ward Commissioners was held with the introduction of Pourashava Ordinance, 1977.</td>
</tr>
<tr>
<td>1977</td>
<td>Ward Commissioners elected one of their members as the Chairman of the Municipality.</td>
</tr>
</tbody>
</table>

⁴ Muscle-powered people
**Background**

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1978</td>
<td>In 1978, Dhaka Municipality was awarded the status of Corporation and the existing Chairman became the Mayor of the Corporation.</td>
</tr>
<tr>
<td>1982</td>
<td>Municipal Corporation was superseded by the promulgation of Martial law in March, 1982.</td>
</tr>
<tr>
<td>1982</td>
<td>Two adjacent municipalities, namely Mirpur and Gulshan Municipalities were merged with Dhaka Municipality in 1982. As a result the number of wards increased to 56. Later, number of wards was increased to 75 and Administrators/Mayors were appointed by the Govt. till 1994.</td>
</tr>
<tr>
<td>1990</td>
<td>In 1990, Dhaka Municipal Corporation was renamed as Dhaka City Corporation.</td>
</tr>
<tr>
<td>1993</td>
<td>In 1993, the Government, with a view to democratize the City Corporation, made drastic amendments and made provision for the Mayor and the Commissioners to be directly elected.</td>
</tr>
<tr>
<td>1994</td>
<td>The election of the Corporation was held on January, 1994 and Mr. Mohammad Hanif became the first elected Mayor and Md. Sadeque Hossain Khoka was the second elected Mayor of Dhaka.</td>
</tr>
<tr>
<td>2011</td>
<td>The Local Govt. (City Corporation) Amendment Act (2011), Dhaka City Corporation has divided as Dhaka South City Corporation (DSCC) and Dhaka North City Corporation (DNCC) on 04.12.2011.</td>
</tr>
</tbody>
</table>

### 2.4 Laws applicable to Dhaka South City Corporation (DSCC)

The Local Government (City Corporation) Amendment Act 2011 is shown on the website, but its content is missing. However, The Local Government (City Corporation) Act, 2009 remains the basis of the functions of the Corporation.

**Here are some basic parts of the act:**

The Local Government (City Corporation) Act 2009 provides for several sections on taxes. **Sections 83 through 90** of the law deal with the notification, imposition, schedule, instruction, liability, collection, and assessment of taxes and levies. **Section 83** provides that all taxes, sub-taxes, rates, tolls and fees fixed by the Corporation need to be notified through government gazette notification, and if not otherwise instructed by the government, those have to be pre-disclosed (proactively). **Section 86** states that the Corporation has to impose taxes on an individual or goods, it has to notify and call for necessary information including documents, records or those goods in the first place. **Section 89** provides that Corporation can impose taxes on a job or grants, but in such case, the Corporation has to notify provider or employer of that job or grants beforehand for the due taxes.
However, as regards disclosure of information, the Local Government (City Corporation) Act, 2009 provides that:

- The Corporation will prepare reports on its administrative and development activities in prescribed format of government, and will submit the same with the 30th September of next fiscal year (Section 43).
- The Corporation will publish a document titled “Citizen Charter” with description on the services to citizens, conditions for the services, timeline of the services etc. (Section 44).
- The Corporation will, in its first meeting of the year in the immediate next to it, will form standing committees on the following areas. The committees will function for period of 2 years and 6 months, and after this period, new committees will be formed (Section 50).
- It says if any meeting is not held exclusively as unanimously decided by the majority of the councilors, such meeting will remain open for the people (Section 54(1)).
- Any citizen will have right to information regarding Corporation in the defined system. However, sub-section 2 says that Corporation, through gazette notification, can classify any records or documents to the interest of the people and of the administrative security; that citizens will lose their right to access those classified records or documents; and that Corporation can deny any such requests from the citizens. It further says that the government can instruct Corporation to publish list of information deliverable to the citizens (Section 110).
- The Corporation can make regulations regarding information disclosure process etc. (Section 110).

2.5 **Structure and functions of the corporation**

2.5.1 Wards:
There are 56 wards under Dhaka South City Corporation.

2.5.2 Administration of the Corporation
Enactment of the Local Government (City Corporation)(Amendment) Act, 2011 replaced some of the sections of the previous Local Government (City Corporation) Act, 2009 regarding the administration of the divided City Corporations. Section 4(1) of the act says if a new Corporation is formed under this act, the government will appoint a competent person or first class public official as its administrator.

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5 Ward numbers 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 48, 49, 50, 51, 52, 53, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91 and 92.
As regards the functions of the Mayor and Councilors, the act stipulates in section 6(2) that when this act divides an existing City Corporation, the structure of that City Corporation will be defunct, and the Mayor and the Councilors will lose their positions.

### 2.6 The functions of the corporation

The Local Government (City Corporation) (Amendment) Act, 2011 only amends few of the sections of the Local Government (City Corporation) Act, 2009. The law of 2009 broadly specifies the standing committees of the corporation (Section 50). However, the website categories the DSCC’s function as below:

<table>
<thead>
<tr>
<th>Public Health</th>
<th>Public Safety Civil defense</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Sanitation</td>
<td>• Floods</td>
</tr>
<tr>
<td>• Removal and disposal of refuse</td>
<td>• Famine</td>
</tr>
<tr>
<td>• Unsanitary buildings</td>
<td>• Dangerous and offensive articles</td>
</tr>
<tr>
<td>• Latrines and urinals</td>
<td>• Burial and burning places</td>
</tr>
<tr>
<td>• Birth, death and marriage registration</td>
<td></td>
</tr>
<tr>
<td>• Infectious diseases</td>
<td></td>
</tr>
<tr>
<td>• Health and maternity centers</td>
<td></td>
</tr>
<tr>
<td>• Public health</td>
<td></td>
</tr>
<tr>
<td>• Hospital and dispensaries</td>
<td></td>
</tr>
<tr>
<td>• Medical aid and relief</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Social welfare</th>
<th>Building Control</th>
</tr>
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<tbody>
<tr>
<td>• Social welfare</td>
<td></td>
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</table>

<table>
<thead>
<tr>
<th>Culture</th>
<th>Development</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Library</td>
<td>• Development plans</td>
</tr>
<tr>
<td>• Fairs and shows</td>
<td>• Community development project</td>
</tr>
<tr>
<td></td>
<td>• Commercial schemes</td>
</tr>
<tr>
<td></td>
<td>• Health development project</td>
</tr>
<tr>
<td></td>
<td>• Slum development</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Education</th>
<th>Streets</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Education</td>
<td>• Public streets</td>
</tr>
<tr>
<td>• Compulsory education</td>
<td>• Streets</td>
</tr>
<tr>
<td>• General Provision about education.</td>
<td>• General provision about streets</td>
</tr>
<tr>
<td></td>
<td>• Encroachment</td>
</tr>
<tr>
<td></td>
<td>• Streets lighting</td>
</tr>
<tr>
<td></td>
<td>• Streets watering</td>
</tr>
<tr>
<td></td>
<td>• Traffic control</td>
</tr>
<tr>
<td></td>
<td>• Public vehicles</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Trees, Parks, Gardens and Forests</th>
<th>Urban Planning</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Arboriculture</td>
<td>• Master plan</td>
</tr>
<tr>
<td>• Gardens</td>
<td>• Ward Base GIS Base Map &amp; Database</td>
</tr>
<tr>
<td>• Open Spaces</td>
<td>• Site development schemes</td>
</tr>
<tr>
<td>• Forests</td>
<td>• Execution of site development</td>
</tr>
<tr>
<td>• Nuisances pertaining to tree</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Urban Planning</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>• Master plan</td>
<td></td>
</tr>
<tr>
<td>• Ward Base GIS Base Map &amp; Database</td>
<td></td>
</tr>
<tr>
<td>• Site development schemes</td>
<td></td>
</tr>
<tr>
<td>• Execution of site development</td>
<td></td>
</tr>
</tbody>
</table>
2.7 The powers of the corporation in relation to its duties and functions

According to the Local Government (City Corporation) (Amendment) Act, 2011, the functions of the DSCC are currently administered by the public officials in both the central and zonal offices. The Local Government (City Corporation) Act, 2009 broadly specifies the functions (Section 50), and stipulates that further rules and regulations will be made, but no such rules and regulations could be found on the functions of the Corporation.

2.8 Finances

The sources of funding for DSCC comprise internal revenue collection, central government grants, development grants, project development loans and other loans (Dhaka City Corporation, Budget 2011-2012).

Internal Revenue Collection:

The Power to levy and collect revenues is contained in the Dhaka City Corporation Ordinance (1983). The revenues are in the form of taxes, rates and fees whose amounts are established in their respective Model Tax Schedules.

Taxes and Rates (collectively known as the Holding Tax)

This levy applicable to all properties (domestic, commercial, industrial, and institutional). Is a major source of municipal revenue and is composed of:

- Land and Buildings Assessment (property tax with a ceiling of 7% on the balance of the annual rental value)
• Lighting Rate (street lighting, rate set a maximum of 3%)
• Conservancy Rate (a rate for provision of solid waste collection and disposal services, also with a ceiling of 7%)

Service Elements of Holding Tax:
These are charged for all properties in areas where each service is provided, irrespective of whether or not the individual property owner avails himself of the service, including:

The Fixed Property Transfer Tax (levied by central government, 2% of the declared property value is remitted to the City Corporation).

