

We are United Against Corruption for  
Development, Peace and Security

Anti-Corruption Commission Bangladesh  
**ANNUAL REPORT 2017**





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#### PUBLISHED BY

Anti-Corruption Commission  
Bangladesh

#### DESIGNED BY

Ad Ideas





Anti-Corruption Commission

## ANNUAL REPORT 2017



The Anti-Corruption Commission's 'Annual Report 2017' is submitted to the Hon'ble President of the People's Republic of Bangladesh in accordance with the Section 29(1) of the Anti-Corruption Commission Act, 2004.



# Anti-Corruption Commission

## Anti-Corruption Commission



**Iqbal Mahmood**  
Chairman



**Dr. Nasiruddin Ahmed**  
Commissioner



**A F M Aminul Islam**  
Commissioner



## Letter of Transmittal

April 08, 2018

**Mr. Md. Abdul Hamid**

Hon'ble President

The People's Republic of Bangladesh

His Excellency Mr. President,

In meeting the requirement of Section 29(1) of the Anti-Corruption Commission Act, 2004, we feel very elated to present before your good self the Annual Report (bilingual) of the Anti-Corruption Commission for the year ended by December 31, 2017. In complying with the aforesaid law, could necessary actions be initiated to place the Report before the august Jatiyo Sangsad, we would stand much obliged.

Pursuant to the directives as enunciated in the Anti-Corruption Commission Act, 2004 and edited in 2017, the Report encompasses the elaborate information relative to performance of the Commission, internal and external accountability of its actions accomplished, management of the resources trusted by the government with, and the future Action Plan of the Commission. Eyed to the purpose of elucidation and easier comprehensibility, some general information, statistics and analysis have been set out through the Report. In case any information found ambiguous and any sort of erroneous inputs fed into the Report, your good self will be intimated sooner after being detected.

We humbly assure your honor that the Commission has unremittingly kept heading up with all forms of efforts dedicated to combat and control corruption, and promote integrity in the country.

With profoundest regards,

**Iqbal Mahmood**

Chairman

Anti-Corruption Commission

**Dr. Nasiruddin Ahmed**

Commissioner

Anti-Corruption Commission

**A F M Aminul Islam**

Commissioner

Anti-Corruption Commission



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## ACRONYMS AND ELABORATIONS

ACC	Anti-Corruption Commission
AD	Assistant Director
ADB	Asian Development Bank
BTRC	Bangladesh Telecommunication Regulatory Commission
BRTA	Bangladesh Road Transport Authority
CBR	California Bearing Ratio
CPC	Corruption Prevention Committee
DAD	Deputy Assistant Director
DWASA	Dhaka Water Supply and Sewerage Authority
ERP	Enterprise Resource Planning
FDI	Foreign Direct Investment
FIR	First Information Report
GDP	Gross Domestic Product
GIZ	Deutsche Gesellschaft Für Internationale Zusammenarbeit (German Development Co-operation)
ICAC	Independent Commission Against Corruption
IFP	Integrity Focal point
JICA	Japan International Co-Operation Agency
LTM	Limited Tendering Method
MDGs	Millennium Development Goals
MoU	Memorandum of Understanding
NIS	National Integrity Strategy
OTM	Open Tendering Method
PPA	Public Procurement Act
PPR	Public Procurement Regulations
PRO	Public Relation Officer
RAJUK	Capital Development Authority
RHD	Roads and Highways Department
RTI	Right to Information
SDGs	Sustainable Development Goals
TI	Transparency International
TIB	Transparency International Bangladesh
UNCAC	United Nations Convention Against Corruption
UNDP	United Nations Development Programme







## Preface

Like every preceding year, the Anti-Corruption Commission has prepared its Annual Report for this year as well. Such Report is brought out and handed to Hon'ble President in compliance with the Anti-Corruption Commission Act, 2004. In this Report, the Commission projects out its gamut of performances by setting out the account of its activities of the previous year, the action-plan of the current year and the pack of remedial recommendations submitted to Hon'ble President so as to redress the irregularities, corruption, harassments and dilly-dallying that often occur while to receive public services.

