

A Concept of City Government for Major Cities of Bangladesh

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Introduction

The recent demand for a city government raised by the Mayor of Chittagong, A.B.M. Mahiuddin Chowdhury, quickly became a talk of the town evoking serious interest in the city dwellers on the subject. Mayors of Dhaka and other major cities in Bangladesh echoed the same sentiment and blamed their inability, stemming out of weak administrative framework, to coordinate administrative and development activities by different development agencies for all the city problems. Mayor Hanif of Dhaka, during the tenure of the last Awami League government was berated by his own party colleagues for becoming vocal on this issue of city government. Extensive use of standing orders from the centre, limiting the powers and activities of the local government, indicates that the democratically elected governments and the bureaucracy wielding power over the local government system are not interested in relinquishing power in favour of a strong city government at the local level.

Our constitution has emphasized decentralization, giving importance to local government institutions for planning and development activities at the local level. Article 59 of the Bangladesh constitution allowed bodies composed of elected representatives to run local government. It further proposed that if supported by an Act of Parliament, this power mentioned earlier may include:

- a. administration and the work of public officers;
- b. the maintenance of public order;
- c. the preparation and implementation of plans relating to public services and economic development.

Laws were enacted empowering local government organizations to proceed with their administrative and development activities. But, unfortunately, most of the administrative and development activities were made conditional. Prior government approval is necessary before proceeding with any major development work. The Government often gives standing orders or frames rules to limit the activities of a local government institution/organization. These organizations are purported to be autonomous; but in reality they are just a puppet in the hand of de facto administrators based in the central secretariat in Dhaka. Sometimes they cannot even spend their own earnings for their own development activities without prior government approval. It has become a norm, waiting for months together for a decision to trickle down from Dhaka.

We have inherited the local government system from the British colonial rulers. A lot of our current administrative procedures have their roots in the British system. The British system, traditionally, relied on decentralized power with great independence in local government actions. Over the years, in their own country, the British system has gone through changes. It has become more liberal, transparent and people friendly. Basing on the British system, US cities have gone through different experimental stages in developing their own system, a system that satisfies their own needs and aspirations. Since we have a common ancestor in the British system, if we look westward for ideas, we can definitely come up with a system appropriate for and adaptable to our current framework of city management.

The Current System of City Management and its Limitations : A Case Study of Chittagong

In the current system, the Mayor and the forty-one Ward Commissioners are elected by popular vote. Though they get all the blames for the problems in the city, they do not have any control on the development activities by different development agencies under different ministries. They do not have any role in resource allocation and identification of development priorities by these development agencies. A top down management system against the requirement of a bottom-up system is practised. We have found 32 different agencies under fifteen different ministries active in Chittagong, deciding what is good or bad for the city, while the elected representatives are kept waiting in the side lines. There may be a few more ministries with a few other agencies playing minor roles in Chittagong. These agencies have their own agenda and get their resource allocation from the national government. Sometimes there is costly repetition of similar activities, sometimes money is spent on less important work while the most important work is left out of consideration. Worst of all, these agencies are not answerable directly to the people.

Until 1980-81, collection from Octroi was a major source of income for the city. As much as 44.65 percent of the city income came from Octroi charges (Hossain, 1982). The government barred the city from collecting Octroi on the commitment of paying 75 percent of Octroi collection as grant. How much is the city getting as grant against this Octroi collection? How is the government calculating this 75 percent equivalent of Octroi collection? Nobody really knows; these are questions remaining to be answered. No fixed formula for fund allocation is practised. Allocation can be of any amount based on political considerations, and the intention of the government. Forward planning is difficult when information on grant or earning is uncertain.

The above is not an isolated case for Chittagong. It is a common scenario for all the cities in Bangladesh.

There definitely is a way out of this stalemate. Local government acts and ordinances for different organizations have delineated the power and jurisdiction of the local government organizations. Remaining within the constitutional guidelines and the framework of the City Corporation Ordinances, the government can give greater power and authority to the city administration. A city government under the leadership of an