• The Compensation Grant (grant from central government to compensate municipalities for the abolition in 1985 of their powers to levy import and export taxes transmitting their territories).
• The Trades and Profession License Tax (an annual fixed amount paid by tradesmen and professionals as a license fee to conduct their business activities).
• An Entertainment Tax (10-15% of the entrance ticket value for cinemas, theaters, exhibitions, etc).
• Rickshaw License (an annual fee)
• Income from Residential, Market and Other Properties (from advance payments and annual rentals paid by lessees for properly developed by the municipalities).
• Road Excavation Fees (charged for utilities which lay pipes and cables under roads.
• Other (generating minimal revenues).

Development Grants:
These are equity contributions from central government towards capital project implementation costs. Typically, these are made for the funding of no cost or indirect cost recovery programs such as roads, flood protection and drainage, whether from internally generated central government revenues or from external loan/grant proceeds.

Project Development Loans:
For cost-recovery projects, such as land development, sanitation and solid waste management, the central government extends external loan proceeds under subsidiary loan agreements.

Other Loans:
Dhaka City Corporation has access to domestic loan-term loans from government-owned banks.
2.9 Budgetary support for the City Corporation

Municipal autonomy is undermined when DCC is heavily regulated by the central government, leaving little space to make and administer decisions at the local level. The Local Government (City Corporation) Act, 2009 itself has paved the way for central government's interference (Section 42(1), Section 62, Section 76 (3), and Section 108 for example).

DCC lacks financial autonomy in the discharge of its statutory functions. The Corporation depends on the central government for its financial and human resources. The Corporation planned to mobilize only 32.57 percent revenue by itself in the fiscal year 2011-12. The rest of the total budget (67.43 percent) for the same year will come from the Government's grants and foreign aided projects or through public-private partnership. This financial dependency gives the central government further leverage to control the Corporation (IGS 2012).

The net release of government's grants is less than half of what is allocated in the budget. The revised budget for the fiscal year 2010-11 reveals that the proposed grant of BDT 500 million allocated in the previous year's budget was not given to the Corporation. In addition, the net release of general grants and that of projects funds was 40.75 percent and 52.69 percent respectively, in the revised budget of fiscal year 2010-11.

Budgeted expenditures and receipts for the last 3 financial years:

<table>
<thead>
<tr>
<th>Year</th>
<th>Budgeted expenditure</th>
<th>Receipts (Tk)</th>
</tr>
</thead>
<tbody>
<tr>
<td>2011-12</td>
<td>2715,00,00,000.00</td>
<td>2715,00,00,000.00</td>
</tr>
<tr>
<td>2010-11</td>
<td>774,00,00,000.00</td>
<td>739,60,76,749.08</td>
</tr>
<tr>
<td>2009-20</td>
<td>673,38,00,000.00</td>
<td>603,33,37,545.53</td>
</tr>
</tbody>
</table>
3. **Principles of openness and transparency as required by the law**

The Local Government (City Corporation) Act, 2009 contains several sections requiring publishing and publicizing the documents and information to the citizens. However, at the same time, there are sections and sub-sections in the same law, which allow the government to classify information.

3.1 **Guidelines on records management, access to information or proactive disclosure of information**

The Local Government (City Corporation) Act 2009:

- The law has provisions for disclosure of information on the one hand, and for classifying and restricting information on the other. **Section 110** deals with the citizens’ right to information in the following manner:
  - Any citizen will have right to information regarding Corporation in the defined system.
  - **Sub-section 2** says that the Corporation, through gazette notification, can classify any records or documents in the interest of the people and of the administrative security; that citizens will lose their right to access those classified records or documents; and that the Corporation can deny any such requests from the citizens.
  - It further says that the government can instruct Corporation to publish list of information deliverable to the citizens.

Right to Information Act, 2009:

Under **Section 6**:

- Every authority shall publish and publicize all information pertaining to any decision taken, proceeding or activity executed or proposed by indexing them in such a manner as may easily be accessible to the citizens.
- In publishing and publicizing information under sub-section (1), no authority shall conceal any information or limit its easy access.
- Every authority shall publish a report every year which shall contain the following information, namely:—
  - particulars of its organizational structure, activities, responsibility of the officers and employees, or description and process of decision making;
  - lists of all laws, Acts, Ordinance, rules, regulations, notifications, directives, manuals, etc. of the authority including the classification of all information lying with the authority;
Requirements under law

- description of the terms and conditions under which a citizen may get services from the authorities in obtaining any license, permit, grant, consent, approval or other benefits and of such conditions that require the authority to make transactions or enter into agreements with him;
- particulars of the facilities ensuring right to information of the citizens, and the full name, designation, address, and, in cases where applicable, fax number and e-mail address of the assigned officer.

- If the authority frames any policy or takes any important decision, it shall publish all such policies and decisions and shall, if necessary, explain the reasons and causes in support of such policies and decisions.
- The report prepared by authority under this section shall be made available free of charge for public information and its copies shall be stocked for sale at nominal price.
- All the publications made by the authority shall be made available to the public at reasonable price.
- The authority shall publish and publicize the matters of public interest through press note or through any other means.
- The Information Commission shall, by regulations, frame instructions to be followed by the authority for publishing, publicizing and obtaining information and all the authority shall follow them.

3.1 Legal provisions governing proactive disclosure

The Local Government (City Corporation)(Amendment) Act (2011) does not provide details of proactive disclosure provisions, but replaces and revises some of the sections of the Local Government (City Corporation) Act, 2009. Some of the sections of the 2009 law have proactive disclosure obligations, but no rules or regulations thereof were made so far.

Section 43 of the law deals with publication of report on administration and development activities. It says that the Corporation will prepare reports on its administrative and development activities in prescribed format of government, and will submit the same with the 30th September of next fiscal year.

Section 44 of the law deals with the citizen charter, and states the following.
- The Corporation will publish a document titled “Citizen Charter” with description on the services to citizens, conditions for the services, timeline of the services etc.
- This charter will be updated once in a year.
- The Corporation can make guidelines regarding an ideal citizen charter.
- The Corporation can bring necessary changes and additions in the charter subject to the notification to the government and the commission.
- The charter will include accurate and clear description of the services, charges of such services, eligibility of receiving and demanding services and the processes thereof, specific timeline of the services, responsibilities, assurance of services to the citizens, disposal of complaints related to services, and consequences of violations of the promises.

Section 54(1) tells about people’s participation in the meeting. It says if any meeting is not held exclusively as unanimously decided by the majority of the councilors, such meeting will remain open for the people.

Section 59 of the law provides that all agreements signed by or in favor of City Corporation will be finalized after approval by the meeting of the Corporation, and such agreements will be considered as accomplished in the name of Corporation.

Section 62 of the law provides that (the Corporation will) preserve all documents in proper manner. It further says the Corporation will prepare reports and statements, and publish them. The Corporation will disclose information as the government asks for, from time to time.

Section 110 deals with the citizens’ right to information in the following manner:
  - Any citizen has the right to information regarding the Corporation
  - However, sub-section 2 says that Corporation, through gazette notification, can classify any records or documents in the interest of the people and of administrative security; that citizens will lose their right to access those classified records or documents; and that Corporation can deny any such requests from the citizens.
  - It further says that the government can instruct the Corporation to publish a list of information deliverable to the citizens.
  - The Corporation can make regulations regarding information disclosure process etc.

### 3.2 Legal provisions governing committee meetings

Section 50 deals with the standing committees of the Corporation as saying that the Corporation will, in its first meeting of the year, form standing committees on the following areas. The committees will function for period of 2 years and 6 months, and after this period, new committees will be formed. The committees are as follow:

- Finance and Establishment
- Waste management
- Education, health, family planning and sanitation
- Town planning and improvement
Requirements under law

- Audit and accounts
- Town infrastructure development and preservation
- Water and electricity
- Social welfare and community center
- Environment improvement
- Sports and culture
- Birth and death registration
- Communication
- Supervision, monitoring and control of market prices
- Disaster management

Section 49(3) deals with the meeting of the Corporation as saying that the Corporation on any working day in the first week of a month will hold a meeting and fix a date for the next meeting.

Section 54(1) tells about people’s participation in the meeting. It says if any meeting is not held exclusively as unanimously decided by the majority of the councilors, such meeting will remain open for the people.

3.3 Legal provisions governing disclosure of budgets & accounts

Section 77 stipulates the accounts of the Corporation. Sub-section (1) says the Corporation has to preserve the statements of income and expenditure in proper manner. Sub-section (2) says the Corporation will prepare their annual accounts statement at the end of each year, and will submit the same by December 31st to the commission. The commission will add their reviews and comments to it, and send the same to the government. Sub-section (2) says the annual accounts statement has to be hung in an open space for the citizens, and the Corporation will consider all objections and suggestions on it.