At present, Bangladesh is globally well-branded as a role model of development. The economic development of this country is heading in a finely balanced mode. In respect to its economic management, even not the least importance is conceded to any regionalism or to any social or other sort of divides. Bangladesh now stands out as an icon of balanced development. But unfortunately truth remains to point towards corruption that raises hurdles to all developmental efforts of Bangladesh today. For any country corruption poses threats to economic development, trade and commerce, social equity and democracy. Globally as in other countries, corruption exists also in Bangladesh. The extent, nature, dimension, target area and technique of corruption are constantly undergoing changes. In the given context, the Anti-Corruption Commission also is taking diverse techniques and multiplicity in fighting against and preventing corruptions.

The Anti-Corruption Commission (ACC) is a statutory body founded by a legal enactment. This institution is operating on multiple efforts to combat and prevent corruption. In conducting enquiries, investigations into and prosecuting against the offences of corruption, the ACC is compelling the offenders to face the trials. Simultaneously, it is deliberately implementing multifarious programs across the country to enrich morality and thus to promote best practices by mobilizing the civil society and the young generation.

In pursuit of its set objectives to combat and prevent corruption and along that way to promote honesty and dedication towards upholding good practices in the society, the ACC has adopted a Five-Year Strategic Plan (2017-2021). In 2017, the Commission has implemented its annual strategic plan that included part of the Five-Year Strategic Plan. The Commission achieved remarkable progress in implementing 8 operational strategies incorporated in its first annual (2017) strategic plan. These 8 strategies comprise institutional capacity building, effective enquiry and investigation, well-crafted tactics to prevention of corruption, aptly devised technique to educational approach, strengthening the institutional structures and so on. This year the Commission has, as part of the operational strategies, implemented the initiatives to establish multiple structural organs including its own "Hajatkhana" (detention centre), an Armed Police Unit, an Intelligence Unit, a Hotline-106 of ACC's Complaint Centre, a Record Room and a Property Recovery Unit. Moreover, more than thirteen hundred officials have been imparted with special training several times at home and abroad on cyber crimes, money laundering, enquiry into allegations, investigation, prosecution and prevention.

Bribery is a great concern for Bangladesh in public sector. Trap case is the most effective tool to strike hard at bribery for nabbing the graft-takers red-handed with cash. The offenders involved with such crime are brought under the purview of law by launching trap operations against them. Keeping in view, the Commission at the beginning of the year has declared that 2017 shall turn up as a year of terror for corrupt officials. The Commission has endeavoured to materialize the aforesaid commitment. In 2017, a record number of 24 trap cases were conducted by arresting a significant number of corrupt officials. Consequently,





the desperate trend of corruption in public offices marginally declined. The ACC has increased its vigilance over the offices which are most prone to corruption. On receiving the complaints through the hotline-106 of the Commission's Complaint Centre, the members of enforcement team rush out almost every day to oversee the public offices concerned.

This year markedly visible progress has been attained in respect to prosecution proceedings. In the cases instituted by the Commission during 2017 the rate of convictions in the trial courts increased to 68% as against that of 54% in the preceding year. The ACC keeps up endeavouring as a prosecution agency with intent to ensure convictions in 100% of the cases. The Commission has meanwhile taken up effective measures in ways of keeping regular contact with the lawyers of the cases individually to make sure that both the lawyer(s) and the witnesses show up in the courts on the appointed days.

Aiming to instantly avert the occurrences of corruption, the Commission set up the Hotline 106 in its Complaint Centre to operate since 27 July 2017. It has by now appeared as a popular platform for the common people to approach well with their complaints. In view of keeping an interim custody for the arrestees, a full fledged "Hajatkhana" has been established. The management of "Hajatkhana" is being carried out in compliance with the policy guidelines as approved by the Commission.

