Ward Sobha Under Union Parishads: Challenges and prospects

Tofail Ahmed

HYSAWA 2016
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List of Abbreviation

CDF: Community Development Forum
CSO: Civil Society Organisations
DASCOH: Development Association for Self-reliance, Communication and Health
FGD: Focus Group Discussion
HYSAWA: Hygiene Sanitation and Water Supply
KII: Key Informant Interview
LGSP: Local Governance Support Project
LG: Local Government
LGD: Local Government Division
NILG: National Institute of Local Government
NGOs: Non Government Organization
UP: Union Parishad
UPGP: Union Parishad Governance Project
UNDP: United Nations Development Program
WASH: Water, Sanitation and Hygiene
WS: Ward Shobha

Glossary

Ward Shobha: The Ward Shobha is a council at Ward Level constituted of all individuals enlisted in the voter list of a ward
SHARIQUE: SHARIQUE means “partnership” in Bangla, is a Helvitas project under implementation with SDC fund
Shobha: Meeting often organized in an open place
Acknowledgement

We would like to extend our gratitude to the colleagues in the UPs interviewed, for their generous help, sharing effective time and valuable information. We would like to thank Swiss Agency for Development and Cooperation (SDC) for funding the research. The HYSAWA Fund initiated the study with intention to present the findings its Board meeting for some policy decision. The Managing Director of HYSAWA Fund Dr Enamul Kabir took a very keen interest in the study. He arranged several in –house discussion meetings to discuss the pros and cons of the issue and the study.

We would like to thank Md. Harun Or Rashid and Muhammad Ashikur Rahman for their assistance throughout the study. We also would like to thank the representatives of SHARIQUE, UPGP, DASCOH and HYSAWA who assisted us to communicate with the respondents and provided us with relevant data. The understanding we developed or the impression we got is revealing. All the projects on UP in the field is suffering from common and identical problems with the Ward Sobha but none is being able to say anything in public. However, the HYSAWA arranged a presentation meeting on February 29, 2016 in which, a large number of LG Community members composed of UP representatives, NGOs, CSOs, Development Partners and academics attended and expressed their honest feelings.

The deliberations and discussions were very free, frank and open which really confirmed that Ward Sobha system is not functioning as expected in spite of lot of NGO assistance. The UP Law 2009 seems very ambitious but ambiguous in interfacing many of the overlaps in power, function, role and responsibilities with UP.

The study is an attempt to highlight the issues. It does not claim that all problems have been identified and all the solutions could be prescribed. At least some of issues have been brought public for more serious discussion. The author of the report invites wider discussion and deliberations on the issue for realistic interventions in future.
Executive Summary

The government of Bangladesh passed Local Government (Union Parishad) Act 2009 where there is an elaborate provision for forming a Ward Shobha (WS) in each Ward of Bangladesh. Under this act, there is an unequivocal legal basis through Ws that gives priority to the planning process making provisions for ward based participatory planning and thereby ensuring accountability and transparency at the UP level governance. The main duty of the Ward Shobha is to review all the development activities in the ward. There are legal provisions and external efforts from different stakeholders such as NILG, LGSPII, UGP, SHARIQUE, DASCOH, Water Aid etc, to make the system work. If the system works in the desired way, it, in turn, should play a role in establishing the much anticipated participatory, decentralized and accountable local self government at the UP level. The reality, however, is rather diverse. WS system is not functioning the way it was perceived and envisioned in the Act. The finding of an earlier study by CARE Bangladesh shows that only 12.5 percent of their respondents were able to respond affirmatively about their knowledge on anything as to Ward Shobha. Another finding of the study says that most of the time required number of Ward Shobhas- two Shobhas to be held- does not take place as nearly 70 percent respondents witnessed only one Shobha to take place. In this circumstance, it is needed to find out why such a good system with all its legal provisions is not functioning properly. Answering this question would require to closely look into practices around WS on the ground. Guidelines developed by stakeholders as stated above should be the first thing to critique and analyse. At the same time, capacity and resources of the UP and local people should be taken into account while measuring the implementation ability of the guidelines. It is also argued that even if an ideal ward Shobha guideline could be developed, execution of that guideline would not be easy due to lack of capacity and resource at UP and ward level. Therefore, a realistic guideline on ward Shobha needs to be developed so that it can be uniformly practiced by all and thus help achieving the objectives of ward Shobha. Commissioned by HYSAWA FUND, this study is a background analysis to reveal if there any guidelines exist to make the WS functional. If it does, then how much those are in compliance with the UP Act 2009 and how much those guidelines are being used in the operational level.

Besides, what are the commonalities, differences and discrepancies in the existing guidelines with the UP Act 2009 and what is perception of people particularly about UP functionaries on Ward Shobha also analysed. A mixed method has been applied for the study combining both qualitative and quantitative analysis. Qualitative analysis is based on the literature review, reviewing UP Law 2009, reviewing existing guidelines on WS. Additionally, the study conducted focus group discussion, key informant interviews FGD and participatory observations. For the quantitative analysis, a guided questionnaire was used to collect data from all the WS of 575 Unions, among which 391 UPs are supported by various projects whereas 184 UPs are not supported by any project other than LGSP of the government. Besides, a semi structured
questionnaire was also developed to conduct interviews and KIIs. Stratified random sampling method was used for sample selection from all seven divisions.

Study reveals that, there is a legal confusion everywhere from the government to the NGO executive and UP representatives to the general people regarding the difference between Ward Shobha and Ward Shobha Meeting. In the UP law, by Shobha, it means Council or Parishad. People in the ground did not understand the inner meaning and spirit of ‘Shobha’, as expressed by a local government expert. There is no full-fledged guideline meant for forming and organizing Ward Shobha except SHARIQUE’s ‘Participatory Planning’ document. However, in the ‘Five Year Planning of UP’ drafted by NILG and in the ‘UP Operational Manual’ prepared by local government division dedicated a section for Ward Shobha. However, both NILG and UP Operational Manual contain almost similar contents borrowed from the UP Act 2009. SHARIQUE’s ‘Participatory Planning’ document is rather elaborate. Most of the guideline have outlined nine planning steps with detailed processes of organizing WS meeting within the scope of clause 6 and 7 of the Act. The functioning of a WS involve reasonable amount of expenses. There is no guidance in the guidelines regarding the expenses. Guidelines involve too many issues other than the WS e.g. the whole project cycle making them complicated. Existing guidelines have different directions causing WSs to take place differently in different areas.

From observation reveals that almost UPs are aware of the fact that at least two WS meetings have to be organized in a year and thus they are keen to organise two WS meetings with quorum being fulfilled. One of the reasons UPs comply with the law about organizing WS could be meeting the Minimum Conditions (MCs) to receive the additional 75 percent LGSP grant that requires audit clearance, evidence of participatory planning and open budget meeting and submission of 6-monthly progress reports. Regarding the announcement about WS, such meeting announcement is made through miking, in some cases, postering. Ward Members and their representatives also send the messages verbally in the local places like tea stall, village markets etc. Additionally, local elites are also sometimes sent messages through formal letters. There have been very few examples of groundwork before organizing the WS. As indicated by the both UP Law and different manuals, before organizing the WS, concerned people should collect information/demands of the people that would be presented and discussed in the meeting. As mentioned in the NILG Manual, UPs to gathering demands by small teams (area or profession wise) through using PAR method and prepare draft plan to present in the WS based on the information gathered from communities. In some UPs (like Fultola of Khulna), field facilitators of NGOs collected some information as guidelines mention, which ultimately did not get attention in the discussion of WS. Moreover, The evidence support the fact that, there is a lack of clarity and proper understanding regarding certain issues of WS including the role and functions and the modality of discharging functions of the WS members in the field. Thus, to
strengthen the WS in the actual field, a full-fledged guideline might work based on which the UP Members could organize Ward Shobha more effectively.
Chapter One

**Introduction**

The concept of Ward Shobha has been has got an initial ground from the success of Ward Development Committee under the LGSP-LIC. The Local Government Committee form under the Chairmanship of A M M Sawkat Ali recommended the formation of Ward Sobha (WS) in nine Wards of the UP. The committee also drafted a draft act for UP and the Caretaker Government under Fakruddin Ahmed promulgated a UP law in the form of Ordinance in which the WS was included. Later after the parliamentary election in 2008, the New government did not ratify the ordinance but passed new act known as Local Government (Union Parishad ) Act 2009. The government Act of 2009 basically did not change the WS part of the law and an elaborate provision for forming a Ward Shobha (WS) in each of the nine Wards of the Ups has become the a vital addition in the new UP law. Chapter 2 (Articles 3-7) of the Act outlined the formation, functions, number of meetings WS, as well as roles, responsibilities and powers of the WS. Accordingly, all voters of each of the 9 wards are the members of the Ward Shobha which is to be chaired by the respective ward members. Among the voters of each ward, 5 percent of them shall form quorum in order to conduct a meeting. So, there is an unequivocal legal basis that gives priority to the planning process making provisions for ward based participatory planning and thereby ensuring accountability and transparency at the UP level governance.

The main duty of the *Ward Shobha* is to review all the development activities in the ward. It is the responsibility of the *Ward Shobha* Chairman to present the annual report before the members, and also to let them know about the implementation status of the development projects. There are legal provisions and external efforts from different stakeholders such as NILG, LGSPII, UPGP, SHARIQUE, DASCOH, Water Aid etc, to make the system work. If the system works in the desired way, it, in turn, should play a role in establishing the much anticipated participatory, decentralized and accountable local self government at the UP level. The reality,

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1 Consolidated Report on Activities Implemented under the Joint Programme “Local Governance Support Project: Learning and Innovation Component” in Bangladesh (P-23)
however, is rather despairing. WS system is not functioning the way it was perceived and envisioned in the Act. The act says (clause 4) that under this law every Ward should form a ‘Ward Shobha’ and voters of that particular Ward should form the Ward Shobha. Ideally the WS should contribute to UP plan and budget, which has not been established because of the ineffective conductions of the WSs. Their argument is also buttressed by other studies. The finding of a study by CARE Bangladesh shows that only 12.5 percent respondents were able to respond affirmatively about their knowledge on anything as to Ward Shobha. Another finding of the study says that most of the time all resources and efforts are engaged to arrange two WS meeting as required in the law, instead of two, only one WS meeting were held in nearly 70 percent of the UPs under the study.