Faced with enquiries about the legal provisions of the City Corporation about budget preparation process, participation of and exchanges with the citizens, and disclosing it to the citizens, the concerned Corporation officials at both the central and zonal offices remain silent and hesitant. Beyond their knowledge of what is said in their own laws, they referred to their practices and the expectations of the concerned ministry. They kept repeating their point that the ministry requires the budget to be submitted in a prescribed format to only the ministry. They think it’s not the prerogative of the citizens to look into the budget, let alone their participation in the preparation process.

However, they gave a written answer that Dhaka South City Corporation discloses its budget to the citizens through press conference. Each year in the month of February/March, the accounts department asks the heads of the departments of the
Requirements under law

Corporation to submit their budgets according to the budget heads. The concerned departments submit their budgets to the accounts department. The accounts department compiles the budgets and submits to the budget management committee for scrutiny. The draft budgets are reviewed meticulously in a meeting chaired by the Chief Executive Officer and attended by the Secretary, Chief Engineer, Chief Revenue Officer, Chief Sanitation Officer, Chief Health Officer, and Chief Accounts Officer. A proposed budget is sent to the Local Government Division, Ministry of LGRD. With their reviews and comments, the final budget is prepared.

The written answer further says that during the preparation of the 2012-2013 fiscal budget, the Administrator of the DSCC held exchange meetings with the people in the five zones and assessed the local demands, which are reflected in the budget.

The researcher did not get a copy of the budget without filing of an RTI application to the Corporation.

The concerned officials were found surprised and irritated initially at the queries and request for audit statements. They took this request as doubting the Corporation’s activities, and answered that there are number of government authorities to whom they are accountable. The authorized audit firms make yearly audits into the accounts of the Corporation by the December after the ending of each financial year, and they submit the same to the ministry.

However, the research team avoided further arguments with the concerned officials, since the mindset of the officials and the position of the Corporation over this particular issue is already revealed. They still prefer the secretary and only remain loyal to the higher-ups, not to the citizens.

The interviewed officials did not find any link of the audited statements with the interest of the citizens, and so, finds the request as unusual. However, they supplied a couple of pages from the audit report.

3.4 Applicability of the relevant RTI law to the city corporation

RTI law applicable to the Corporation

The People’s Republic of Bangladesh (GPRB) has enacted the Right to Information Act, 2009 with effect from 1 July 2009 in order to make provisions for ensuring free flow of information and people’s right to information; whereas freedom of thought, conscience and speech is recognized in the Constitution of GPRB as one of the fundamental rights and right to information is an inalienable part of freedom of thought, conscience and speech; and whereas all powers of the Republic belong to the people, and it is necessary to ensure right to information for the empowerment of the people; and whereas if the right to information of the people is ensured, the transparency and accountability of the
public, autonomous and statutory organizations and of other private institutions constituted or run by government or foreign financing shall increase, corruption of the same shall decrease and good governance of the same shall be established; and whereas it is expedient and necessary to make provisions for ensuring transparency and accountability in all public, autonomous and statutory organizations and in other private institutions constituted or run by government or foreign financing. [GPRB, Information Commission Bangladesh, 2010, The Right to Information Act, 2009, Dhaka]

The type of information that the Corporation must proactively disclose under the said RTI laws

Section 6 of the RTI Act 2009 states publication of information as saying:

1. Every authority shall publish and publicize all information pertaining to any decision taken, proceeding or activity executed or proposed by indexing them in such a manner as may easily be accessible to the citizens.
2. In publishing and publicizing information under sub-section (1), no authority shall conceal any information or limit its easy access.
3. Every authority shall publish a report every year which shall contain the following information, namely:—
4. particulars of its organizational structure, activities, responsibility of the officers and employees, or description and process of decision making;
5. lists of all laws, Acts, Ordinance, rules, regulations, notifications, directives, manuals, etc. of the authority including the classification of all information lying with the authority;
6. description of the terms and conditions under which a citizen may get services from the authorities in obtaining any license, permit, grant, consent, approval or other benefits and of such conditions that require the authority to make transactions or enter into agreements with him;
7. particulars of the facilities ensuring right to information of the citizens, and the full name, designation, address, and, in cases where applicable, fax number and e-mail address of the assigned officer.
8. If the authority frames any policy or takes any important decision, it shall publish all such policies and decisions and shall, if necessary, explain the reasons and causes in support of such policies and decisions.
9. The report prepared by authority under this section shall be made available free of charge for public information and its copies shall be stocked for sale at nominal price.
10. All the publications made by the authority shall be made available to the public at reasonable price.
11. The authority shall publish and publicize the matters of public interest through press note or through any other means.
12. The Information Commission shall, by regulations, frame instructions to be followed by the authority for publishing, publicizing and obtaining information and all the authorities shall follow them.
3.5 **Manner or medium through which the Corporation must disclose such information**

**Local Government (City Corporation) Act, 2009:**

*Under Section 44*, the Corporation will publish a citizen’s charter, which will include accurate and clear description of the services, charges of such services, eligibility of receiving and demanding services and the processes thereof, specific timeline of the services, responsibilities on the services to the citizens, assurance of services to the citizens, disposal of complaints related to services, and consequences of violations of the promises.

*Section 91* of the same law deals with reports on annual operations of the Corporation. Sub-section (1) says the Corporation as per the date fixed by the government will submit a detailed report of its implement activities annually to the government and the commission. Sub-section (2) says the Corporation will keep copies of the reports in the Corporation office for sale.

*Section 45* provides that:

- The Corporation will ensure use of advanced information and communication technology.
- Through use of information and communication technology, the Corporation will arrange for descriptions to the citizens on all public works, except for those stated in the citizen charter.

*Section 77 stipulates the accounts of the Corporation.* Sub-section (1) says the Corporation has to preserve the statements of income and expenditure in proper manner. Sub-section (2) says the Corporation will prepare their annual accounts statement at the end of each year, and will submit the same by December 31st to the commission. The commission will add their reviews and comments to it, and send the same to the government. Sub-section (2) says the annual accounts statement has to be hung in an open space for the citizens, and the Corporation will consider the all objections and suggestions on it.

*Section 57 deals with meeting resolutions saying:*

1. The resolutions of the Corporation and different committees will include the names of the attending councilors, and in the next meeting with necessary amendments, if any, the same will be approved, and will be preserved in binding book (register).
2. The resolutions after 14 days of approval will be sent to the Commission and the Government.
3. Each resolution will be sent to the councilors on time, and will be published on the website.
4. The copies of these resolutions can be obtained with due fees.
4. Openness and transparency as observed in practice: findings of the survey

Let alone the bye-laws, rules and regulations, the main law of the City Corporation is not available on the City Corporation website. The concerned City Corporation officials give the impression that the City Corporation itself does not have anything to do with the laws, bye-laws or any rules or regulations, rather it is the Local Government and Rural Development Ministry that treats the Corporation as a branch office, and directs what to do. It refers to a situation that the City Corporation neither feels or nor functions as an autonomous authority.

However, the City Corporation has appointed a point person, a public relations officer, for providing information to visitors.

4.1. Web content analysis

Information displayed on the DSCC website

The website of the Dhaka South City Corporation (DSCC) is in English.

The Local Government (City Corporation) (Amendment) Act 2011 is shown on the website, but its content is missing. The Local Government (City Corporation) Act, 2009, which is seen as the base law for City Corporation is not posted on the website, even the law is not available on the website of the Ministry of Local Government and Rural Government.

The categories of information provided on the Corporation’s website are as follow:

- History of Dhaka and Dhaka City Corporation.
- The constitution and standing committees: Updates according to the recent 2009 law are not available on the website. Rather, as per the ordinance (Dhaka City Corporation Ordinance 1983, now repealed) quoted by the CPRO, it says, the Corporation shall, by regulation, determine the functions of Standing Committee. Therefore, the Standing Committees discharge functions basically on an ad-hoc basis depending on the perception of the members about the functions of the Standing Committee. No regulations regarding the functions and responsibilities of the standing committees are made available.
- There are address and phone numbers of the DSCC executives on the website.

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6 [www.dhakacity.org](http://www.dhakacity.org)
Findings of the survey

- There is a section on frequently asked questions. The section contains some questions on tax, license, VAT, rebate, payment procedures etc., but it does not provide answers, and refers to the section of e-Governance on the website, which is not furnished as yet.

- There are details on tax on professions, trades and callings. It includes liability on account of obtaining license to carry on profession, trade and calling, manner of filing application for license, particulars of license, conditions for obtaining trade license, and renewal of trade license.

- Ward councilors: Details on the functions and responsibilities are not made available anywhere. However, the website sources say, the Corporation shall, by regulation, determine the functions of standing committees. Therefore, the standing committees discharge functions basically on an ad-hoc basis depending on the perception of the members about the functions of the standing committee.

- The website contains information on house rent for different zones. But, no details are given on how which department of the Corporation will look after application of the prescribed rents, and how the city dwellers will communicate regarding these. However, while asked about the application of these house rents and complaint resolution, the concerned officials refer to the Deputy Commissioner’s office of Dhaka.