The Commission emphasizes more importance to procedural business re-engineering so as to pave the easier way to ensure people-oriented public services free from corruption, dilly-dallying and harassments. The Commission firmly holds the view that eschewing the procedural reforms, it goes almost impossible to get rid of harassments, irregularities, corruption and purposive long delays. In keeping that end in view, and in encompassing some specified government organizations, the Commission has constituted 25 institutional teams composed of the most competent officers of the Commission. On identifying the roots and reasons of corruption, those institutional teams formulated out remedial recommendations unambiguously. In the intervening time, the reports of two institutional teams have been transmitted to the government and the rests will follow.

The Commission has kept on implementing multi-directional programs to promote good practices across the country. Such programs are going to be implemented in close association with the Corruption Prevention Committees formed on the Commission's own initiatives at the levels of district, upazila, municipal and metropolitan cities, and also with active support of the members of the Integrity Units based on country-wide schools, colleges, madrasas numbering nearly 25,000 in all. Besides, Honesty Stores without any shop-keepers have also been set up in about 824 educational institutions. At grass-root levels, public hearings are also conducted in presence of public officials concerned and the service-seeking citizens. These activities, as the Commission holds up its trust, may make significant contributions to help good practices evolve around.

The Commission has initiated to enter into Memorandum of Understandings (MoU) with those institutions globally which are engaged in their respective countries to promote good practices. In getting on with such efforts, and in order to foster mutual cooperation for prevention of corruption, the Commission executed one MoU in 2017 with the Anti-Corruption Commission of Bhutan. This is the first of its kind that the ACC signed a MoU with any institution belonging to a foreign country. The Commission looks forward to gleaning instances of good practices from such like institutions, and to disseminate them all over the country in fine adaptations to its own discretions.

The ACC stoutly believes that as an active partner of global development, Bangladesh in furthering up her epoch-making success in achieving the Millennium Development Goals (MDGs), shall also succeed in attaining the objectives of the Sustainable Development



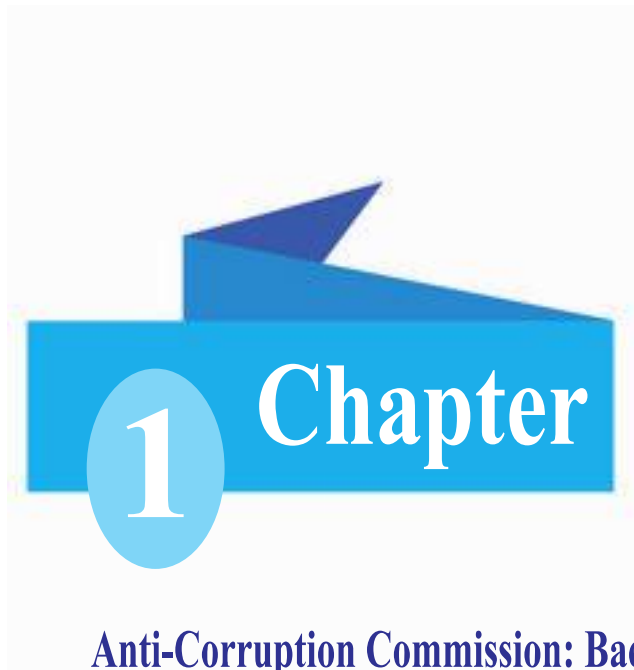


Goals (SDGs) as set and announced by United Nations. But all of us must bear in mind that the key pre-requisite to achieving such success is to invariably hold fast the bridle of corruption. An stream of well-concerted efforts is needed to control corruption. The ACC earnestly aspires that collective resistance should be raised against corruption in and around all strata of the society. In addition to ensuring punishment for the criminals, no other options are left toward for eradicating corruption but to go for raising stern social movement against corruption including procedural reforms, optimal utilization of technologies, digitalizing all financial transactions and burgeoning the good practices in pretty wider scales.

Finally, I sincerely thank each of all those officials and staff-members of the Commission, who waged respective contributions in 2017 through their engagements in fighting and preventing corruption, and also those who dedicated their sincere efforts to bring out this Annual Report.