In this circumstance, it is needed to find out why such a good system with all its legal provisions is not functioning. Answering this question would require to closely look into practices around WS on the ground. Guidelines developed by stakeholders as stated above should be the first thing to critique and analyse. At the same time, capacity and resources of the UP and local people should be taken into account while measuring the implementation ability of the guidelines. It is also argued that even if an ideal ward Shobha (meeting) guideline could be developed, execution of that guideline would not be easy due to lack of capacity and resource at UP and ward level. Therefore, a realistic guideline on ward Shobha needs to be developed so that it can be uniformly practiced by all and thus help achieving the objectives of ward Shobha.

**Background of the study**

Given the fact that, a WS could be an ideal avenue of ensuring good governance in the lowest level of the public administration, there is a raising concern about the effectiveness of the platform, as evident in numbers of recent studies (Blair 2012, Democracy watch 2014). In most cases both the citizen and UP officials recognize the fact that WS is an effective avenue of the social accountability in the local level. One of the Members of Jaykolosh UP in the Sunamgonj district recognized the fact in the following way- “Ward Shobha is a process of ensuring transparency. This is important for us as it is an avenue to change people’s negative perception about UPs. Earlier people used to think Chairmen, Members are thief. With the initiative of WS,
the concept started to change. It is possible to inform people about the actual scenario including the government allocation to the UPs through WS (Ahmed et al 2014)."

Moreover, this is the only way to improve public services quality through the engagement of the targeted beneficiaries. In fact, WS have been the focus of considerable attention by government as well as the experts of the local governance, with substantial investment already made in an attempt to ensure that these structures have the necessary capacity and resources required for them to fulfill their envisaged roles as the “voice” of communities. At the same time, questions raised about how efficient this platform actually is; whether it is useful conduits for community involvement in local governance; whether, as “created spaces” for public participation, they are inherently capable of playing the critical role expected of them; and whether they create opportunities for real power-sharing between UPs and citizens. Commissioned by HYSAWA FUND, this study would be a background analysis to reveal if there are any guidelines exist to make the WS functional. If it does, then how much those are in compliance with the UP Act 2009 and how much those guidelines are being used in the operational level.

**Objectives of the study:**
The study indents to conduct a review and analysis of the existing guidelines and practices of WS being facilitated by different stakeholders and Identify non-compliances (if any) with the law (UP act 2009), differences and commonalities among those guidelines. The objective of the study is also to facilitate development of a comprehensive guideline on WS endorsed by government and other stakeholders. Besides, the study also aims to answer the questions on the status of WS implementation in the field. These questions include what guidelines and tools institutions and stakeholders follow to facilitate Ward Shobha and to what extent those guidelines are realistic given the resource and capacity of the Ward/people? Besides, what are the commonalities, differences and discrepancies in the existing guidelines with the UP Act 2009 and what is perception of people particularly about UP functionaries on Ward Shobha would also be analyzed.
Research Methodology

A mixed method has been applied for the study combining both qualitative and quantitative analysis. Qualitative analysis is based on the literature review, reviewing UP Law 2009, reviewing existing guidelines on WS. Additionally, researchers conducted focus group discussion, key informant interviews FGD and participatory observations.

For the quantitative analysis, a guided questionnaire was used to collect data from all the WS of 575 Unions, among which 391 UPs are supported by various projects whereas 184 UPs are not supported by any project other than LGSP of the government. HYSAWA collected the data by its field level offices. A structured questionnaire was prepared to collect quantitative data. Besides, a semi structured questionnaire was also developed to conduct interviews and KIIIs. Stratified random sampling method was used for sample selection from all seven divisions.

Since the study requires both review and analysis of the existing guidelines and side by side stakeholders’ perception on and their capacity to conducting Ward Shobha, currently followed guidelines were collected to review and analyze. UP act 2009 (WS section) was also looked at critically to find out if guidelines are developed in compliance with the provisions of the Act. WS facilitators were interviewed. Different stakeholders like NILG, LGSPII, UPGP, SHARIQUE, HYSAWA etc. were interviewed. Field work was scheduled in such a way so that Shobhas could be observed closely by being participants, which gave more empirical insights about the procedure followed while conducting WS.
Chapter Two

Legal framework of WS

As discussed earlier, the Government has been expressing strong commitment to local government and further decentralization with accountability, participation and transparency being taken into account. One of the most important initiatives of recent years was the promulgation of the new Union Parishad Act 2009 in line with the Constitutional provision. The Union Parishad Act 2009 establishes a number of innovations including WS. The WS is meant to improve accountability and citizen engagement from the Ward level. All voters of each of the nine wards are the members of the WS. The WS aims to encourage participative planning, community mobilization and accountability.

The 2009 UP Law mandated creation of WS in UPs across Bangladesh headed by the ward member, advised by a woman member, and establish sub-committees. At least two annual meetings are specified, to focus on public presentation of the UP budget and review of audit reports. Meetings are required by quorum only if at least five percent of registered voters in the ward are present and any decisions taken should be recorded by the secretary or his/her designee. Among 7 functions and 4 responsibilities with sub-clauses of the WS, few of the crucial provisions are presented below:

1. Under clause 1 a number functions for Ward Platform are listed in the Act, some of them are:
   a. Facilitating collection and organization of information for introducing UP’s development planning;
   b. Based on specific indicators, preparing and transferring final lists of beneficiaries under government schemes;
   c. Providing all necessary supports in effectively implementing development projects;
   d. Uniting people of different occupations of the Ward, building organizations and arranging sports and cultural programs;
e. Overseeing the progress of schemes taken in the Ward Shobha and seeking reasons why decisions are not translated into actions;

f. Being involved in social awareness building activities such as health, sanitation, dowry and child marriage prevention, drug addiction etc.

2. Ward Platform would ensure transparency by disclosing information about decisions taken in the WS, budget, expenses, income, procurement of materials etc. on the board in open places;

3. Ward Shobha can form sub-committees upon condition that number of committee members should not be more than ten among them three must be women members;

4. Clause 7 of the section provides a hind Ward Shobha (meeting) and Ward Shave (institutional form) are different. It states, Ward Shobha (Ward platform) after investigating, will present applications received from beneficiaries in the Ward Shobha with a view to selecting and eliminating such applications.

Some responsibilities of the Ward Shobha include:

1. to prepare reports about the functions of the Ward Shobha and present it to the UP;

2. request UP to arrange special meetings when necessary

3. to promote developmental activities of the Ward, maintain security and harmony in the Ward, keep the environment clean etc.

Table 1: Provision of Ward Shobha under UP laws 2009

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<th>UP Act 2009</th>
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<tr>
<td>Article 4</td>
<td>Ward Shobha</td>
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<tr>
<td>Article 4 (1)</td>
<td>Formulate one Ward Shobha in each ward of the union parishad</td>
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<tr>
<td>Article 4 (2)</td>
<td>Each Ward Shobha will consist of the voters of the respective ward</td>
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Table 2: Provision of Ward Shobha open meeting under UP laws 2009

<table>
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<th>Article 5</th>
<th>Open Shobha at ward level</th>
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<td>Article 5 (1)</td>
<td>5</td>
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<tr>
<td>Article 5 (2)</td>
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<td>Article 5</td>
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before the WS meeting, same procedure to be maintained for the adjourned meeting as well.

Article 5
(4) UP chairman makes sure the WS meeting to take place and concerned ward member will preside over the meeting.

Article 5
(5) Member of the reserved seat will become the advisor of the meeting.

Article 5
(6) Developmental activities of the ward and other relevant issues will be discussed in the meeting.

In the annual meeting, ward member will present annual report of the previous year and let participants know about financial issues and currently running developmental activities.

If it has not been possible to implement some of the decisions, concerned ward member and chairman will produce reasons for that.

In addition to the UP Act, NILG has a UP training manual that mentions WS as a participatory Planning Process reflecting that the UP should ensure the following issues:

1. Decision making in the UP to organize WS
2. UP to inform people about the participatory development planning
3. To form organizing committee for WS
4. Gathering demands by small teams (area or profession wise) through using PAR method
5. UPs to prepare draft plan to present in the WS based on the information gathered from communities
6. Noticing on organizing WS
7. Presenting the draft plan in the open meeting and prioritizing from the proposals provided by the participants
8. Gathering all the skims/proposals taken from the all Wards and sending to the concerned Standing Committees for scrutiny
9. Prioritization of the Skims and incorporating them in the five year plan
10. Presenting in the UPs with the recommendation of the Standing Committees for approving the Union five years development plan
11. After the approval of the five years development plan by the UP meeting, displaying it in the UP office and other important spots for citizens' knowledge

Additional guidance is provided as to how to collect scheme proposal, change and prioritize schemes and embed them into the annual and five year planning using different in such formats as format - 2, format - 3 etc. In the NILG five year planning document, there has been specific guideline as to how to collect primary information such as dividing participants based on area and occupation, using tools like group discussion, social mapping etc.
**Non government Initiatives for Effective Ward Shobhas:**

Numbers of non government organizations (NGOs) also have various involvements for the participatory planning by the UPs that include effective WS. Some of them are discussed below:

**SHARIQUE**

Manual for UPs participatory planning (Sharique 2007) is one of the most comprehensive documents that describe different stages of preparing plans for the UPs through citizens' participation mechanism including the WS. The Manual clearly defines the objectives of the WS, the ways of problem identifications i.e., what should and what should not do during problem identification by the citizens and stages of the planning. The manual mentions nine stages, as follows:

1. Collecting primary information through the general meeting in the Ward level
2. Gathering the information collected from the WS by a Committee (facilitating and assembling)
3. Discussion on the information in the UP meeting and then preparing draft project proposal by the Standing Committees
4. Reviewing the draft project proposal by the Finance Committee, preparing annual budget for UP and preparing detail project plan
5. Initial approval of the draft budget and project plan from the UPs
6. Getting opinion from people through the open meeting and incorporating them in the draft plan
7. Final approval from the UP
8. Submission to the DC through UDCC
9. Informing the Ward level people about the finally approved plan

Under the 1st stage, the Manual specified the activities both in the preparation phase and during the WS session. The Manual has the direction to select date and venue of the WS and also to publicise prior to the meeting taken place. The Manual also has the guideline for the organizers to take preparation keeping in mind the probable problems and issues during the session. There are fifteen specific issues mentioned by the Sharque Manual as guideline for the WS organizers including the timing, describing the participants about the objective of meeting, forming small groups while collecting demands, raising hand for giving opinion, writing the problems and probable solutions by the groups etc.
Moreover, these fifteen activities list provide a comprehensive guideline for the WS participants.