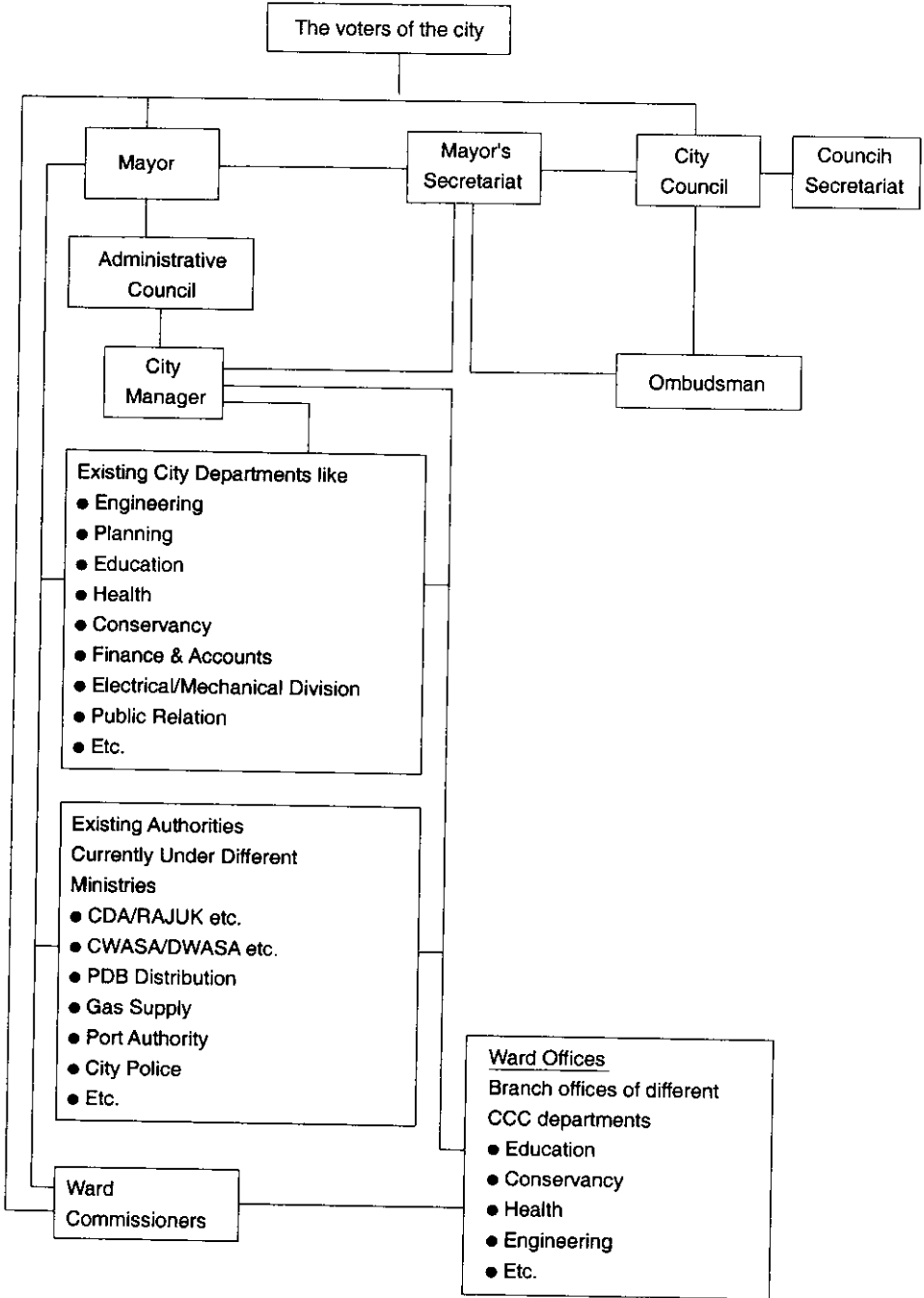


Fig.1. Proposed Organogram of a City Government

electd mayor with appropriate authority and power may change the current scenario of chaos and mismanagement visible in our cities. In the following paragraphs, a conceptual framework of a city government is proposed.

Explanation on Roles, Responsibilities and Powers

The Mayor

The Mayor will be the Chief Executive of the city. In addition to broad administrative authority and responsibility vested in him, he will also have an important role to play in municipal policy making. The Mayor will have a general authority to reorganize the executive branch of the city government, if needed. This reorganization is to be approved by the city council consisting of all the ward commissioners as its members. The Mayor will be helped by a city manager in day-to-day running of his administration. Since different ministries are involved in different activities by different authorities and agencies under the city government, the Mayor will be required to liaise with all these ministries through his secretariat.

The Mayor will be a member of the City Council. He will participate in the Council meetings. He will be answerable to the City Council for all his activities. He will also preside over the meetings of the administrative council which will be responsible for all administrative decisions.