**(Iqbal Mahmood)**  
Chairman  
Anti-Corruption Commission





## **Anti-Corruption Commission: Background and Introducing**

1.1 Introduction

1.2 Introducing the Anti-Corruption Commission



## Anti-Corruption Commission: Background and Introducing

### 1.1. Introduction

Corruption is not a single and country-specific problem of Bangladesh- it is rather a global problem. No country may come into view across the world where corruption does not exist. Corruption stands out as the major impediment to evolution of human civilizations. Corruption sturdily obstructs the way to building a society free from hunger, poverty and disparity. In the countries having inadequate resources, the extent of corruption is markedly more pervasive. Corruption assumes such nature that it poses hindrances to combating other crimes as well. The foremost source of most of the offences is corruption.

The offences relating to corruption may be termed as spin-offs of civilizations. Corruption is one of the primordial crimes of civilizations. The revelations of every religious script testify to its harsh stands against corruption. Starting from various works of the Greek philosopher Plato, to Kautilya's Arthashastra of ancient India elaborations of various forms of corruption are evidently recorded. Over the times past, the corruption gradually takes in changes in nature, form and severity and impact. This evolution has virtually emanated from acquisitions of individual ownerships over the resources, and also from the disparity between avarice and ability. Another key reason of corruption is the unbounded greediness with dreamy fascination for worldly gratifications, and to build up fail-safe future for the successors. Corruption mostly retards economic development, poverty alleviation, development of infra-structures and the ethical upliftment of the nation. It transpires from the reports of different Research Institutes that corruption does not only eats up the foundation of democracy, but also encourages terrorism. But optimistically, almost every country of the world does have some legal frameworks to curb corruption. The signatory countries of UN Convention Against Corruption (UNCAC) are internationally committed to combat corruption. The efforts to combat corruption in Bangladesh dates back to the very ancient time in this sub-continent as had also happened in other countries of the world.

In the Penal Code, enacted in 1860, some criminal activities have been defined and criminalized as acts of corruptions. Prior to this Penal Code coming into application, penalty provisions against similar offences had already been in place in this country. In this perspective it may be held that through enactment of the Penal Code, 1860, legal frameworks for judicial courses of actions against corruption related offences, came into being. In promulgating an ordinance in 1944, the then government undertook institutional initiatives to control the corruptions of the public servants. Afterwards, the "Prevention of Corruption Act, 1947" was put into enforcement in 1947. The responsibility for enforcing this law enacted to prevent corruption was assigned to the Department of Police. As the expected outcome thereby could not be gained, a law titled "the Anti-Corruption Act, 1957" was enforced to carry out anti-corruption activities and meet some other objectives by establishing a distinct government department named the Bureau of Anti-Corruption. Though during the initial phase the Bureau of Anti-Corruption operated as a temporary office, but since 1967 it started functioning as a permanent department. In the holy Constitution of Bangladesh that emerged from great liberation war, the Article 20 (2) provides, "...The State shall create conditions in which persons, as general principle, shall not be able to enjoy unearned incomes..". The Constitution of Bangladesh articulates to build up a society free from corruption and well set for justice. The organization known as Bureau of Anti-Corruption had been actively functional to control corruption even through on to the post independence period of Bangladesh. But unfortunately the truth is that at the dawning phase of the twenty first century Bangladesh got to be ranked as the most corrupt



country in a Survey that had been conducted on Corruption Perception Index, by the German based organization -Transparency International (TI). In the given context, with regard to the demand raised by the common populace, politicians, development partners, civil society and the media, the Anti-Corruption Commission Act, 2004 was enacted in the august parliament. In exercise of the given power of this enactment, the Bureau of Anti-Corruption was abolished on 21 November 2004 and the independent Anti-Corruption Commission was founded. The Hon'ble President, however, consented to the Anti-Corruption Commission Act, 2004 on 23 February of the same year. The Anti-Corruption Commission possesses the status of an independent and neutral statutory body. Given with legal mandate the Commission operates on its multiple programs to curb, control, prevent corruption, and to promote good practices in society.