**HYSAWA:**

HYSAWA supports about 450 UPs across the country, 60% of these Unions are hard to reach in terms of providing water supply and sanitation to all. Through financing WS infrastructure HYSAWA unlike its other working areas facilitates to create institutional and technical condition for transparency in decision making, fiscal discipline and financial accountability in participating UPs in this region. HYSAWA mobilizes resources and capacity building support to Local Government Institutions and communities with the aim of empowering them to manage decentralized water and sanitation services in Bangladesh. One of the core aims of the activities is to enhance the capacity of the LGIs to manage other public services effectively. Various mechanisms that HYSAWA employs in its projects actually make the UPs adhere to the practice of WS, and at the same time make the people participate in decision-making and in the selection of priorities to be pursued in their respective areas. For instance, HYSAWA promotes formation of community groups popularly known as Community Development Forum (CDF) that serve as platform to take collective decisions by the communities themselves in a transparent way. The CDF members are trained and supported hands-on so that they can analyze and identify their development needs and able to place those needs in appropriate forums like Ward WatSan Committee, Ward Shava and at UP.

Attended by the various section of the population, particularly poor and women, the community meetings allow the participants to be directly engaged with local government representatives and staff employed by them through planning and monitoring process. The opinions the people express are given preference during scheme implementation. Because these meetings have given them voice, the poor and marginalized people no longer feel powerless and also it helps advance common good and social interest, and offers mutually-beneficial solutions. Community mapping and wealth ranking (PRA tools) are some of the tools that are used in HYSAWA supported projects to assess the financial situation of the people and resources in the UPs. The mapping provides local government authorities with crucial
information to decide where to extend their outreach for the provision of services in communities' best interest, thus creating conditions for accountability. The people in the community meeting receives, in addition to WASH messages, information on the roles, responsibilities and obligation of LGIs towards their citizens and vice versa, which in the long run is going to pay off dividends in terms accountable public service delivery. Furthermore, citizens in Union Parishads with HYSAWA’s support place their identified priorities at Ward planning meeting for discussion and approval, and finally to UPs for execution. The making of informed decisions that reflects the preferences of citizens not only ensures a high degree of accountability at local level but also reshapes the power relations between residents and the authorities and contributes to better development outcomes (Ahmed et al 2014).

**USAID:**
USAID has also its project named Improving Local Level Governance (ILLG) Project in Bangladesh to facilitate the lowest level of local governance. Throughout the years field workers of the USAID were directed to provide support ward level meetings to enable ordinary citizens to air their ideas for small-scale development projects, and to encourage adoption of the open-budget-meeting concept at the ward level. Few UPs visited by the team, even those supported by ILLG, had fully operationalized the new system, as claimed by the USAID. ILLG UPs, where a variety of ward-level activities were sponsored under the project, were more likely to have active Ward Shovas (Blair 2012).

**Other non-government initiatives:**
**The Hunger Project:** The Hunger Project also work to some extent to enhance the capacity of the WS, though there is no manual or guideline available prepared by them. According to the Hunger Project, they arranged numbers of Ward Sava and open budget meetings to ensure the local government body is accountable and transparent as well as to ensure people's participation. Additionally, as they mentioned, a good number of UPs arranged open budget meetings as part of the transparency and accountabilities of Union Parishad initiative by the Hunger Project (the Hunger Project 2011).
Democracy Watch: Democracy Watch is another organization provides support to the WS. Around 1480 Network of Activist Volunteers (NAV) was selected for assisting elected women representatives. NAVs are involved in organizing project events such as courtyard meeting and ward Shobha. They also collect data from the field along with EWRs for conducting survey and research. In some cases NAVs help EWRs to maintain diary (Democracy watch 2014).

UPGP: The Union Parishad Governance Project (UPGP) of the UNDP aims to support the government of Bangladesh in meeting the Millennium Development Goals through effective, inclusive, participatory and democratic local governance. Its focus is to enhance the accountability local administration, transition the current service-delivery towards a pro-poor approach and to strengthen the Union Parishad (lowest tier of local administration)'s institutions and policies. The local government division of the Ministry of Local Government, Rural Development and Cooperatives is the main partner in implementing this program.

| UPGP Supports the UP for Ward Shava formation process (based on UP Act 2009 and relevant rules and regulations). It also supports the UP to conduct awareness raising of Ward Shavas' role, functions and citizen's engagement, orientation and strengthening the capacity of Ward Shava members for effective meetings, conflict resolution, documentation, interface with elected UP representatives and citizens etc. UPGP also support Ward Shavas to conduct pro poor planning at ward level (UNDP 2012) |

The UPGP provides capacity support to all 564 UPs in the seven districts and is piloting an annual UP performance grant, which is allocated to the best performing (approximately 70 %) UPs, in FY 2012/13, this was 404 UPs and in FY 2013/14 this was 410 UPs. (UNDP 2016) under the Strengthened Democratic Accountability of the Union Parishads through Citizen Engagement initiative, UPGP supports the UP chairs, and members to perform their functions and through increased citizen engagement including in Standing Committees and Ward Shavas. It focuses on the representative aspects of Union Parishad governance, aiming to strengthen
the formal structures, functions and systems of the UP including operation of Standing Committees and Ward Shavas as well as the informal processes of engagement within these structures and between representatives and constituents at Union and Ward level. Besides, it also addresses two dimensions of improving democratic accountability at UP level. The first is be the functional dimension of UP affairs with a focus on ensuring that UP members fulfill statutory provisions and function more effectively with regard to their stipulated roles, responsibilities and obligations.

The UP Act 2009 provides a detailed framework of powers, functions and responsibilities and UPGP aims to build the capacity of UP Chairpersons and Ward Members to implement these responsibilities, identifying and removing bottlenecks and ensuring that elected representatives are supported with the right skills and capacities. The second dimension is that of equitable and inclusive engagement between citizens and the UP and ultimately deepening the values of local democracy as well as ensuring pro-poor service delivery. Activities of UPGP include activation of the Ward Shovas, strengthening of the Standing Committees which provide a forum for citizens to represent specific interest groups in areas such as health, education and agriculture as well as the interests of women and poorer members of the community, and support to Women's Development Fora. Activating Ward Shavas for Inclusive Decision-Making include the following (UNDP 2012).
Chapter Three

Findings through qualitative and quantitative analysis

Qualitative Analysis:

Conceptual gaps in the laws
There is a legal confusion everywhere from the government to the NGO executive and UP representatives to the general people regarding the difference between Ward Shobha and Ward Shobha Meeting. In the UP law, by Shobha, it means Council or Parishad. People in the ground did not understand the inner meaning and spirit of ‘Shobha’, as expressed by a local government expert. He also added, in India it is known as “Gram Shobha” where by Gram Shobha, they understand ‘Village Council’. While copying the provision from existing Panchayat Raj Institution Laws of West Bengal and Kerala local cultural aspect has not been properly taken care of during local adoption in Bangladesh. It has to be made clear to the UP functionaries; UP citizen and the LG activists who work for UPs at the ground level that WS is virtually a ‘Ward Council’ or ‘Ward Parishad’, mere holding a meeting is not the purpose of WS. The WS will have to be gradually turned into a vibrant citizen forum at the Wards (Ahmed et al 2014).

Although the legislation appears to promote transparency and participation, the mechanisms by which these are to happen remain vague. For instance, although the ward Shobha is potentially an important space for citizens, its mode of operation is not spelt out in the law nor is any regulations provided for its working. In order to activate Ward Shobha, holding meeting twice a year is not enough. Ward Platform thus would play the central role in ensuring the functionality of the Ward Shobha. Formation of a Ward platform is further articulated in the Act by detailing authority, functions and responsibilities of the Ward Shobha. These functions and responsibilities essentially require a body or council consisting of the voters of the concerned Ward to come into action.

Analyzing the nature of the functions and responsibilities of Ward Shobha, it is evident that the law has provisioned a structural body to get formed that should remain active around its functions and responsibilities. The law has called it ‘Ward Shobha’ what in other words might be called ‘Ward Platform’. McGee and Kroesschell shed lights on the UP Act-2009 particularly
on the Ward Shobha section and spelled out some of the objectives of Ward Shobha that are essentially three:

1. Uniting as one platform a range of citizens and citizen groups, to permit the representation and incorporation of the interests of all citizens of a locality in the development of the ward in question. This is achieved through the ward platform playing the role of interlocutor for and negotiator between different local development actors (ward representatives, UP, line agencies and other groups), as well as through its involvement in all stages of the project cycle:

   a. identification of priorities, in collaboration with local development actors, as well as with the citizens of the ward, submission of these priorities to the ward Shobha for discussion and approbation and to the union parishad for execution. The ward Shobha’s approval obliges the union parishad to respect these priorities in its planning and execution.

   b. Supervision of ongoing UP activities through regular contact with UP and feeding in of inputs for future planning.

   c. Participation in development scheme implementation, as an entity in charge of ensuring access to resources for producer groups.

2. Enhancing the inclusion and representation of women and marginalised populations through promotion of their participation in UP committees.

3. Assisting and supporting UP in the preparation of beneficiary lists for social safety net programmes and the organisation of ward Shobha, as well as other social events.

**Review of the laws and its reflection among guidelines:**

There is no full-fledged guideline meant for forming and organizing Ward Shobha except SHARIQUE’s ‘Participatory Planning’ document. However, in the ‘Five Year Planning of UP’ drafted by NILG and in the ‘UP Operational Manual’ prepared by local government division dedicated a section for Ward Shobha. However, both NILG and UP Operational Manual contain almost similar contents borrowed from the UP Act 2009. SHARIQUE’s ‘Participatory Planning’ can be considered a full-fledged guideline which is more elaborate and entails step by step operations of WS. SHARIQUE’s ‘Participatory Planning’ has accommodated and even expanded most of the clauses of the UP act under WS section. In their guideline, SHARIQUE attempted to introduce Ward Shobha more widely ranging from its importance, objectives, and nature of
problems to draw from people, to collect information from the meeting, putting them into the formats, prioritizing, preparing draft schemes’ resolution with standing committee. The guideline has outlined nine planning steps with detailed processes of organizing WS meeting within the scope of clause 6 and 7.

**Reflection of UP law in the guidelines/Manuals?**

1. In the UP Operational Manual the contents of law are virtually copy pasted without saying how to form a Ward Shabha.

2. Neither in the NILG document nor in the SHARIQUE’s Participatory Planning, anything mentioned about formation of WS

1. Section 5.2.5 of the NILG five years planning echoes with almost all the sections under clause 5. However, again, these are just repetition of the law.