City Council

All the elected Ward Commissioners will be the members of the City Council. General legislative authority relating to the well being of the city dwellers will be vested in the City Council. The current City Corporation Ordinances do not recognize the name City Council. But, as is evident from Chittagong Municipal Corporation Ordinance (Government of the People's Republic of Bangladesh, 1982), the body of the Ward Commissioners can play a role somewhat similar to the City Council. The word 'corporation' was used to indicate the whole body of the commissioners (article 29 of the Chittagong Municipal Corporation Ordinance, 1982). All decisions will be taken by majority vote of the Commissioners present in the City Council meeting. All development plans, annual budgets etc. are to be approved by the City Council before execution. The members of the City Council may vote one of them to the post of the President of City Council. Alternatively, the elected Mayor of the city might as well play the role of the President of the Council.

Ombudsman

A new office of Ombudsman is proposed. The Ombudsman should be a person of integrity and will be appointed by a two-thirds majority vote of the City Council. The period of office will be same as that of the Mayor and the Ward Commissioners. He will have authority to investigate any administrative act by an agency or city government, either on his own initiative or on the basis of a complaint filed by a citizen. The Ombudsman will have authority to examine all departmental records, administer oaths, take testimony, investigate and do all such things as may be required for ensuring justice. He will be a city employee and therefore can be appointed as per existing procedures of employment.

Administrative Council

The Mayor will be the Chairman of the Administrative Council. All the heads of the existing City Corporation departments and all the Chairmen of the different authorities brought under the City Corporation's control will be members of this council. The City Manager will work as member secretary of the Council. All administrative decisions will be taken in the meeting of the administrative council. Plans and programmes of different authorities and departments will go through this council before final approval by the City Council.

City Manager

Currently there is no such post. The Chief Executive Officer is playing the role of the City Manager. Chief Executive Officer is a post created by the Municipal Corporation Ordinance. Currently, the CEO is from the civil service. His service is transferable at the discretion of the government. This may hamper continuity. For the sake of coordination and understanding, the City Manager should be a person of the Mayor's own choice. From a panel of three high profile candidates selected by the Mayor, the City Council may give approval to one. He should come in with the Mayor after his election and will leave with the expiry of the term in office of the Mayor. He will be a contract employee appointed for a fixed time period. The City Manager, under instructions from the Mayor, will be coordinating among all the departments and authorities under the city government umbrella. In fact, he will be in charge of the Mayor's Secretariat. He will keep records and ensure implementation of all the instructions by the Mayor and the City Council.

Existing Departments

The City Corporation has some existing departments. These departments will remain. If thought appropriate by the Mayor, the departments may be reorganized, and new departments created with the approval of the City Council. Article 156 of the Chittagong Municipal Corporation Ordinance (Item-9 of Schedule-5) has allowed organization of corporation office into departments and branches. These departments and branches will be working under the Mayor through the office of the City Manager. The departmental heads and rest of the executives in the departments will be a part of the municipal bureaucracy. Their services will be controlled by the existing service rules and regulations.

By reorganizing the existing departments under the City Corporation, some new departments like Consumer Affairs Department, Environmental Protection Department, Internal Audit Department, etc. can be created. These new departments are an immediate necessity considering the current chaotic situation in these areas prevailing in the city.

Existing Authorities Currently under Different Ministries

CDA, CWASA, Port Authority etc.

The development organizations formed by separate ordinances like Chittagong Development Authority, Chittagong WASA, Chittagong Port Authority etc. can come

under the City Government umbrella. Their administrative structure will remain as it is except for the post of the Chairman. At present, the Chairmen of these different authorities are appointed by the national government. Under this new proposal, the city government under the leadership of the Mayor shall appoint these chairmen.

Since the mayor will be responsible for the activities of the departments and authorities under him, it is advisable to appoint Chairmen of his choice who will share a common understanding with him. He will propose the names of three prospective chairmen to the City Council for any of these authorities. The City Council by a majority vote will give its approval for any one of the candidates from the three proposed by the Mayor. A chairman candidate should be a man of integrity. Any senior officer of the authority concerned or any outstanding candidate identified from the general public may become a chairman of any of these authorities with the approval of the City Council. The posts of chairmen will be vacated with the election of a new Mayor. A chairman will be a contract employee for a fixed time period. Jobs in the remaining posts in these authorities will be a part of the existing bureaucracy and will be controlled by the existing service rules and regulations.

PDB, Gas, BTTB, etc.