- The website refers to the Dhaka City Corporation Ordinance, 1983 and the City Corporation (Taxation) Rules, 1986. There are short descriptions on holding tax assessment, examples of tax assessment, payment of tax, mutation rules, mutation procedures, required documents for mutation, and notice of transfer of title. This section also includes two sub-sections, namely, tax on advertisement, and maintenance of a list of persons taxed. However, the information regarding tax on advertisement is not complete, and how the tax will be determined is not described.

- There is a section on building control, which refers to 1983 ordinance as saying the Corporation may take the necessary steps itself and the cost incurred thereon by the Corporation shall be deemed to be tax levied on the owner or occupier of the building under this Ordinance. However, the Government has recently decided that any structure having 6 floors and above should get permitted by the Dhaka City Corporation along with RAJUK, DOE, DWASA, Civil Aviation, Titas Gas Transmission & Distribution, DCC Ward Commissioners, Fire Service.

- Information on the bus terminals, routes, number and name of buses for different destinations are provided.

- The website provides information that the Corporation is responsible for beautification of city, and also provides a list of parks under the Corporation.

- The website tells that there are two health supervisor (in each zone) working to prohibit the sale of adulterated food in hotel/restaurant. It further says that during their visit they collect sample food from the buyer/supplier and market
and send these to the organization's laboratory for the chemical testing. If any adulterated or expired food is found from the test, the corresponding institute can be charged under the "Bangladesh Pure Food Rules 1967 and Bangladesh Pure Food Ordinance".

- The website gives information on the procedure of marriage separation, and remarriage, and the key contact persons in this regard.
- It provides the information on the procedures and rates for road cutting.
- It has information on solid waste management, collection, disposal and recycling.
- It provides information on wheel tax\(^7\) including the laws and bye-laws controlling it.
- The Social Welfare services includes, as the site states, body building clubs, health care centers, community centers, grave yards, cultural centers, public library, museum, school/college, singing learning center, and \textit{shoshan ghat} (crematory ground).
- Only social welfare section provides information on the location, ward, zone, fees, contact person etc. for the social welfare services.

All these information are basically on what they are supposed to do as a City Corporation, and do not reflect the current activities of the City Corporation, and do not include what projects they are currently implementing.

The RTI law requires that every authority publish a report every year which shall contain the information, namely, particulars of its organizational structure, activities, responsibility of the officers and employees, or description and process of decision making; lists of all laws, Acts, Ordinance, rules, regulations, notifications, directives, manuals, etc. of the authority including the classification of all information lying with the authority; description of the terms and conditions under which a citizen may get services from the authorities in obtaining any license, permit, grant, consent, approval or other benefits and of such conditions that require the authority to make transactions or enter into agreements with him; particulars of the facilities ensuring right to information of the citizens, and the full name, designation, address, and, in cases where applicable, fax number and e-mail address of the assigned officer.

\(^7\) Three wheelers, such as, rickashaw, rickshaw van.
4.2. **Categories of website information which do not match the proactive disclosure requirements under the constituting laws, rules, regulations and bye-laws applicable to the City Corporation**

The City Corporation act of 2009 requires the Corporation to publish their reports each year on administrative and development works after the financial year and before the 30th September of the next financial year. However, no such reports are available on the website. Not only were the reports not printed and displayed for citizens, such reports could not even be obtained from the public relations department of the Corporation.

The same law requires that the Corporation publish a citizen charter, to include accurate and clear description of the services, charges for such services, eligibility of receiving and demanding services and the processes thereof, specific timeline of the services, responsibilities on the services to the citizens, assurance of services to the citizens, disposal of complaints related to services, and consequences of violations of the promises. However, though such a charter is available on the website, it is not updated as the legal provisions require it. Even one year after the City Corporation law of 2011 divided the Dhaka City Corporation into two, separate charters for the two are yet to be written.

The same law requires that the meeting resolutions of the Corporation’s committees be recorded and preserved. The resolutions have to be published on the website on a regular basis and the citizens can get copies of the same with fees. However, the website does not contain such information, and unfortunately, it was not provided to the researcher even after requests to the concerned department.

The law of the Corporation requires that the Corporation record and publish all its activities in a prescribed manner. However, the officials at the Corporation do not feel that they are required to produce records or documents to the public on demand. Astoundingly, the concerned officials seemed to have heard for the first time from the researchers that their own laws require them to publish the documents and produce them to the citizens.

The Corporation is required to prepare an accounts statement of its activities of a financial year after end of the financial year and before the 31st of December of the next financial year, and the same has to be hung in an open place for the citizens. In practice, the Corporation does not show such statements to the citizens, and does not publish it on its website.

The Corporation is required to publish annual reports detailing its activities, and display the reports for sale to the citizens. Such reports are not published on the website, and not produced to the citizens.
4.3 *Categories of information which do not match proactive disclosure requirements under the applicable RTI Act*

The RTI law requires every authority to publish and publicize all information pertaining to any decision taken, proceeding or activity executed or proposed by indexing them in such a manner as may easily be accessible to the citizens. In contrast to the requirement by Corporation’s own law and the RTI law, the Corporation does not publish and publicize its committee decisions, and annual activity reports.

The RTI law states that, in publishing and publicizing information under sub-section (1), no authority shall conceal any information or limit its easy access. In practice, neither of the documents of the Corporation is easily accessible. The concerned officials of the Corporation, as observed by the researcher, only respect the media people to some extent in response to information requests. The concerned officials tend to explain unavailability of the documents and weaknesses in the functions of their activities particularly pertaining to record keeping and documentation. In addition, they frequently state that they provide all sorts of documents to the government offices under the local government ministry, and are not supposed to disclose those to the citizens.

The law further says if the authority frames any policy or takes any important decision, it shall publish all such policies and decisions and shall, if necessary, explain the reasons and causes in support of such policies and decisions. The report prepared by authority under this section shall be made available free of charge for public information and its copies shall be stocked for sale at nominal price. All the publications made by the authority shall be made available to the public at reasonable price. The authority shall publish and publicize the matters of public interest through press note or through any other means. However, such provisions are not followed by the City Corporation.

The RTI law also requires that the Information Commission shall, by regulations, frame instructions to be followed by the authority for publishing, publicizing and obtaining information and all the authorities shall follow them. However, The Information Commission made Right to Information (Information Disclosure and Publicizing) Regulation for the authorities, but its compliance could not be known.

Let alone the bye-laws, rules and regulations, the main law of the City Corporation is not available on the City Corporation website.

The Public Relations Officers and the Designated Officer (under RTI law) admit that it would be better if they could disclose more information on the website. The DO himself is the happy with the activities of the system analyst (for website management). In
addition, it was also known that they cannot always do what they need to. There are some internal pull factors.

**4.4 Assessment of proactive disclosure from office premises**

Schedule of visit to the DSCC premises:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Who visited</th>
<th>Who met / place</th>
</tr>
</thead>
<tbody>
<tr>
<td>11 Oct 2012</td>
<td>Afternoon</td>
<td>Researcher, and Associate Researcher</td>
<td>Public Relations Officer (PRO)</td>
</tr>
<tr>
<td>22 Oct 2012</td>
<td>Morning</td>
<td>Researcher</td>
<td>Chief Public Relations Officer (CROSS)</td>
</tr>
<tr>
<td>1 Nov 2012</td>
<td>Afternoon</td>
<td>Researcher, and Associate Researcher</td>
<td>CROSS</td>
</tr>
<tr>
<td>18 Nov 2012</td>
<td>Afternoon</td>
<td>Researcher, and a volunteer</td>
<td>Different wards of Zone - 2 and Zone – 5 to find display/information boards of the DSCC</td>
</tr>
<tr>
<td>19 Nov 2012</td>
<td>Morning</td>
<td>Researcher, and a volunteer</td>
<td>Tax Officer/ Zone Office – 2</td>
</tr>
<tr>
<td>20 Nov 2012</td>
<td>Afternoon</td>
<td>Researcher, and a volunteer</td>
<td>Administrative Officer/ Zone Office – 5</td>
</tr>
<tr>
<td>4 Dec 2012</td>
<td>Afternoon</td>
<td>Researcher, and Associate Researcher</td>
<td>CROSS/ notice boards</td>
</tr>
</tbody>
</table>

All the 5 officers we met have almost the same response regarding circulation of notices on the notice board. In fact, the notice board of the Corporation’s main building was found empty, while the two zonal offices have only a few old notices on their notice boards. Regarding circulation of notices they said, “We have direct contact with the clients (firms or individuals) to float tenders etc., and we invite media for press conference for the same. The councilors avoid documenting and circulating notices or entertaining complaints in writing. The works of the DSCC are rather done in informal ways through personal contacts. Informal ways are better.” However, the process of works through personal contacts is against rule of law and it hinders accountability and transparency.

According to the survey, some citizens often hear the miking of the notices from the Corporation, some have never heard anything like this. They never knew beforehand

---

8 Announcement of notices via microphone.
about any proposed or planned (project) activities of the City Corporation in their concerned areas (wards). Some citizens sarcastically said, we do not know much of what City Corporation is and what they do.