2. Participatory Planning of SHARIQUE has provided more specific and detailed guideline over clause 5 of the UP act. Setting up of the suitable timetable and place for the WS meeting, all participants should remain present at the designated place at least thirty minutes before the meeting gets started, how to welcome participants and clearly articulate the objectives of the meeting, are some of the examples.

1. UP operational manual just copied and pasted contents of clause 6 of the UP Act.

2. Additional guidance is provided as to how to collect scheme proposal, change and prioritize schemes and embed them into the annual and five year planning using different in such formats as format - 2, format – 3 etc. (sample formats are presented in the document). In the NILG five year planning document, there has been specific guideline as to how to collect primary information such as dividing participants based on area and occupation, using tools like group discussion, social mapping etc.

3. SHARIQUE has developed a guideline called 'Participatory Planning' that accommodated and even expanded most of the items listed under clause 6 of the UP act. In their guideline, SHARIQUE attempted to introduce Ward Shabha more widely ranging from its importance, objectives, and nature of problems to draw from people, to collecting information from the meeting, putting them into the formats, prioritizing, to preparing draft schemes’ resolution with standing committee.
So, till now there is no specific guideline for WS endorsed by the government. Government produced some documents dedicating a section for WS. These include: Five Year Planning of UP, drafted by NILG, UP Operational Manual, prepared by LGD, UPGP Operational Manual etc. However, UP Operational Manual contains almost similar contents borrowed from the UP Act 2009. SHARIQUE’s ‘Participatory Planning’ document is rather elaborate. Most of the guideline have outlined nine planning steps with detailed processes of organizing WS meeting within the scope of clause 6 and 7 of the Act. The functioning of a WS involve reasonable amount of expenses. There is no guidance in the guidelines regarding the expenses. Guidelines involve too many issues other than the WS e.g. the whole project cycle making them complicated. Existing guidelines have different directions causing WSs to take place differently in different areas.

Table 3: UP Act 2009, Reflection of law including gaps and good practices in the guidelines

<table>
<thead>
<tr>
<th>UP Act 2009</th>
<th>Reflection of law in the guideline?</th>
<th>Gaps and good practices in the guidelines</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Formation of Ward Shobha</td>
<td>No mentioning about formation of WS as a forum</td>
<td>Difference between Ward Shobha and Ward Shobha Meeting is not sort out</td>
</tr>
<tr>
<td>2. Each Ward to organize at least two meetings annually</td>
<td>All existing guidelines recognized this in their guidelines</td>
<td>Guidelines remain limited in instructing how to organize these 2 meetings, rather than detailing as to how to activate WS as a forum</td>
</tr>
<tr>
<td>3. The quorum: five percent of the total voters of that ward.</td>
<td>Recognized very well in all the guidelines</td>
<td>--How this five percent consists of is blurry in the guidelines. --women, elite, area and occupation addressed to fulfill the quorum</td>
</tr>
<tr>
<td>4. UP to circulate public notice at least seven days before the meeting</td>
<td>This rule is also common in the all guidelines</td>
<td>--A guideline details about circulation logistics e.g. poster, leaflet, Dhuli dol etc.</td>
</tr>
<tr>
<td>5. Facilitating collection and organization of information for UP’s</td>
<td>All guidelines have focus on this area</td>
<td>--Step by step procedure for facilitating and collecting information</td>
</tr>
</tbody>
</table>
| development planning                                                                 | --Examples given in the guideline how to collect and collate information (collation group)  
|                                                                                      | --Discussion, social mapping, exhibition for seeking developmental demands |
| 6. Providing supports for effective implementation of development projects           | Very little concentration on this area                                                   | As there is no recognition of WS as a forum in the guidelines, this important function of the WS is not addressed. |
| 7. Overseeing the progress of schemes taken in the WS and seeking reasons, if not implemented | Not recognized                                                                         | As there is no recognition of WS as a forum in the guidelines, this important function of the WS is not addressed. |
| 8. Preparing and transferring final lists of beneficiaries under government schemes    | To some extent this function of WS has been reflected in guidelines                   | The list is prepared on the basis of a particular scheme taken |
| 9. Developmental activities of the ward to be discussed including the status of implementations, failure with reasons | Not recognized                                                                         | There is no instruction listed in the guidelines as to how this session is organized. |
| 10. Audit report-to be placed in the WS meeting and send the report to the UP for its consideration over the meetings recommendation and opinion | No such instructions in the guidelines                                                 | There is no instruction listed in the guidelines as to how this session is organized. |
| 11. UP secretary will prepare meeting minutes and record decisions taken in the WS.   | In guidelines, it is reflected how to record decisions                                | --Various formats are offered in the guidelines to record decisions taken in the WS  
|                                                                                      |                                                                                      | --No guideline provided for maintaining meeting minutes |
| 12. Making public notice, WS will present applications from beneficiaries and prepare the final list justifying all criteria and send the list to the UP for final approval. | Not reflected at all                                                                   | Process of receiving beneficiary applications and finalizations is missing in the existing guidelines |
Review of the laws and its reflection in the field

There is a lack of clarity and proper understanding regarding the issues of official membership, role and functions and the modality of discharging functions of the WS members in the field. According to the law all the persons registered in the voter list are eligible member of the Ward Council. In the current practice, eligibility criteria of membership are not followed while assessing the quorum of the WS. As a result, the meetings are turned to be pandemonium.

1. No clean and clear agenda of the WS are found. Only people are asked to name schemes and register demands which do not seem right ways to make citizen forum effective.
2. The functioning of a WS involve reasonable amount of expenses. There is no guidance regarding the expenses for making WSs functional and holding of two WS meetings.

In the following table, a picture of how the UP act 2009 particularly Ward Shobha section has been reflected at the ward level.

<table>
<thead>
<tr>
<th>What does the UP Act 2009 state?</th>
<th>What actually happens in the field</th>
</tr>
</thead>
</table>
| 5. Formation of Ward Shobha (clause 4, 2nd chapter):  
  a. A Ward Shaba shall be formed in every ward of the Union Parishad (UP).  
  b. The Ward Shobha will comprise all voters of each concerned ward. |
| 1. Field observation shows that no WS as a forum or body exists in any of the wards from where data has been collected. |
| 6. Under clause 5 of the 2nd chapter, the act talked about organizing ward level meetings.  
  a. Each Ward Shobha will organize at least two WS meetings annually in their local territory.  
  b. The quorum of the WS meeting will comprise five percent of the total voters of that ward. However, for adjourned/final meeting taking place seven days after the WS meeting, this quorum will not apply.  
  c. UP will circulate easy and simple public notice at least seven days before the WS meeting, same procedure to be maintained for the adjourned meeting as well.  
  d. UP chairman makes sure the WS meeting to take place and concerned ward member will preside over the meeting.  
  e. Member of the reserved seat will become |
| 1. Almost 100 percent of the sample wards are aware of the fact that at least two WS meetings have to be organized in a year. In most of the wards two WS meetings are held with quorum being fulfilled. One of the reasons UPs comply with the law about organizing WS meeting could be meeting the Minimum Conditions (MCs) to receive this additional 75percent LGSP grant that requires audit clearance, evidence of participatory planning and open budget meeting and submission of 6-monthly progress reports.  
  2. In most cases public announcement before WS meeting is made through miking and postering.  
  3. Participatory observation of WS meeting suggests that in most cases ward member |
the advisor of the meeting.

f. Developmental activities of the ward and other relevant issues will be discussed in the meeting. In the annual meeting, ward member will present annual report of the previous year and let participants know about financial issues and currently running developmental activities. If it has not been possible to implement some of the decisions, concerned ward member and chairman will produce reasons for that.

d. Ward member presides over the WS meeting. However, otherwise has also been seen in some Ward Shobha’s where chairman himself remain present in the meeting and conduct the meeting.

4. Member of the reserved seat have the advisory role in the law, but in practice their role in WS meeting is very limited and hardly seen in the sample areas. At some WS meetings observed, they did not even remain present.

5. With regard to section f of the clause 5, the practice is not accordingly at all. Member or chairman brief about what developmental activities have already been done, taken for future and been running currently while addressing participants. It is also seen in a WS meeting, UP secretary, present some schemes that are completed in the previous year and currently running. If any decisions taken in the WS is not implemented, fund shortage has been shown as the reason.

7. Under clause 6, a number of power and functions of Ward Shobha are listed in the Act, some of them are:

    g. Facilitating collection and organization of information for introducing UP’s development planning;
    h. Based on specific indicators, preparing and transferring final lists of beneficiaries under government schemes;
    i. Providing all necessary supports in effectively implementing development projects;
    j. Uniting people of different occupations of the Ward, building organizations and arranging sports and cultural programs;
    k. Overseeing the progress of schemes taken in the Ward Shobha and seeking reasons why decisions are not translated into actions;
    l. Being involved in social awareness building activities such as health, sanitation, dowry and child marriage prevention, drug addiction etc. and so forth.

8. Ward Platform will ensure transparency by disclosing information about decisions taken in

| 1. In the WS, demands are collected from the participants for incorporating into the UP’s development planning following a step by step process. |
| 2. Final lists of beneficiaries under government schemes have rarely been prepared in the WS. However, in one WS it has been observed that some names of widows have been collected as a draft list. |
| 3. Since there is no WS as forum or body exists, providing supports for implementing projects, arranging sports/cultural programs, overseeing progress of schemes of and being involved in social awareness building activities are far from reality. |
| 4. In most of the WS meeting, decisions taken after prioritization have been disclosed. However, budget, expenses, income, procurement have not been disclosed in a detailed manner. |
| 5. Audit report was not seen to be placed in the WS meeting. |
| 6. UP secretary usually prepares meeting minutes and records decisions taken in the WS. |
the Ward Shobha, budget, expenses, income, procurement of materials etc. on the board in open places;
9. Audit report has to be placed in the WS meeting and send the report to the UP for its consideration over the meetings recommendation and opinion.
10. UP secretary will prepare meeting minutes and record decisions taken in the WS.
11. Decisions of WS will be made through majority votes of the participants including women participants.
12. Ward Shobha can form sub-committees upon condition that number of committee members should not be more than ten among them three must be women members;
13. Making public notice, WS will present applications from beneficiaries and prepare the final list justifying all criteria and send the list to the UP for final approval. This list could not be changed once proved to be fairly done.

Clause 7 of the act provides a list of responsibilities entrusted on Ward Shobha which, other than a number of welfare activities, include:
1. Reporting to UP as activities of the Ward Shobha
2. WS can request UP to arrange meetings other than the provision of clause 6 section 1.
3. If anything spent before and after organizing WS without approval that would be considered as personal liabilities.