There can be separate companies like DESA or REB for distribution of electricity in the cities or the existing companies can be reorganized to fit into the proposed system. These companies will buy electricity from PDB for distribution in the city. In this system, City Corporations will become a customer of PDB. Under an appropriate arrangement with PDB, City Corporations may also produce electricity and feed the distribution system responsible for supplying electricity in the city. There may be a similar arrangement for gas supply within the city corporation area. A separate gas distribution company may be established for each of the major cities. These companies will buy gas for distribution in their area from gas transmission organizations. Bangladesh T&T Board (BTTB) divisions in these cities also can be brought under the city corporation by having a similar arrangement like DESA or REB.

The Chairmen of these authorities will be answerable to the administrative council, the Mayor and the City Council.

City Police

The police forces currently engaged in the cities may be divided into two distinct groups. A group termed as City Police will remain under the control of the Mayor and the City Council. The remaining group, as usual, will remain under the national government. The police stations within the city will be manned and managed by the City Police. The members of the City Police will be on deputation to the city for a period of three years. Within this period of three years, transfer effected posting will be by the national government only on request by the City Mayor. If required, City Police may request support from the national police force stationed in the district for tackling criminal activities within the city. But, day-to-day activities in controlling law and order situation

within the city will be under the purview of the City Police. Police stations outside the city limit, as usual, will be under the control of the national police. The national government will reimburse the city for all the payments it has made to the police forces against their salary and service benefits.

Role of the Ward Commissioners

In addition to their role in policy making as members of the City Council, they will also play a pivotal role in planning and implementation of development activities in their respective wards. Ward offices may have branches of important City Corporation departments like education, health, conservancy and engineering. The detailed mechanism to link the Ward Commissioners with the activities of different City Corporation departments and authorities, relating to their wards, is to be worked out.

City Income from Tax Revenue and Grant from the Government

All departments and authorities within the city levying user charges on the end users may charge a city tax on top of what they are charging now. This money may be transferred directly to the city corporation account. It can also be done without increasing the total amount of tax on the end users. A fixed percentage of the user charges collected may be separated as city tax for subsequent transfer to the city corporation account. For example, a fixed percentage of the revenue income by authorities like WASA, DESA, Port Authority etc. may go to the city corporation fund as city tax. If this system is practised, the city will not need any grant from the national government. Furthermore, the city will have advance knowledge on its expected earning in any financial year. The advantage is, the city will be able to plan in advance and transparency in planning and budgeting can be ensured. Nothing new is proposed here; this kind of taxing and distribution of tax income are already in practice in US cities.

Phasing in Implementation of the Proposed Organogram

The proposed organogram can be implemented in phases. If the government so desires, inclusion of Port Authority and the Police within the city government may be deferred to be implemented in the next phase. In the first phase, CDA, CWASA, Titas, Bakherabad Gas and PDB should be included if a positive change in city management is to be visible.

Conclusion

The changes proposed in the preceding paragraphs can be effected by standing orders from the government. For example, article 27(b) and article 154(a) of the Chittagong Municipal Corporation Ordinance 1982 have provided for it. Article 27(b) of the ordinance gave absolute power to the government for transferring functions from corporation to government and vice versa. The relevant part of the ordinance reads: "The Government may from time to time direct that, subject to such terms and conditions as may be specified in the direction,— (b) any institution or service maintained by the Government shall be transferred to the management and control of the Corporation."

Article 154(a) of the aforementioned ordinance on the other hand, empowered the government to define and regulate the relations of the corporation with other local authorities. However, it is always advisable to have a revised ordinance incorporating the changes proposed.

In the absence of a green signal from the government on the proposal of a city government, the city corporation can do some of the changes or reorganization proposed, internally, within its existing set-up. For example, a post of Ombudsman can be created by the city corporation to hear complaints of wrong doing against its officials and employees, if any. The existing City Corporation departments can be reorganized to create a few new departments like consumer affairs department and an environmental protection department etc. within the city corporation.

The basic aim behind this proposal is to have strong Mayors with sufficient power and authority to develop the cities into responsive cities catering to the hopes and aspirations of inhabitants. In the proposed organogram, the City Council is given a significant controlling role and an Ombudsman is provided to ensure accountability and transparency. No matter who the elected Mayor is, we must aim at having a democratically run functional city, responsive to our requirements, hopes and aspirations.

Though this article has used Chittagong City Corporation as reference in several places, the provisions proposed are equally applicable to all the cities in Bangladesh.

References

- Government of the People's Republic of Bangladesh (1982), Chittagong City Corporation Ordinance.
- Hossain, A.A.M. Zia (1982), *Chittagong City: A Monograph*, Chittagong.