There is hardly any prior notice on the proposed or undertaken activities. [The Corporation gets their notices published in the national dailies on regular basis. As a matter of fact, citizens hardly read the advertisements or the notices of the Corporation.]

However, a couple of notices were found at the Zone Office – 2 and Zone Office – 5 under the DSCC. [Annex – 7]

Documents obtained without using RTI
- Sample advertisements related to tax and rebate
- Sample advertisements related to activities\(^9\) to be undertaken

Documents for which RTI had to be used
- Audited accounts statement
- List of standing committees\(^10\) and description of their functions
- Budgets of the current and previous fiscal years

Documents and information not found even after filing of RTI application
- The Local Government (City Corporation) Act (relevant sections of the city corporation law), which require the city corporation to publish and publicize its documents, reports, decisions and information related to public interest.
- Annual reports\(^11\)
- Budget and activity reports which the corporation receives in a year from its Zonal Offices.
- Demographic data segregated by wards

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\(^9\) These advertisements include tender notice, cleaning, mosquito control etc.

\(^10\) The standing committees are dysfunctional at the moment since the division of the Dhaka City Corporation in November 2011. No election to elect public representatives (Mayor and Councilors) is held after the division of the corporation.

\(^11\) The Designated Officer at the DSCC put emphasis that the reports are prepared annually in the government prescribed format, and submitted to the concerned division of the Ministry of Local Government and Rural Development, and that these reports are not published for the citizens.
Findings of the survey

4.5 Assessment of proactive disclosure through mass media

When the DSCC takes up any activity or project, they circulate it as advertisement in the national newspaper. Some specimen advertisements are attached herewith. [Annex – 7]

When the citizens at the ward level were interviewed, 96% of the respondents claimed that they do not know what activity or project is undertaken by the City Corporation. This may possibly be linked to low newspaper readership as a percentage of the population. Even though people read newspapers for current issues, they rarely see advertisements in newspapers, except for few who look for job advertisements.

4.6 Observations of the research team

- The concerned officials of the City Corporation feel hesitant and uncomfortable when individuals ask for information about their works. The officials do not feel that they have to account for their works to the common people.
- The PRO and CPRO in our initial meeting (prior to filing of RTI application), did not like the information requests and responded that they were already overburdened and had to answer the queries from the Ministry and the Anti-Corruption Commission.
- The Tax Officer and the Administrative Officer did not talk about their annual activity reports or financial reports, and said, “You need to show us permission from the higher authority to disclose information to you. Or else, we will have problem.”
- The concerned officials have hardly seen or had any idea on their own laws and by-laws. When asked for delivery of information as directed in their own laws, and when the relevant sections of the laws were shown to them, they seemed to have seen those for the first time, and only then started entertaining the requests for information.
- We had to show them what sections of their own law tell what.
- The Corporation officials rather support informal way of business, and try to avoid rule of law. That is why they are reluctant to document their internal meetings and decisions, at least to show them to the people.
- Some citizens often hear the miking of the notices from the City Corporation, some have never heard anything like this. They never knew beforehand about any proposed or planned (project) activities of the City Corporation in their concerned areas (wards). Some citizens sarcastically said, we do not know much of what City Corporation is and what they do.
- The laws of the City Corporation, though not stressing much on top-down accountability towards the public, have provided for some space for people’s inquiries and watch over their works. [The law provides for disclosure of annual
activities and audited accounts and any other information requested from the citizens.]

- The citizens as a whole are basically not that much interested in the activities of the City Corporation, and try to make the officials accountable, and raise any voices in a systematic way to the City Corporation on transparency issues.

### 4.7 Brief analysis of public opinion (from survey)

The interviewed people receive very often the notices of taxes, any changes in taxes or fines through slips in their houses or through miking. The concerned officials of the City Corporation claim that any projects or changes are circulated in newspaper and through press release at regular basis. However, the responses of the interviewed citizens do not match what the Corporation officials claim. Here are a summary of the opinions of the interviewed citizens.

- The City Corporation does not pay attention to or takes too much time to attend to the individual problems of the citizens of different wards. Even when they do respond, they do so late, and are far removed from the realities of the citizens.
- Had the City Corporation heard from the citizens about their crises, they should have developed better urban planning and delivered better services.
- Citizens are not much aware of the functions and functionaries of the City Corporation, and so, they are not engaged in the activities of the Corporation.
- The City Corporation is not working as per expectations.
- There is hardly any prior notice on the proposed or undertaken activities. [The Corporation gets their notices published in the national dailies on regular basis. As a matter of fact, citizens hardly read the advertisements or the notices of the Corporation.]
- Cleaning of roads and roadsides are of common concern of the citizens.
- Citizens are mostly not sensitized about the activities of the City Corporation. As regards the responsibilities of the City Corporation, citizens mostly want the City Corporation only to keep their areas clean.
- Citizens have a perception that corruption is a barrier to the proper accomplishment of the activities of the City Corporation.
5. Summary of findings

The concerned officials in the Corporation’s offices treat queries as strange and abnormal. There are certain sections in the Local Government (Dhaka City Corporation) Act, 2009 that stipulate that the annual activity reports, audited reports, and updated citizen charter etc. have to be kept in open place accessible to the citizens, but the DSCC officials admitted not to have seen those.

The law requires the City Corporation to publish their reports on yearly basis and make them available to the citizens. It also requires that the resolutions of the standing committee meetings of the Corporation be written and made public. The law further stipulates that all information regarding activities of the Corporation can be asked for by citizens unless otherwise directed by the government through official notifications. However, the officials do not feel that the DSCC is to account for its activities to the citizens. They say they are only accountable to the Ministry of Local Government and Rural Development (Local Government Division). They insist that they report to the ministry in the way they want, and they submit the audited statements to them.

When the DSCC takes up any activity or project, they circulate it as advertisement in the national newspaper. While the citizens at the ward level were interviewed, 96% of the respondents say that they do not know what activity or project is undertaken by the City Corporation. This can be linked to low newspaper readership levels. Even though people read newspaper for current issues, they hard see advertisements on newspapers, except for few who look for job advertisements.

The notice board of the Corporation was found empty. They are not interested in putting the notices of what the Corporation is going to do and in which areas. While asked about not putting notices of activities on the notice board, the concerned officials at the DSCC could not give satisfactory answers. They tried to explain that there are people who are connected and well aware of what the Corporation is going to do or will do. It refers to the practice of activities by patron client relationship, not by rule of law. It refers to the presence of politically connected people or syndicates who do not want the City Corporation to put the notices of the activities on the notice except for the publication in newspapers.

Though only 4% of the interviewed citizens admitted they come to know about the activities of the City Corporation in their locality, these activities include maintenance of electricity, gas or water connection or tax collection, not the development activities like road construction etc.

The City Corporation has much preparation for circulating for levying taxes, tolls, cesses, fines or for imposing any other financial burden on the people of the area or the duty to publish electoral rolls. There are notices about these on the notice board. There is also
dissemination on hand microphone in the locality. The City Corporation under separate revenue zones organizes fairs for publicizing tax issues and collection of those.

24% respondents at the ward level said that they came to know about matters related to taxes or finance through mass media (mostly newspaper ads), dissemination through microphone, and notices served at home.

As per the information provided by the City Corporation officials, there is currently no committee following dissolution of the offices with the enactment of the Local Government (City Corporation) (Amendment) Act, 2011 in November 2011, which declares division of Dhaka City Corporation into two – Dhaka South City Corporation and Dhaka North City Corporation. Under the new law, no committees are functional.

Even if the written RTI query sought last resolutions of the meetings of each standing committees, there were lots of excuses and arguments from the concerned City Corporation officials so as to avoid the requests. The RTI applicant only received the order of the formation of the standing committees with details of the members and the broad functions of the committees.

At the queries over legal provisions of the City Corporation about budget preparation process, participation of and exchanges with the citizens, and disclosing it to the citizens, the concerned Corporation officials at both the central and zonal offices remain silent and hesitant.

The researcher did not get a copy of the budget without filing of an RTI application to the Corporation.

The City Corporation does not have provision for and require the Ward Council to prepare and propose a budget locally. The concerned Ward Councils receive amounts from the heads of the fiscal budget of the Corporation.

According to the interview of the citizens, 96% of the respondents answered that they know nothing of the budgets of the City Corporation. However, 4% said that they came to know the total budget amounts of the Corporation through newspaper.

Even though the written answers from the Corporation claim that the Administrator had pre-budget exchange meetings with the people in 5 zones to assess the local needs, the responses from the citizens at the Ward level do not reflect any such initiative. While giving opinion on what they expect from the City Corporation and how the Corporation can be transparent, the citizens rather expressed concern over people’s unawareness and lack of information of what the Corporation would do in the areas.