7. Participants votes have rarely been considered in finalizing WS decisions.
8. In some WS meetings, sub-committees have been formed.
9. WS has nothing to do in preparing the final list of beneficiaries as this process has been occupied by partisan politicians and incumbent chairmen/members.

From observation reveals that almost UPs are aware of the fact that at least two WS meetings have to be organized in a year and thus they are keen to organise two WS meetings with quorum being fulfilled. One of the reasons UPs comply with the law about organizing WS could be meeting the Minimum Conditions (MCs) to receive the additional 75 percent LGSP grant that requires audit clearance, evidence of participatory planning and open budget meeting and submission of 6-monthly progress reports.

Regarding the announcement about WS, such meeting announcement is made through miking, in some cases, postering. Ward Members and their representatives also send the messages
verbally in the local places like tea stall, village markets etc. Additionally, local elites are also sometimes sent messages through formal letters.

Observation of WS meeting reveals that in most cases ward member presides over the WS meeting, as per the law. However, otherwise has also been seen in some Ward Shobha's where chairman himself remain present in the meeting and conduct the meeting. Member of the reserved seat have the advisory role in the law, but in practice their role in WS meeting is very limited and hardly seen in the sample areas. At some WS meetings observed, they did not even remain present. It is also seen in a WS meeting, UP secretary, present some schemes that are completed in the previous year and currently running. Demands from the voters are usually collected for incorporating into the UP’s development planning following a step by step process. Thus the final lists of beneficiaries under government schemes have rarely been prepared in the WS, though there are some exceptions.

Since there is no WS as forum or body exists, providing supports for implementing projects, arranging sports/cultural programs, overseeing progress of schemes of and being involved in social awareness building activities are far from reality. In most of the WS meeting, decisions taken after prioritization have been disclosed. However, budget, expenses, income, procurement have not been disclosed in a detailed manner. Additionally, audit report was not seen to be placed in the WS meeting. UP secretary usually prepares meeting minutes and records decisions taken in the WS. Participants' votes have rarely been considered in finalizing WS decisions. However, WS has nothing to do in preparing the final list of beneficiaries as this process has been occupied by partisan politicians and incumbent chairmen/members.
Quantitative Analysis

Organizing Ward Shobha:

Figure 1: No. of WS organized in 2011 and 2014

34 percent of the surveyed Wards did not organize WS in 2011 whereas the number decreased in 2014 when only 19 percent of the Wards which did not organize WS. Thus 24 percent of the Wards organised one WS in 2011 whereas in 2014 19 percent Wards could organize one WS.

The trend of organizing WS is increasing as evident in the graph shows that, 42 percent of the Wards organized two WS in 2011 and 62 percent of the Wards organized two WS in 2014.

Notification on Ward Shobha

Figure 2: noticing people about WS organised in 2015

Most of the UP documents shows that, 70 percent of their Wards noticed properly their voters about organizing WS, whereas only 30 percent of them did not noticed.
Attendence in Ward Shobha:
The following graphs shows that, 79 percent of the Wards in the studied UPs maintained attendance record books whereas only 21 percent of the Wards did not maintain such book. Besides, among the 79 percent 78 percent recorded properly the participapnts names in the record book whereas 22 percent did not.

Figure 3: Attadence sheet maintained and attendance taken in WS organised in 2015

Venue of WS:
WS are normally organized in the open places. Most of them are organized in the nearby school premise as shown in the figure below at 42 percent followed by 35 percent in the UP premise.

Figure 4: Venues of WS
Some of them are also organized in the yard of Ward Members. Some of the other venues include open field or village clubs etc. Sometimes WSs are organized in front of local elites’ houses.

**WS Guidelines:**

While asked the UP authorities, whether the Wards organized WS followed any guidelines, 90 percent of Wards were found who follows guidelines whereas only 10 percent don’t follow any guidelines.

Figure 5: Share of Ward Shobhas where Guideline followed and that provides enough direction

Financial support for conducting WS:

Figure 6: Share of WSs where support received from different entities

One of the important issues of organising WS in the Wards is financial issues. However, when asked whether there was any financial support either from government, non government or
individual, 67 percent of the Wards under studied UPs shared that they got such financial support whereas other 33 percent opined that they did not get any such support

**Cost of organizing WS:**
From the survey, it came out that expenditure in organizing WS ranges from 300 to 25000 depending on where WSs are organized. In some UPs, chairmen make a big show off to the voters through WS. In these cases, WS organizers try to make massive turn out of participants where they have to spend more money than the average expenditure. However, average expenditure is tk.1820 that seems very low compare to the highest expenditure.

**Findings from participatory observations:**
Based on the observation in the field, it is clearly evident that, there is a lack of skills of the WS organizers to conduct WS. Most of the WSs are conducted through listing the demands of roads, culverts etc. With very exception, other social issues absent in the discussion. Local elites and local political leaders dominate the demands in most cases and participants are not segregated in terms of gender, occupation, area, and voter non-voter. Besides, no clean and clear agenda of the WS is found. People are only asked to name schemes and register demands, therefore it is claimed that people become gradually uninterested due to the failure of UPs to address all listed demands. As a whole UP Members are found inefficient to manage the WS due to the lacks proper training on conducting it. Different UPs conduct WS in different ways, which in the most cases unorganized and chaotic. The list of members attended the meeting is also not registered properly. The record books do not contain the proper information of meeting discussions, list of schemes proposed, name of the person who mooted the proposals

**Case Studies:**
Among the visited WSs by the Researchers, six of them are presented here as Case studies. The actual scenario hardly reflects the results found from the survey of the UPs. In most cases, papers are maintained properly by the UPs though which one would be very convinced about the performance of the WSs and their organizers. The following Cases are presented as examples.
Case Study 1: Dumuria Ward Shobha

Date: 22/4/2015, Time: 4.00 PM
Place: Sajaria Adarsha Model Govt. Primary School
Participants: Local people of the Ward. Most of the participants (almost 90 percent) were women.

Ward Shobha got started with a brief speech by the UP secretary. He was the moderator of the Shobha. He, in a few words, talked about what Ward Shobha is, why it is necessary for the people of the Ward. He then welcomed the chairman to address the participants. The chairman also started his speech giving an introduction to Ward Shobha. He then went on touching upon the problems of the Union including child marriage and its bad impacts. The chairman in his speech talked about his dream around the people of his UP. His dream is to mobilize ultra poor and establishing small cooperatives in order to make them self-dependent.

Finally, floor was open for the participants to raise their demands for the upcoming year. Participants were told to raise their concern one by one. At the beginning attendants seemed to be reticent to raise their demands. Then the chairman urged them to speak out and raise issues about what they really needed. A number of demands came from them afterwards, such as 1. Electricity problem, 2. Water logging/construction of drainage, 3. Seeking a piece of land, 4. Road construction and renovation etc, 5. Widows names were written. All demands were placed in the format as prescribed by the NILG. Chairman then loudly reread schemes taken from the Shobha. The Ward Shobha seemed organized and orderly throughout the meeting. However, while asking participants to raise their demands individually, after a little while they stood up and started flocking around the chairman. Lack of discipline was seen at that point. Participants are supposed to prioritize schemes raised by them. Chairman asked them to do so but gave them no time suggesting his own priority schemes. Everybody consented and schemes got placed on the list in the order of priority. Men were noticeably absent, particularly middle aged men. We later asked the chairman about the reason of lack of presence. “This is the paddy yielding season and men are extremely busy working in the field” he replied. The chairman of Ward Committee joined the meeting at the last moment when the meeting was closed. UPGP provide tk 3510 to help Shobha committee to held conduct the meeting. Social elites and rich people’s presence were very little. Being asked about the UP act 2009 and particularly provision of Ward Shobha in the Act, the chairman admitted that he was well aware of the provision and he has the intention to make the Ward Shobha function well in the near future as it is a new concept to them and people of the UP.
Case Study 2: Fultala Ward Shobha

Date: 23/4/2015
Time: 4.45 PM
Place: Buriardanga Govt. Primary School
Participants: Local people of the Ward. Equal percentage of men and women participated.

This was the first ever Ward Shobha that took place in this Ward. UP secretary inaugurated the Shobha with a speech followed by the Quran recitation by the Head teacher of the Buriardanga Govt. Primary School. A brief speech by the Ward member follows where he talked about the importance and legal base of Ward Shobha. He said 'if no demand comes from the people of the Ward, UP will have no authority to spend development fund'. Secretary in the mean time warned people about the meeting being watched by partner organizations. So, he urged participants not to do anything showcasing ineffectiveness in conducting the Shobha. Head teacher of the Buriardanga Govt. Primary School addressed the participants. In her address she raised demands of setting up tube well and toilet in the school. Then the schemes already taken are read out to the people. Unlike Dumuria Ward Shobha, Fultala Ward Shobha was conducted in a clumsy manner. UP Secretary moderated the meeting but he did not seem to be effective in managing participants. Children were running and playing right in the middle of the meeting place. Participants were not given with the opportunity to speak individually for raising their demands. When demand-raising session came, some participants gathered around the head table where UP secretary and UP members were sitting. They were making noise and jostle to put their demands on the list. Later we came to know, most of them are elites and influential people of the Ward. ‘General people were deprived to raise their demands for elites gathered in front of the head table’, a nursery businessman told us. Amid demand-raising session occupied mostly by elites, sweets were being distributed to the other participants who interestingly started leaving the meeting place without trying to put their demands. There was no effort made to get them back. Still there was a little crowd till the meeting closed. We took a number of pictures and filmed the session. UP member knows about the law that provides for Ward Shobha, but functions of Ward Shobha are little known to him. He was trying to convince us that in his UP everything gets done according to the law. Since this was the first Ward Shobha, there had been a little mess. He then said, next time Shobha will be conducted in a proper way. Demands were written in the white paper unlike Dumuria Ward Shobha where prescribed format was used to write demands. However, demands were not prioritized. Participants raised demands related to only road construction. A woman asked if she demanded for electricity. She was denied by the UP member to raise that. Participants have little even no knowledge about what Ward Shobha is, why it is important for them and what are the functions of Ward Shobha.
Case Study 3: Charnarchar Ward Shobha

Date: 13/5/2015, Time: 11.00 AM
Place: Charnarchar Union Parishad, Dirai, Shunamgonj