As regards the accounts statement sent from the zonal offices to the Corporation, the written answer from the Corporation says that no such reports are received by the accounts department.
### 6. Practical recommendations

<table>
<thead>
<tr>
<th>Sl. #</th>
<th>Specific recommendation for improving transparency</th>
<th>Brief justification</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>The Corporation has to publish and publicize its decisions and activities, which are required by the Corporation’s law as well as by RTI law.</td>
<td>The spirit of these laws is to ensure transparency and accountability in the activities of the Corporation. Compliance of laws will ensure rule of law, and promote citizens’ awareness.</td>
</tr>
<tr>
<td>2.</td>
<td>The Corporation needs to open up its laws, bye-laws and regulations to the citizens.</td>
<td>Until the citizens come to know what the Corporation is supposed to do and how, they cannot watch over their activities.</td>
</tr>
<tr>
<td>3.</td>
<td>The Corporation needs to allow the citizens to know about the committee meetings and decisions.</td>
<td>If the citizens can check the meeting resolutions and attend the meetings, they will know what actions the Corporation would take for their locality.</td>
</tr>
<tr>
<td>4.</td>
<td>The government has to withdraw the provisions in the law, which classify and restrict information, particularly regarding budget and accounts.</td>
<td>While the citizens ask for information regarding budget or accounts statement, the concerned officials refer to the particular sections of the Corporation’s law.</td>
</tr>
<tr>
<td>5.</td>
<td>The Information Commission needs to ensure that the Corporation publishes and publicize their reports and public documents regularly.</td>
<td>There are provisions in the RTI law for the authority to publish their documents. So, the Commission can influence them in this regard.</td>
</tr>
<tr>
<td>6.</td>
<td>The ward council needs to organize open meetings on development activities on a regular basis in the locality.</td>
<td>People can easily participate in such open meetings, and share their concerns and opinions. People would also know what the Corporation is planning to do for them and how.</td>
</tr>
<tr>
<td>7.</td>
<td>All information from the City Corporation has to be updated on the website.</td>
<td>There are provisions in Corporation’s own laws and in the RTI laws to publish and publicize Corporation’s information to the citizens.</td>
</tr>
</tbody>
</table>
### Recommendations

<table>
<thead>
<tr>
<th></th>
<th>The Corporation has to publish notices on the notice board at both central and grassroots offices.</th>
<th>Citizens need to know what activities are planned for their locality.</th>
</tr>
</thead>
<tbody>
<tr>
<td>8.</td>
<td><strong>The government needs to use TV media to discuss and publicize the activities of the Corporation by localities.</strong></td>
<td>The citizens are more interested in TV programs and news, and they will be interested to see the programs/briefings on the development activities of the Corporation in their locality.</td>
</tr>
</tbody>
</table>


Annex 1  Questionnaire for citizens

**Study on Proactive Disclosure of Dhaka South City Corporation**

RIB with CHRI
Interview with citizens at Ward level

| Serial | Ward No | Date | Name | Gender: 1. female, 2. male | Age: 1. below 18, 2. 18 – 26, 3. 27 – 34, 4. 35 – 42, 5. 43 – 50, 6. above 50 | Education: 1. primary level, 2. high school level, 3. SSC, 4. HSC, 5. Bachelor level, 6. Masters level | Occupation: 1. student, 2. service, 3. business, 4. unemployed, 5. housewife |

Q1: Do you come to know about the services/activities from the City Corporation prior to or during implementation?
1. Yes, 2. No, 3. Sometimes

Q2: Did you get information of what City Corporation will do in last one year?
1. Yes, 2. No

Q2a: If yes, what information or notice of work did you get on behalf of Corporation?
1. __________________
2. __________________
3. __________________

Q3: How did you come to know about these?
1. __________________
2. __________________
3. __________________

Q4: Do you get notice on new regulations (like taxes etc.)? How?
1. __________________
2. __________________
3. __________________

Q5: Whether you come to know about Corporation’s budget?
1. Yes, 2. No

Q6: How do you know?
1. __________________
2. __________________

Q7: Do you know about meeting at Tax/Ward office?
1. Yes, 2. No

Q8: Opinion on how to increase accountability of City Corporation:
1. Information disclosure through local meeting
2. Information disclosure through mass media
3. Area wise campaigns of activities
4. Pay due attention to citizens’ real problems
5. Stop corruption
6. People need to make them accountable
7. No comment
8. They need to duly supervise their works
9. We have to be aware ourselves
10. Others __________________________
Annex 2  Questionnaire for Corporation officials

[Head office]

Study on Proactive Disclosure of Dhaka South City Corporation

RIB with CHRI

Interview/checklist with City Corporation officials [Head office]

Serial_______ Date_______

Name: ___________________________________ Designation: __________________

1. According to the City Corporation law, what are the documents, reports, and decisions etc. which are supposed to be disclosed in front of the citizens?

2. How does the Corporation inform citizens about an activity or a project to be implemented in a particular ward?

3. When the Corporation seeks to impose new regulations or revise the existing ones, such as, taxes, levies, fines, rebates etc., how do they inform the citizens?

4. What are the committees under the City Corporation?

5. When is the budget of the City Corporation prepared? Whether people have scope to participate in preparation of budget? Whether budget is disclosed to the citizens?

6. When is the statement of accounts (income and expenditure)/audit statement prepared? Whether statement of accounts is disclosed to the citizens?
Annex 3  Questionnaire for City Corporation officials
[Local Tax/Ward office]

Study on Proactive Disclosure of Dhaka South City Corporation
RIB with CHRI

Interview/checklist with City Corporation officials [local office]

Serial_______ Date_______

Name: ________________________ Designation: ________________________

1. What are the rules for meeting at the Tax/Ward office? Whether resolutions of such meetings are recorded and submitted to the head office? Whether people are invited to participate in such meetings?

2. Whether there are provisions to inform citizens about the undertaken activities from the Ward? How do they do?

3. Whether Tax/Ward office can prepare budget for the locality? How to involve people in it?

4. Whether Tax/Ward office prepares reports on their annual activities to be submitted to the Head office?

5. Whether Tax/Ward office prepares their statement of accounts to be submitted to the Head office?
## Annex 4  Tables (outputs of interviews of the citizens)

### 1. Gender

<table>
<thead>
<tr>
<th></th>
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<td></td>
</tr>
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<td>Female</td>
<td>19</td>
<td>38.0</td>
</tr>
<tr>
<td>Male</td>
<td>31</td>
<td>62.0</td>
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### 2. Age

<table>
<thead>
<tr>
<th></th>
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<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>below 18</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>18 - 26</td>
<td>29</td>
<td>58.0</td>
</tr>
<tr>
<td>27 - 34</td>
<td>11</td>
<td>22.0</td>
</tr>
<tr>
<td>35 - 42</td>
<td>5</td>
<td>10.0</td>
</tr>
<tr>
<td>43 - 50</td>
<td>2</td>
<td>4.0</td>
</tr>
<tr>
<td>above 50</td>
<td>2</td>
<td>4.0</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100.0</td>
</tr>
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</table>

### 3. Level of education

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
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</tr>
<tr>
<td>Primary school</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>High school</td>
<td>6</td>
<td>12.0</td>
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<tr>
<td>SSC</td>
<td>5</td>
<td>10.0</td>
</tr>
<tr>
<td>HSC</td>
<td>9</td>
<td>18.0</td>
</tr>
<tr>
<td>Bachelor/honors</td>
<td>17</td>
<td>34.0</td>
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<tr>
<td>Masters</td>
<td>12</td>
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<tr>
<td>Total</td>
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<td>100.0</td>
</tr>
</tbody>
</table>

### 4. Occupation:

<table>
<thead>
<tr>
<th></th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Student</td>
<td>21</td>
<td>42.0</td>
</tr>
<tr>
<td>Service</td>
<td>18</td>
<td>36.0</td>
</tr>
<tr>
<td>Business</td>
<td>6</td>
<td>12.0</td>
</tr>
<tr>
<td>Unemployed</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Housewife</td>
<td>4</td>
<td>8.0</td>
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</table>
Q1: Do the citizens come to know about the services/activities from City Corporation prior to or during implementation?

<table>
<thead>
<tr>
<th>Valid</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>No</td>
<td>48</td>
<td>96.0</td>
</tr>
<tr>
<td>Sometimes</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100.0</td>
</tr>
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</table>

Q2: Did the citizens get information of what City Corporation would do in last one year?

<table>
<thead>
<tr>
<th>Valid</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yes</td>
<td>3</td>
<td>6.0</td>
</tr>
<tr>
<td>No</td>
<td>47</td>
<td>94.0</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Q2a: What information or notice of work did they get on behalf of Corporation?

<table>
<thead>
<tr>
<th>Valid</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mosquito control</td>
<td>1</td>
<td>2.0</td>
</tr>
<tr>
<td>Electricity repairing</td>
<td>2</td>
<td>4.0</td>
</tr>
<tr>
<td>Not applicable</td>
<td>47</td>
<td>94.0</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100.0</td>
</tr>
</tbody>
</table>

Q3: How did they come to know about these?