Due to rain, Ward Shobha took place in an almost abandoned building of the UP complex. Inside of the building was dark and untidy. WS organizers also had to face trouble accommodating participants in a comfortable way. Ward Shobha got started with the moderation of UP secretary. He, in a few words, talked about the importance of WS. He then welcomed the Member of the Ward to address the participants. The Member gave a very brief welcoming speech. Then the female member of the Ward stood up and talked about the WS. She started by saying that SHARIQUE at first let them know about WS and trained them about how to conduct a WS. The women member ensured that according to the opinion of the ward citizen, an ultra poor list would be prepared. She also spelled out the mechanism that will be followed to collect and prioritize demands from the participants. She told the participants to split up into four groups – two male and two female groups- in order to draft demands for the upcoming year. Four lists will be prepared in this way. Afterwards schemes would be prioritized on the basis of common items found in all four lists. Secretary once again stood up to talk about tax. He proposed to impose more tax and ensure transparency in collecting and spending the tax amount. Two committees were proposed to be formed in the WS. These are Project Implementation Committee and Project Supervision Committee. At the end of the WS, all four lists were put together and from each list demands drawn were read out to the people. After that the Ward Member put the meeting to an end. None of UP officials including members touched upon the problems of the Ward in their address. They did not provide any account as to what should the demand of the people. People should be aware of their rights because our observation is that most of them could not identify what they needed to ask for and present those demands in the Ward Shobha. This is one of the main reasons why WS is not being functional and effective. Getting participants inactive in raising their demands, UP officials put their own choice on the Format where demands are put together. Therefore, WS as a tool of people’s demand oriented development in the local level which is also meant to be participatory and representative remains ineffective and unproductive. SHARIQUE does not support directly in conducting WS as they got phased out in that area. However, UP still conducts WS according to the guideline provided by SHARIQUE. There are some volunteers developed by SHARIQE who played a good part in the WS conduction. Splitting up participants into four groups preparing separate lists seemed to be good and representative, particularly for prioritizing items that are common in all four lists. But the process was random and turned out to be ineffective and unrepresentative as volunteers among the groups were writing demand schemes by suggesting group members this and that. Not only volunteers but concerned Ward Member himself was forcing to write schemes according his own choice. The Member was roaming around all four groups suggesting and convincing people to put his own choice on the format. Though it was declared at the beginning of the meeting that two committees would be formed in a participatory way taking opinions of the people, but no such action was found at the end of the WS. Long Term Participatory and Strategic Planning (2015-1019) were distributed among the participants.
Case Study 4: Tahirpur Ward Shobha

Date: 14/5/2015
Time: 11.00 PM
Place: The yard of Mrinal Chakrabarty's house in Shurjomukhi village, Tahirpur, Shunamgong
Organizing partner:
Participants: Local people of the Ward. Equal percentage of men and women participated.

Secretary of the Tahirpur UP welcomed the participants of the WS coming from two villages, Laksmipur and Shurjomukhi of which Ward no. 6 of the UP consists. The concerned UP Member presided over the Shobha while the Chairman remains present. After the welcoming speech, the Ward Member was called for giving his speech. He started with schemes mostly raised by people in the last year’s WS. Setting up tube well and latrine was among the most frequently raised problems to be solved. The member said, 130 latrines were set up so far in his Ward according to the demands. However, he also acknowledged that lot of works have yet to get done. The UP Secretary once again talked about what WS is for and what should be asked for. He suggested participants to demand schemes that equally benefit the whole community. Participants were told to raise their demands individually being stood up rather than in groups. The chairman also encouraged participants to speak up their demands. The Secretary then told participants to express their demands from both villages. One of the participants urged to install more tube wells in the village. Some other reflections of the demands raised in the WS include Tube well, Latrine, Land fill in grave yard and Road constructions

The Chairman of the UP then addressed the participants of the WS. He touched upon development works carried out during his chairmanship. The WS seemed organized and disciplined. Participants talked more about their water and sanitation problems and they were provided with time to speak. Member and Chairman themselves also suggested schemes that had been written on the format. The number of tube well and latrine was suggested to increase by the participants but denied by the UP member and secretary. People are more or less aware about WS and their problems. The voice of women was represented by a woman who raised demands with confidence. She was however resisted by one of the male participants who seem to be closer to the Member/Chairman. She also talked back to that participants and further reiterated her demands to the Chairman himself. This is a good sign that women are being confident about their rights and voice. Once voice of people is raised and heard in such a way, the concept of WS would be meaningful.
**Case Study 5: 9 Kolardoania UP, Word No-02, Nazirpur, Pirozpur**

Date: 20/05/2015, Time: 4.00 PM  
Place: A local School

The Ward Sobha was organized in a dark school hall room. Nobody either Chairman or Members know about the legal issue regarding the Word Sobha (as a formal institution) in the word level. The Member and the Chowkider, instead of milking, informed the communities in three ways:

1. Sent letter to the elite  
2. Door to door invitation to the other communities  
3. Declared in the market place.

There is a conceptual gap regarding the Budget meeting and Word Shobha, because they invited people in the name of Budget meeting, Banner titled as Budget meeting and also declared as budget meeting before the audience. Among 2500 voters in the Word, there were about 100 participants with almost 50 percent women. The meeting started with the speech by key persons like the chairman, AL Ward President as chief guest, UP Member as the president, UP Secretary. The speech session took one hour. Though the speech was relevant, but some of the participants left after speech. After the speech session, participants were invited to demand their priorities under different areas like, road and infrastructure, education, health, sanitation, agriculture, youth, women. The demands also covered the areas more or less. People were observed as very encouraged to share their demands and priorities. It was a participatory meeting. The UP Member recorded all the demands and priorities in a paper and a HYSAWA representative took all the name and signatures in the resolution book of the UP.

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**Case Study 6: Word-02, Baroikoron UP, Nolsity, Zhalkathi, 21 May 2015**

Date: 21/05/2015, Time: 4.00 PM  
Place: An open yard

The Chairman along with two ruling political leaders, UP Member and the Secretary set in the head table in an open yard, with about 10 community members, though there are 700 voters in the word. There were no women participants. The Chairman declared that it’s a meeting with the NGOs that support UP and requested an NGO representative to describe their area of activities. The Chairman and the Members has the conceptual gap regarding the Word Shobha. The meeting was arranged without any preparation. The UP Member and the Secretary was not interested to join. "I called the Secretary over phone to join the meeting, but he said he would not join due to sickness" as mentioned by the local representative of HYSAWA. The UP Member did not inform community about the meeting. There is project called 'Mamoni' who provides 1000 taka for organizing Word Sobha, who were present at the meeting.
Key Issues and Challenges:

Representativeness
A major concern has to do with the way representation in the WS is constituted, in particular, the allegation that often arises that ward Members have a representatives in the meeting who are in line with their political affiliations. It is also alleged that ward Members, in their role as chairpersons of the WS, are able to manipulate deliberations and decisions to reflect the mandate of the political party they represent, rather than the real needs and aspirations of the community. To date there have been no effective mechanism to bring about this change.

Powers
Another set of issues relates to the limitations of the powers of ward Members to conduct the meeting. Although the Act makes provision for the Ward Members to chair the WS, the local elites including the influential political leaders control the whole session.

Skills
In most instances, the effectiveness of WS is constrained by the limitations of the levels of education, skills and expertise of both the organizers and the participants. The need for the WS Facilitators to receive capacity building training is widely recognised. The Act and the Manuals also place a duty on UPs to make provision for capacity building to enable active community participation. The same applies to the often raised issue of reimbursement of Members for out of pocket expenses, such as for transport or use of cell phones, or what some suggest more contentiously should be a basic stipend to serve as an incentive for the community work performed by the Members as they are to inform people.

Access to information
It has also been noted that the ability of the voters to participate effectively is constrained by the lack of accessible information at ward level. Specifically in relation to planning processes, where voters could potentially play an important role, without a proper understanding of the objectives and targets, they cannot be expected to provide any empirical or qualitative feedback. The same constraint applies to the Ward Members role in relation to communicating
budget information, which is usually only available in highly technical and inaccessible formats, and is rarely packaged in such a way as to provide useful information on budget allocations at ward level.

Functionality

**Pre WS preparations:**

There have been very few examples of groundwork before organizing the WS. As indicated by the both UP Law and different guidelines, before organizing the WS, concerned people should collect information/demands of the people that would be presented and discussed in the meeting. As mentioned in the NILG Manual, UPs to gathering demands by small teams (area or profession wise) through using PAR method and prepare draft plan to present in the WS based on the information gathered from communities. In some UPs (like Fultola of Khulna), field facilitators of NGOs collected some information as guidelines mention, which ultimately did not get attention in the discussion of WS.

**Trends of organizing WS:**

Almost all the WSs observed by the Researchers and also through the data collected from UPs reveal that, there is a mechanism in village to inform the villagers about the time and venue. However, the mechanism is not unique. Different Wards use different tools including milking, tea stalls discussion, declaring in market place and door to door visit by the Ward Members or his/her representatives. The door to door visits are generally for those who are known as elite in the village. Field level observation also shows that, there is no systematic way of publicity for the village not supported by NGOs intervention.
The way of conducting WS:
The ways WSs are conducted is mess. Almost none of them are conducted in a way that can incorporate and reflect the actual opinion of the participants. Whereas many of the guidelines have the provision of creating small group to discuss the issues, none of the WSs are found follow the system. Instead, they are started by the speech of local elites and dominated by few people who can raise their voice voluntarily. As a result, the voice of the marginalized remains unheard.

Question of sustainability
The observation reveals that, comparatively better performed WSs are backed by the NGOs intervention. The WSs are still not due to the demand from the voters. Even in some cases, UPs are confused about the role and objectives of WS, whereas they organize them completely by the demand of NGOs. For example, Word-02, Baroikoron UP, Nolsity, Zhalkathi (Case study 06), it was observed that, due to the continuous demand of an NGO, the UP organized the WS where the concerned Wad Member was unwilling to join. The NGO official requested him over phone to join the Shobha. Moreover, the Chairman in his welcome speech informed the participants that this is the Ward Shobha where the NGO officials would inform villagers about their activities and facilities they offer. According to a study (Ahmed et al 2014), in the UPs without NGOs intervention, WSs are hardly organized. At such a situation, experts viewed serious concern about the sustainability of the WS once NGOs stop their projects
Recommendations:

Revisiting Legal ambiguities

The limitations in the UP law need to be studied with objectivity and many of the ground realities have to be appreciated with a reformist outlook. Only making a progressive law is not enough to bring desired changes in governance process. In this connection we have provided a five page write-up by Tofail Ahmed in which he brought some broader issues including few additional recommendations. Though it seems a separate work but it was largely discussed in the sharing meeting and the meeting appreciated the points discussed. For the benefit of the readers we have provided the discussion paper in appendix-1. In view of all the contributions so far available problems and potentials need to be analyzed at regular intervals by the LG communities including government. The following observations are made for appropriate interventions to make the WSs more effective in future:

1. The legislation was not explained at the field level adequately; as a result it created confusion about the concept and practice. 'Shobha' in Bangla has got two meanings. The First popular meaning is 'meeting' and in special situations it is applied and meant as forum or council. In Kerala law the Grama Shobha means a council of voters of the respective ward/village. In West Bengal perhaps to avoid confusion between Shobha and meeting, instead of Shobha the word 'Sangsad' is substituted. In West Bengal panchayat law, the Constitutional word 'Gram Shobha' is replaced by the word 'Gram Sangsad'. In Bangladesh it has been observed that people at the Union and village level still could not internalized the word 'Shobha' as forum of voters where they will make their representatives accountable, rather they have taken 'Sobha' as an ordinary meeting arranged by the UP. The ways and means have to be devised for internalization of Ward Sabha as ward level voter's forum among the electorates.

2. The legal term Ward Shobha may be considered to be replaced or substituted by Ward Sangsad. Our National Parliament is known as the Jatiya Sangsad,
it may mean similar Sangsad at ward level too. This may make the differences between
the WS as the forum of ward level electorates and WS meeting.

3. The exhaustive list of power, function and responsibilities of WS inserted
in the relevant clauses (6&7) in the UP law 2009 are highly ambitious. An informal and
loose forum or a deliberative organ like WS cannot perform all these executive functions
and deliver the services as envisaged. The list of power, functions and responsibilities
need to be reassessed to make those specific, focused and deliberative in nature and
executive responsibility should be withdrawn as WS does not have capacity to perform
such long list of functions.

4. The UPs are already under staffed, the additional staff support will be the
logical demand for additional work created. In this case, government should enforce the
clause 63 of Local Government (UP) Act 2009 and transfer the 13 extension officials
from 7 ministries already posted and make them work at with Union levels to the Union
Parishads which will enable UPs to share responsibilities with those officials. It will also
create real accountability and transparency of line agency services to the general citizen
and electorates of the country. The UP Act 2009 made a provision for a position of
Account Assistant cum- Computer Operator in clause 62(1) in every UP side by side with
the Secretary, the position need to be filled in on emergency basis. These all may create
an enabling environment to support effective WS.

**Guideline for Effective WS:**

To make the WS functional and streamline the meetings of the WS, a simple operational
guideline could be prepared, circulated and people need to be oriented on the WS. The
outline of such a guideline could be focus the following issues

A. Membership Register: Maintaining the list of electorates and write their names with
voter number in the Proceeding Book of WS. Besides, each and every person
attending the WS meeting will sign beside his/her name maintained in the
proceeding book as per voter list.
B. Publicity for the meeting: Notice with agenda for the first and second meeting should be widely publicized at Ward level. As the WS meeting months are predetermined it will gradually get momentum every year in those particular months. Miking, posturing and informal means through announcement in the religious institutions during congregations and in the village hat/bazaar during hat days for all 9 WS together under a fix schedule may create interests among the voters.

C. Home work by UP and WS: The UP should prepare a working paper for discussion in all the WSs based on the agenda which may include or reflect budget, plan, services and the UPs own visions of development and other issues. A small group at ward should hold a preparatory meeting before the final meeting of WS. Detail action plan for holding WSs should be discussed in the UP meeting before holding the meetings at Wards. A budget should also be allocated for all the nine WSs.

D. Records of the Meeting: Each WS should have three common register/book : (a) Up to date Voter list and writing all names of voters with voter numbers in the book of record (Karjoy bivarani book). Each and every WS should have a Notice Book. It might be get signed by the Ws member before the meeting to ensure that they know about the meeting date and venue. Each WS should maintain the list of Safety Net beneficiaries of the respective Ward. All meeting discussions need to be recorded and proceedings of the meeting have to be shared at the end of the meeting on the meeting venues with the participants as ‘draft’ which may be finalized later and should also circulate the final version within a week. The Chair of the WS should sign the proceedings within the week of the holding of meeting.

E. The responsibilities of the UP: The UPs have to have a meeting after all the WS meetings are completed to review the WS deliberations, discussions and decisions and also prepare a follow up action plan. The UP may allocate or delegate
responsibilities of 9 WS to nine of Extension Workers posted in the UP after having discussion in the Upazila Parishad and Upazila level 'Tag officer' responsible for the particular UP may supervise and report the performance of WS to the Upazila Parishad.

Concluding Remarks
Based on the discussion above, it is evident that, WS as an avenue of ensuring good governance in the local level has not yet been up to the mark. On the top, there is some confusion among Ward Shobha organizers, experts and the government employees about ‘Ward Shobha’ and ‘Ward Shabha Meeting’ mentioned in the laws. Government side does not seem to recognize the fact that ‘Ward Meeting' and 'Ward Shobha (council)' are two different concepts (based on interview with NILG officilas). In the bottom, the UPs lack proper guidelines to conduct WS in an efficient manner. According to experts, too much functions and responsibilities have been entrusted to the Ward Shobha, while it has not been capacitated to do its job.

Moreover, to strengthen the WS in the actual field, a full-fledged guideline might work based on which the UP Members could organize Ward Shobha more effectively. The evidence support the fact that, there is a lack of clarity and proper understanding regarding certain issues of WS including the role and functions and the modality of discharging functions of the WS members in the field. For instance, according to the law all the persons registered in the voter list are eligible member of the Ward Council. In the current practice, eligibility criteria of membership are not followed while assessing the quorum of the WS. As a result, the meetings are turned to be pandemonium. Besides, the method of participation of the voters is not uniformed and clearly mentioned both in the laws and existing manuals, that leads to further confusion during the meeting. So, organizing a WS remains as a formality which could be an extremely effective example of the social accountability in the lowest tire of the local government in Bangladesh.
Reference:


GOB, Local Government Union Parishad Act 2009

GOB, Union Parishad operational manual 2012

GOB, UPGP operational manual 2014

GOB, Union Parishad training manual, NILG

SHARIQUE, Participatory planning for Union Parishad 2007


Appendices:

Appendix-1: Policy Issues on Ward Sabha in Bangladesh by Tofail Ahmed

The Bangladeshi Rural Local Government System (RLGS), comprised of a three tier institutional network known as Union Parishad (the lowest tier), Upazila Parishad (intermediate tier) and Zila Parishad (apex tier). Though all these tiers are not run under a single law or authority and also not clearly inter-linked with one another, rather function separately but still considered as composite institutional mechanism to be known as RLGS. Among the three RLGS component institutions, the Union Parishads maintained a consistent and stable institutional presence (albeit in different names and nomenclature) for almost 150 years since its inception in 1870. The latest law on the Union Parishad (UP)-The Local Government (UP) Act 2009 created a new provision known as Ward Sabha (Ward Council or Ward Sangsad) in each of its electoral constituencies i.e. 'Ward composed of all the voters of the respective ward. According to the law, each union will have nine Ward Sabhas (WS) in nine of its component general or electoral wards. The law in Chapter -2 of the UP Act provided detailed provisions on the composition, power, function and its rules of business specially how to arrange two open WS meetings in a year.

The UP election under the law (Act of 2009) was held in 2011 and the ninth UP election and second election under the Act of 2009 is under the process and going to be completed by June 2016. The Functioning of WS and all other performances related to WS during the last five years (2011-2015) were not very encouraging. The legal provision of WS and its functioning need a dispassionate review for revised policy decision. Some of the crucial problems related to the implementation of WS concept are as follows:

1. The general participation of voters in the Ward Sabha is in decline. In some of the meetings only women participate relatively large in number due to the special mobilization and encouragement from some NGOs having special projects at the grass root levels in different pockets of the country.

Only a few men participate but monopolize the deliberation. In non-project areas where no NGO support is there, WS meetings are not normally held. Even if arranged with special efforts, those WS s’in most cases do not follow the processes and procedures as outlined in the law. There are lot of evidences of deviations narrated in different studies.

2. Minutes of the meetings are not recorded in a proper manner. The previous minutes are not read out and circulated in the meetings so far seen and observed by us. In many Ups, the proceedings of the meetings were not found at all, though they claimed that WS meetings were regularly held.
3. The persons attend the meetings mostly seek individual benefit, instead of mooting any motion for collective goods and services,

4. The educated and relatively better off people do not at all attend and participate in WS meetings,

5. Members and Chairs are less interested in arranging the meetings as it incur huge expenses and produce no tangible result (as many of them claimed),

6. People also feel discouraged to attend WS meetings as the decisions taken in the meeting are not implemented and reported,

7. Among the attendees 'safety net' beneficiaries and safety net aspirants found majority and they attend as vote banks to the members and chairs to please their patrons such as UP Members and Chairs,

8. The WS meetings seem just a ritual observed to show compliance and People's participation has become more of rhetoric than a reality,

9. The UPs do not do any homework for two of the WS meetings; even the proceedings of the last meeting are not circulated or discussed, no follow up action report is prepared and presented and reasons for non compliance of any previous decisions are reported

10. Local officials of different departments posted at UP level do not attend.

11. There prevails a misconception or misunderstanding between Ward Sabha and Ward Sabha meeting in the field. People generally understand that 'Sahba' means meeting, so Ward Sabha means just two meetings in a year. No more no less.

12. Some UPs only restrict invitation to the WS to 5% of the voters (Salla Union of Kalihati, Tangail) for fulfilling the quorum. Wider audiences are discouraged or restricted indirectly.

**The Experiences of Kerala and West Bengal**

Kerala Panchayat Act 1994 (came into effect from 24 April, 2004) and West Bengal Panchayat Act 1973 (amended in 1994) included Gram Sabha and Gram Sangsad respectively in their new law after the 73rd amendment of the Indian constitution. Out of 11 bindings or obligatory clauses in the constitution, formation of Gram Sabha with all the voters of the ward is the second compulsory provision all states have to adopt in their respective Panchayat laws. Subsequently all the states in India have reenacted their own laws accommodating the directions of the constitution and inserted 'Gram Sabha' provisions albeit with differences best suited to their state interests. The studies so far examined the performances of Gram Sabha in
Kerala and west Bengal are also not very encouraging and to a large extent similar to Bangladesh.