<table>
<thead>
<tr>
<th>Valid</th>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Miking</td>
<td>3</td>
<td>6.0</td>
</tr>
<tr>
<td>Not applicable</td>
<td>47</td>
<td>94.0</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
<td>100.0</td>
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</tbody>
</table>

Q4: Do the citizens get notice on new regulations (like taxes etc.)? How?
**Q5: Whether the citizens come to know about Corporation’s budget?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
</tr>
<tr>
<td>Yes</td>
<td>2</td>
</tr>
<tr>
<td>No</td>
<td>48</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
</tr>
</tbody>
</table>

**Q6: How do they know?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
</tr>
<tr>
<td>Mass media</td>
<td>2</td>
</tr>
<tr>
<td>Not applicable</td>
<td>48</td>
</tr>
<tr>
<td>Total</td>
<td>50</td>
</tr>
</tbody>
</table>

**Q7: Do they know about meeting at Tax/Ward office?**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
</tr>
<tr>
<td>No</td>
<td>50</td>
</tr>
</tbody>
</table>

**Q8: Opinion of the respondents about accountability of City Corporation:**

<table>
<thead>
<tr>
<th>Frequency</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Valid</td>
<td></td>
</tr>
<tr>
<td>Information disclosure through local meeting</td>
<td>7</td>
</tr>
<tr>
<td>Information disclosure through mass media</td>
<td>6</td>
</tr>
<tr>
<td>Area wise campaigns of activities</td>
<td>9</td>
</tr>
<tr>
<td>----------------------------------</td>
<td>---</td>
</tr>
<tr>
<td>Pay due attention to citizens’ real problems</td>
<td>10</td>
</tr>
<tr>
<td>Stop corruption</td>
<td>3</td>
</tr>
<tr>
<td>People need to make them accountable</td>
<td>5</td>
</tr>
<tr>
<td>No comment</td>
<td>2</td>
</tr>
<tr>
<td>They need to duly supervise their works</td>
<td>1</td>
</tr>
<tr>
<td>We have to be aware ourselves</td>
<td>7</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>50</td>
</tr>
</tbody>
</table>

**Annex 5 Answers to RTI queries**

*(Based on interviews and collection of information from DSCC)*

**Query 1:**

What documents, reports and decisions does the Dhaka South City Corporation (DSCC) disclose to the public and how?

**Answer:**

While the Public Relations Officer (PRO) of Dhaka South City Corporation (DSCC) and Designated Officer (DO) in the office under the RTI law was sought and interviewed regarding this query, they initially showed irritation. They treat such queries as strange and abnormal. There are certain sections in the Local Government (Dhaka City Corporation) Act, 2009 that stipulate that the annual activity reports, audited reports, and updated citizen charter etc. have to be kept in open place accessible to the citizens, but the DSCC officials admitted not to have seen those.

The law requires the City Corporation to publish their reports on yearly basis and make them available to the citizens. It also requires that the resolutions of the standing committee meetings of the Corporation be written and made public. The law further stipulates that all information regarding activities of the Corporation can be asked for by citizens unless otherwise directed by the government through official notifications. However, the officials do not feel that the DSCC is to account for its activities to the citizens. They say they are only accountable to the Ministry of Local Government and Rural Development (Local Government Division). They insist that they report to the ministry in the way they want, and they submit the audited statements to them.

**Query 2:**
When the DSCC takes up any activity or project, how does it inform the citizens? The researcher requested for 2 such specimen documents (circulars etc.).

**Answer:**

When the DSCC takes up any activity or project, they circulate it as advertisement in the national newspaper. [Some specimen advertisements are attached.] While the citizens at the ward level were interviewed, 96% of the respondents say that they do not know what activity or project is undertaken by the City Corporation. This can be linked to the low percentage of newspaper reading habit. Even though people read newspaper for current issues, they hard see advertisements on newspapers, except for few who look for job advertisements. Furthermore, the notice board of the Corporation was found empty. They are not interested in putting the notices of what the Corporation is going to do and in which areas. While asked about not putting notices of activities on the notice board, the concerned officials at the DSCC could not give satisfactory answers. They tried to mean that there are people who are connected and well known of what the Corporation is going to do or will do. It refers to the practice of activities by patron client relationship, not by rule of law. It refers to the presence of politically connected people or syndicates who do not want the City Corporation to put the notices of the activities on the notice except for the publication in newspapers.

Though only 4% of the interviewed citizens admitted they come to know about the activities of the City Corporation in their locality, these activities include maintenance of electricity, gas or water connection or tax collection, not the development activities like road construction etc.

**Query 3:**

When the DSCC seeks to introduce any new rules and regulations or revise them (such as, tax imposition, revision, fines or any other financial matters), how does it inform the citizens? The researcher requested for 2 such specimen documents (circulars etc.).

**Answer:**

This is one area in which DSCC was found to be interested. The City Corporation has made many preparations for circulating for levying taxes, tolls, cesses, fines or for imposing any other financial burden on the people of the area or the duty to publish electoral rolls. There are notices about these on the notice board. There is also dissemination through hand microphone in the locality. The City Corporation under separate revenue zones organizes fairs for publicizing tax issues and collection of those. [Few specimen copies and photos are found in Annex 7.]

24% respondents at the ward level said, they come to know about matters related to taxes or finance through mass media (mostly newspaper ads), dissemination through microphone, and notices served at home.

**Query 4:**

How many committees are there in the DSCC? How do the committees hold meeting? The researcher requested for the latest resolution of each committee meeting.

**Answer:**
As per the information provided by the City Corporation officials, there is currently no committee following dissolution of the offices with the enactment of the Local Government (City Corporation) (Amendment) Act, 2011 in November 2011, which declares division of Dhaka City Corporation into two – Dhaka South City Corporation and Dhaka North City Corporation. Under the new law, no committees are functional. However, Dhaka City Corporation issued an order on 14.06.2005 for forming 16 standing committees with the then seven to eight 8 Ward Commissioners in each. The committees are as follow:

- Finance and Establishment
- Education
- Waste management
- Health, family planning and drainage
- Accounts and audit
- Public works and building
- Water and electricity
- Social welfare and community center
- Sanitation
- Revenue
- Slum improvement
- Women and children
- Environment
- Information technology
- Sports and culture
- Mosquito control

When RTI queries sought the resolutions of the most recent meetings of each standing committee, Corporation officials offered many arguments and excuses to avoid responding to the requests. The RTI applicant only received the order of the formation of the standing committees with details of the members and the broad functions of the committees.

**Query 5:**

What are the provisions of the City Corporation to open up their fiscal budgets to the citizens? What process do they follow in preparing the budget and whether people can participate in this process? Whether the fiscal budget is published or circulated to the citizens? The researcher requested for fiscal budgets of the last two years.

**Answer:**

At the queries over legal provisions of the City Corporation themselves about budget preparation process, participation of and exchanges with the citizens, and disclosing it to the citizens, the concerned Corporation officials at both the central and zonal offices remain silent and hesitant. Beyond their knowledge of what is said in their own laws, they referred to their practices and the expectations of the concerned ministry. They kept repeating their point that the ministry requires the budget to be submitted in a prescribed format to only the ministry.
They think it’s not the prerogative of the citizens to look into the budget, let alone their participation in preparation process.

However, they gave written answer that Dhaka South City Corporation discloses its budget to the citizens through press conference. Each year in the month of February/March, the accounts department asks the heads of the departments of the Corporation for submitting their budgets according to the budget heads. The concerned departments submit their budgets to the accounts department. The accounts department compiles the budgets and submits to the budget management committee for scrutiny. The draft budgets are reviewed meticulously in a meeting chaired by the Chief Executive Officer and attended by the Secretary, Chief Engineer, Chief Revenue Officer, Chief Sanitation Officer, Chief Health Officer, and Chief Accounts Officer. A proposed budget is sent to the Local Government Division, Ministry of LGRD. With their reviews and comments, the final budget is prepared.

The written answer further says, during the preparation of the 2012-2013 fiscal budget, the Administrator of the DSCC held exchange meetings with the people in the five zones and assessed the local demands, which are reflected in the budget.

The researcher did not get a copy of the budget without filing of an RTI application to the Corporation.

**Query 6:**
What are the provisions of the City Corporation to let their accounts be audited yearly? Whether citizens can see the audited accounts? Whether the audited accounts are published or circulated to the citizens? The researcher requested for audited accounts of the last two years.

**Answer:**
The concerned officials were found surprised and irritated initially at the queries and request for audit statements. They took this request as a doubt to the operations of the Corporation activities, and answered that there are number of government authorities to whom they are accountable. The authorized audit firms make yearly audits into the accounts of the Corporation by the December after the ending of each financial year, and they submit the same to the ministry.

However, the research team avoided further arguments with the concerned officials, since the mindset of the officials and the position of the Corporation over this particular issue has already been revealed. They still prefer the secretary and remain loyal only to the higher-ups, not to the citizens.

The interviewed officials do not find any link of the audited statements to the interest of the citizens, and so, finds the request as unusual. However, they supplied a couple of pages from the audit report.
Query 7:
What are the provisions of the Ward Council to prepare their fiscal budgets and disclose the same to the citizens? The researcher requested for fiscal budgets of Ward Councils 1, 2 and 3 for the last two years.