In Kerala, all voters of the ward are members but the quorum for meeting Gram Sabha require 10% of the voters and they have made the provision to hold 4 meetings in a year. The member representing the ward in the Village Panchayat (VP) presides over the meeting. In West Bengal 10% of the voters attendance is required for quorum too but Gram Sangsad holds only two meetings in a year - one in April and another one in November. The Panchayat Prodhan and in his/her absence, Upa-Prodhan (not member of the ward or village) presides over the meeting. All the officials at VP level are obliged to attend the meetings. K.B Madan Mohan (2006:19-20) in a detail study on Gram Sabha of Kerala identified 25 different shortcomings of Gram Sabha (Village Council) which are almost similar to West Bengal and Bangladesh as narrated and analyzed in Ahmed et al (2015) and Razzaque (2016). All these findings and observations create formidable doubt about the future of Gram Sabha. In India Gram Sabha is a constitutional requirement for the VPs and VPs have adequate staff support, finance and programmes to manage and feed the Grama Sabha. In Bangladesh though it has been adopted by almost copying West Bengal law, we did not create support mechanism to make the UPs and WSs a vibrant forum.

The Chapter two of The Local Government (UP) Act 2009 that made the provision of Ward Sabha in Bangladeshi Union Parishad is ‘true copy’ of relevant clauses of West Bengal Panchayat Act 1973 as amended in 1992, 1994 and 1997 almost word by word. The composition, provisions of meetings, quorum, etc. were copied from clauses 16A, 16B and 17 of west Bengal Panchayat Act (Ganguli, 2001) and power and function were adopted as conferred in Kerala Panchayat Act. The WS part of Local Government (UP) act 2009 specially the clauses 6 and 7 of Bangladesh (UP Act 2009) combines two acts of two of the Indian states together where local government institutions are very strong compared to other states. The Village Panchayat (VP) in Kerala and West Bengal are equipped with adequate finance and human resources which our UPs are not having. The Village Panchayat in West Bengal has about nine staff of their own and many other project staff from state and central government projects and in Kerala, a total of about 29 staff are housed in the Panchayat building. The VPs in Kerala and west Bengal handle 2-5 crore Indian rupees in a year. At the grass root level political parties are organized democratically and grass root level people’s mobilization is mostly done from political party levels. There are many other political and cultural differences between our union and their Panchayats, yet they (Kerala and West Bengal) are having difficulties in having a proper functional Gram Sabha and Gram Sangsad due to many of the practical reasons.

The legislation on the Ward Sabha in Bangladesh is no doubt be regarded as a progressive step towards democratic decentralisation. After five year’s practice, the limitations need to be studied with objectivity and many of the ground realities have to be appreciated with a
reformist outlook. Only making a progressive law is not enough to bring desired changes in governance process. Problems and potentials need to be analyzed at regular intervals. The following observations are made for appropriate interventions to make the WSs more effective in future:

1. The legislation was not explained at the field level adequately; as a result it created confusion about the concept and practice. 'Sabha' in Bangla has got two meanings. The First popular meaning is 'meeting' and in special situations it is applied and meant as forum or council. In Kerala law the Gram Sabha means a council of voters of the respective ward/village. In West Bengal perhaps to avoid confusion between Sabha and meeting, instead of Sabha the word 'Sangsad' is substituted. In West Bengal panchayat law, the Constitutional word 'Gram Sabha' is replaced by the word 'Gram Sangsad'. In Bangladesh it has been observed that people at the Union and village level still could not internalized the word 'Sabha' as forum of voters where they will make their representatives accountable, rather they have taken 'Sobha' as an ordinary meeting arranged by the UP. The ways and means have to be devised for internalization of Ward Sabha as ward level voter's forum among the electorates.

2. The legal term Ward Sabha may be considered to be replaced or substituted by Ward Sangsad. Our National Parliament is known as the Jatiya Sangsad, it may mean similar Sangsad at ward level too. This may make the differences between the WS as the forum of ward level electorates and WS meeting.

3. The exhaustive list of power, function and responsibilities of WS inserted in the relevant clauses (6&7) in the UP law 2009 are highly ambitious and impractical. An informal and loose forum or a deliberative organ like WS cannot perform all these executive functions and deliver the services as envisaged. The list of power, functions and responsibilities need to be reassessed to make those specific, focused and deliberative in nature and executive responsibility should be withdrawn as WS does not have capacity to perform such long list of functions.

4. The UPs have to shoulder many additional responsibilities to make the WS effective and functional as outlined in the law (clause-4) also involve lot of additional activities and additional finance, for which no clear provision and direction is there. The UPs are already under staffed, the additional staff support will be the logical demand for additional work created. In this case, government should enforce the clause 63 of Local Government (UP) Act 2009 and transfer the 13 extension officials from 7 ministries already posted and make them work at with Union levels to the Union Parishads which will enable UPs to share responsibilities with those officials. It will also create real accountability and transparency of line agency services to the general citizen and electorates of the country. The UP Act 2009 made a provision for a position of Account Assistant cum-Computer Operator in clause 62(1) in every UP side by
side with the Secretary, the position need to be filled in on emergency basis. These all may create an enabling environment to support effective WS.

5. If the Ward Sabha is renamed as Ward Sangsad, it will not only deliberate on UP activity in two of its meetings, it may also be transformed as a forum for deliberating the accountability and transparency of Upazila Parishad, Zila Parishad and Parliament member of the area for which and whom Ward Level electorates vote. A sense of greater accountability could be established among the electorates and the elected representatives at all levels. The parliament members, Zila Parishad members, Upazila Parishad representative may also be represented in ‘Ward Sangsad’ meeting to answer to their respective electorates.

6. To make the WS functional and streamline the meetings of the WS, a simple operational guidelines may be prepared, circulated and people need to be oriented on the WS.

Outline of a Guidelines for Ward Sabha meeting

A. Membership Register

1. Maintaining the list of electorates and write their names with voter number in the Proceeding Book of WS,

2. Each and every person attending the WS meeting will sign beside his/her name maintained in the proceeding book as per voter list,

B. Publicity for the meeting

3. Notice with agenda for the first and second meeting should be widely publicized at Ward level. As the WS meeting months are predetermined it will gradually get momentum every year in those particular months.

4. Miking, posturing and informal means through announcement in the religious institutions during congregations and in the village hat/bazaar during hat days for all 9 WS together under a fix schedule may create interests among the voters.

C. Home work by UP and WS

5. The UP should prepare a working paper for discussion in all the WSs based on the agenda which may include or reflect budget, plan, services and the UPs own visions of development and other issues.

6. A small group at ward should hold a preparatory meeting before the final meeting of WS.
7. Detail action plan for holding WSs should be discussed in the UP meeting before holding the meetings at Wards.

8. A budget should also be allocated for all the nine WSs.

**D. Records of the Meeting**

9. Each WS should have three common register/book: (a) Up to date Voter list and writing all names of voters with voter numbers in the book of record (Karjoy bibarani book).

10. Each and every WS should have a Notice Book. It might be get signed by the Ws member before the meeting to ensure that they know about the meeting date and venue,

11. Each WS should maintain the list of Safety Net beneficiaries of the respective Ward.

12. All meeting discussions need to be recorded and proceedings of the meeting have to be shared at the end of the meeting on the meeting venues with the participants as ‘draft’ which may be finalized later and should also circulate the final version within a week. The Chair of the WS should sign the proceedings within the week of the holding of meeting.

**E. The responsibilities of the UP**

13. The UPS have to have a meeting after all the WS meetings are completed to review the WS deliberations, discussions and decisions and also prepare a follow up action plan.

14. The UP may allocate or delegate responsibilities of 9 WS to nine of Extension Workers posted in the UP after having discussion in the Upazila Parishad and Upazila level 'Tag officer' responsible for the particular UP may supervise and report the performance of WS to the Upazila Parishad.

**Appendix 2: Ward Shobha Observation Checklist**

Ward Shobhas have been observed on the basis of the following grounds:

1. Whether the Ward Shobha is conducted in compliance with the UP Act 2009 and whether provisions like quorum is fulfilled, demands are taken from and prioritized by the participants?

2. Whether the participants have their voice in the meeting?

3. Whether participants and UP functionaries know about the other important functions of the Ward Shobha?
4. Is the time and place for conducting Ward Shobha appropriate?

5. How the whole meeting is organized?

6. Is there any particular guidelines followed in conducting the Ward Shobha?

7. How technical matters are managed like using mike, writing agenda based issues, WS minutes etc, time management?

**Appendix 3: Checklist for the UP Functionaries**

1. How do you differentiate between Ward Shobha and Ward Shobha open meeting, as mentioned in the UP act?
2. UP act 2009 provisioned to form ward Shobha in every word, do you have such platform?
3. If not, what are the reasons?
4. Do you have any such platform formed by any other NGOs?
5. If yes, what is that?
6. What is your knowledge about Ward Shobha? Why do you think it is important?
7. Have you conducted Ward Shobha before? What you think is needed for making a functional Ward Shobha?
8. How do you organize a Ward Shobha open meeting? Describe the steps
9. Do you follow any written agenda in the WS?
10. Do you face any difficulties to organize a Ward Shobha?
11. If yes, what is that?
12. If yes, what are the types of agenda?
13. Do you think that the WS is working in the way it should be?
14. What do you suggest to improve the WS organizing process?
15. Have you had any training on Ward Shobha by the partner NGO like HYSAWA, SHARIQUE, UPGP etc? Do you have any guideline to follow provided by them?
16. In your mind, is there any guidelines and tools developed to follow to facilitate Ward Shobha meeting
17. To what extent those guidelines are realistic given the resource and capacity of the Ward/people?
18. In your opinion how the guidelines addressed the UP Act 2009?
19. List five main strengths of organizing a WS
20. List five main loopholes of organizing a WS
Appendix 4: Checklist for the LG Experts

1. How do you differentiate between Ward Shobha and Ward Shobha open meeting, as mentioned in the UP act?
2. UP act 2009 provisioned to form ward Shobha in every word, do you think that the mentioned WS has been implemented?
3. If not, what are the reasons?
4. What would be your suggestion to address the provision of forming ward based ward Shobha?
5. What is your opinion about the process of organizing Ward Shobha open meeting?
6. Do you think that the WS is working in the way it should be?
7. What do you suggest to improve the WS organizing process?
8. In your mind, is there any guidelines and tools developed to follow to facilitate Ward Shobha meeting
9. To what extent those guidelines are realistic given the resource and capacity of the Ward/people?
10. In your opinion how the guidelines addressed the UP Act 2009?

Appendix 5: Questionnaire:

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