Answer:
The City Corporation does not have provision for and require the Ward Council to prepare and propose a budget locally. The concerned Ward Councils receive amounts from the heads of the fiscal budget of the Corporation.

According to the interview of the citizens, 96% of the respondents answered that they know nothing of the budgets of the City Corporation. However, 4% said that they came to know the total budget amounts of the Corporation through newspaper.

Even though the written answers from the Corporation claim that the Administrator had pre-budget exchange meetings with the people in 5 zones to assess the local needs, the responses from the citizens at the Ward level do not reflect any such initiative. While giving opinion on what they expect from the City Corporation and how the Corporation can be transparent, the citizens rather expressed concern over people’s unawareness and lack of information of what the Corporation would do in the areas.

Query 8:
What are the provisions of Zonal Office and Ward Council to submit their local activity reports yearly to the Corporation? The researcher requested for annual reports of Ward Councils 1, 2 and 3 for the last two years.

The written answer from the Corporation says no such reports are received by the accounts department.

Query 9:
What are the provisions of Zonal Office and Ward Council to submit their accounts statement for the activities implemented yearly to the Corporation? The researcher requested for accounts statement of Ward Councils 1, 2 and 3 for the last two years.

The written answer from the Corporation says no such statement is received by the accounts department.
Annex 6  Summary of interviews of the Corporation’s officials

- Initial impression from the officials was not very encouraging.
- They do not want someone from outside to know about the activities of the City Corporation.
- They are not comfortable to inform any individual about the functions and functionaries of City Corporation. He says that they have internal auditing system, and they are accountable to the Ministry of LGRD, and from time to time they announce their programs through newspaper advertisements.
- ‘We are only responsible to the government ministry’, as they say.
- Concept of accountability to the public is almost missing there.
- There is a legal department, but they suggest that the responsible person there is not very active to provide information.
- They say, they don’t have enough time for such information processing and disclosure.
- They attach less importance on information disclosure on the councilors’ part. They say people come to the councilors whenever needed.
- In government offices, officers in charge of research, documentation and information disclosure are less interested in their works. This is because their works are not expected and valued from the high-ups.
- They are not very interested in circulating the notices on the notice board. [In fact, the notice board is found empty.] They say they have direct contact with the clients (firms or individuals) to float tenders etc., and they have media for press conference.
- They say it would be better if they could disclose more information on the website. However, the ICT section is not capable to do so. They say they cannot do always what they need to. ‘There are some internal pull factors...’
- The councilors avoid documenting and circulating notices or entertaining complaints in writing. The works are rather done in informal ways through personal contacts. He says informal ways are better. [It is against rule to law though, and it hinders accountability and transparency.]
- He has got an interesting point to be quoted, “Citizens need to be aware to make the Corporation more active”.

References
Annex 7  Notices of the City Corporation through notice board, newspaper, and billboards etc. including photographs

Notice board:

Bill board on tax fair:
Miking on tax payment
ঢাকা দক্ষিণ সিটি কর্পোরেশন

রিবোটের সময় বৃদ্ধিকরণসহ সারচার্জ মোটকুক, পৌরকর ধার্য ও পরিশোধ সংক্রান্ত জরুরী বিজ্ঞপ্তি

ঢাকা দক্ষিণ সিটি কর্পোরেশনের সম্মানিত কর্মচারীদের অবগতির জন্য জানানো যাচ্ছে যে, বর্তমান ২০১২-১৩ অর্থবর্ষের ৪ (চতুর্থ) ফিক্টির হেডিং টাইটল একাদশ পরিশোধের উপর ১০% রিবোটের সময় শীর্ষে ৩০/১৬/২০১২ দ্বিতে তারিখ পর্যন্ত বর্তমানে হয় এবং উক্ত তারিখের মধ্যে বক্ক্যাস হাল সনের সমৃদ্ধি কর একাদশ পরিশোধ করা হলে বক্ক্যাস উপর আরোপিত সারচার্জ মোটকুক করা হবে।

০২। সংগ্রহ সকলকে এই বিজ্ঞপ্তির সময়ের মধ্যে বক্ক্যাস ২০১২-১৩ অর্থবর্ষের ৪ (চতুর্থ) ফিক্টির হেডিং টাইটল একাদশ পরিশোধ কর হাল সনের করণের উপর ১০% রিবোট ও সারচার্জ বৃদ্ধি বক্ক্যাস কর পরিশোধের মূল জন্য বিশেষভাবে অনুরোধ করা গেল।

০৩। যে সমস্ত আরাম্ভিক, বাণিজ্যিক, শিক্ষা স্থাপনামূলক নির্মাণ কাজ সমাপকরণ করা হবে সমস্ত স্থাপনামূলক নির্মাণকে নিখুঁত করতে হয়ে প্রত্যেকজন সারচার্জ সংগ্রহ কর অঞ্চলে দায়িত্বপূর্বক কর ধার্মিক আওতায় আসার জন্য অনুরোধ করা গেল।

০৪। তাজাকান্দো, নাগরিক সদস্য অর্থভাবে বিতরণ উদ্যোক্ততাক কর্মকাণ্ড চালান ধারার কার্যক্রমে বক্ক্যাস ও হাল সনের হেডিং টাইটল পরিশোধ করার জন্য বিশেষভাবে অনুরোধ করা গেল।

(মোর্ট মাহবুব হোসেন)
সচিব
(উপ-সচিব)
ঢাকা দক্ষিণ সিটি কর্পোরেশন।

DSC/PRD/83/12-13
এপ্রিল-৩০২৩/১২ (৪৯৩)
Newspaper ad on mosquito control 8.11.'12

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Dhaka Dakhin Sitra Korporeshan, Dhaka
"Apsara Paribesh Suraksha O Parivahan Ratn"
"Apsara Shilpakite Tita Nilu"

Mosquitonix by Satyajit Shikdar
Dhaka Tribune - 08/11/2012

- 2000 Gm. (Dhaka Tribune) 4800/- (24 sheets - 60 Gm. - 2000 Gm.)
- 1000 Gm. (Dhaka Tribune) 2400/- (12 sheets - 60 Gm. - 1000 Gm.)
- 500 Gm. (Dhaka Tribune) 1200/- (6 sheets - 60 Gm. - 500 Gm.)
- 250 Gm. (Dhaka Tribune) 600/- (3 sheets - 60 Gm. - 250 Gm.)
- 100 Gm. (Dhaka Tribune) 300/- (1 sheet - 60 Gm. - 100 Gm.)

References

Dhaka Tribune - 08/11/2012
"Dhaka Dakhin Sitra Korporeshan, Dhaka"
"Apsara Paribesh Suraksha O Parivahan Ratn"
"Apsara Shilpakite Tita Nilu"
Mosquitonix by Satyajit Shikdar
Dhaka Tribune - 08/11/2012

Dhaka Tribune - 08/11/2012
"Dhaka Dakhin Sitra Korporeshan, Dhaka"
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"Apsara Shilpakite Tita Nilu"
Mosquitonix by Satyajit Shikdar
Dhaka Tribune - 08/11/2012
Notice on mobile court 7.10.'12

DHAKA SOUTH CITY CORPORATION

Notice No. 01/2012

Subject: Mobile Court

Respectful Sirs,

It is hereby informed that a mobile court will be held in the city on 7th October 2012. The mobile court will be convened in the premises of the Dhaka South City Corporation. All the concerned are requested to appear before the court on the scheduled date.

Yours faithfully,

[Signature]

[Name]

[Position]

References

Notice No. 02/2012

Subject: Mobile Court

Respectful Sirs,

It is hereby informed that a mobile court will be held in the city on 7th October 2012. The mobile court will be convened in the premises of the Dhaka South City Corporation. All the concerned are requested to appear before the court on the scheduled date.

Yours faithfully,

[Signature]

[Name]

[Position]
Tender notice 11.11.'12

References

DSC/PRD/85/12-13
SC-3109/12 (6'x3')

[Document content not provided]
With the countries of South Asia undergoing rapid urbanisation, interactions between citizens and urban local bodies are becoming both more frequent and more important, as bodies are responsible for providing a range of essential services and amenities to people in their jurisdiction.

Members of the South Asia Right to Information Advocates Network (SARTIAN) have found that inadequate transparency in the working of these urban local bodies is a common theme across the region. Often the statutes establishing these bodies require certain types of information to be proactively disclosed. Where these bodies are covered by national or provincial RTI laws, they have additional obligations to voluntarily disclose information in a timely manner.

This is one of three reports which seek to answer the question: ‘how far do urban local bodies comply with their obligations under law to proactively disclose information to the public?’ These studies have been conducted in the megacities of Delhi, Dhaka and Karachi and set out the legal and statutory requirements of urban bodies under the relevant RTI and other laws before assessing the degree of compliance and making concrete recommendations for improving the process of proactive disclosure.

Research Initiatives Bangladesh was established in 2002. Its primary objective is to support research aimed at identifying strategies and programs that can ensure sustainable, progressive alleviation of poverty in Bangladesh.

SARTIAN is anchored by Commonwealth Human Rights Initiative and supported by ANSA-SAR.