## **1.2 Introducing the Anti-Corruption Commission**

### **1.2.1 Our Responsibilities and Mandates**

To carry out enquiries, investigations, and to discharge duties as prosecuting agency in accordance with the Anti-Corruption Commission Act, 2004 (Act V of 2004) with the objective to preventing corruptions, and corruption generated misdeeds.

### **1.2.2 Vision of the Commission**

To ensure creating a strong anti-corruption culture that permeates throughout the whole society.

### **1.2.3 Mission of the Commission**

To combat, control, prevent corruption relentlessly and promote good practices.

### **1.2.4 Commission's Three Strategic Objectives**

- ❖ To curb corruption through ways of punitive actions;
- ❖ To prevent corruption in revising the existing work procedures; and
- ❖ To prevent corruption through education, burgeoning good practices and disseminating awareness.

The aforesaid strategic goals are backed up by four objectives:

- ❖ Formulating institutional frameworks;
- ❖ Formulating Operational Procedures;
- ❖ Assistance to human resources and developing robust internal administrative system; and
- ❖ Providing sound financial and technical (logistic) support.

### **1.2.5 Commission's Key Performance Indicators**

- ❖ Percentage of cases disposed against the number of cases instituted per year;
- ❖ Amount of time used up in holding enquires and investigations to dispose the complaints;
- ❖ Rate of cases under trial (prosecutions) against number of cases disposed ; and
- ❖ Rate of convictions against the cases ended in trials annually.

### **1.2.6 Commission's Executive Structures**

The Anti-Corruption Commission is a statutory body. This commission is composed of three Commissioners. In compliance with the Anti-Corruption Commission Act, 2004, a 5-member Selection Committee needs to be constituted, headed by one Justice of High Court Division of the Supreme Court. On recommendations of the Committee, the Commissioners are appointed by the Hon'ble President, for full-time tenures, that is for five years, against the individual vacant positions. On expiration of the respective tenures the Commissioners will cease to be eligible for re-employments.

The Hon'ble President appoints a Chairman from among the three Commissioners. The Chairman discharges his responsibilities as the Chief Executive of the Commission. All the meetings of the Commission are held at the place and time as fixed by the Chairman as per the law. The Chairman presides over all the meetings, and however, a Commissioner nominated by the Chairman may



preside the meeting in his absence from the office. Two Commissioners including the Chairman can fulfill the requisite quorum.

On completion of their tenures, the commissioners are not considered to be eligible to hold any profitable office in the service of the Republic. No commissioner shall be removed from office except on similar grounds and in accordance with the similar procedures as apply to the removal of a judge of the Supreme Court.

### **1.2.7 Functions of the Commission**

The Commission performs the functions as conferred upon it by the Anti-Corruption Commission Act, 2004 (and the Amendments thereof). The Anti-Corruption Commission is an independent and neutral institution for control and prevention of corruption. Some of the key functions of the Commission are-

1. To carry out enquiries and investigations into the scheduled offences as shown under the ACC Act and as found stated in the applications submitted by a person on own initiative, or by an aggrieved person or on behalf of such person;
2. To accord sanctions for instituting cases on the basis of enquires held and sanctions for submission of Charge-Sheets/Final Reports based on investigations, and to prosecute the cases;
3. To conduct enquiries and investigations into the alleged cases of money laundering and deal with the prosecutions, in accordance with the Anti-Money Laundering Act, 2012 (including the Amendments);
4. To put forth recommendations before the Hon'ble President regarding the following issues:
  - > To review and effectively implement the measures conceded to under any laws for prevention of corruption;
  - > To formulate research proposals pertaining to prevention of corruption, and decidon measures actionable based on the outcome of researches;
  - > To identify the sources of multiple forms of existing corruptions keeping in view the perspectives of the socio-economic situations in Bangladesh;
5. To generate the values of integrity and dedication with objective to prevention of corruption and build up public awareness against corruption, and also to organize seminars, symposiums, workshops, etc. on issues that come under the purview of the Commission's functions and responsibilities;
6. To perform any other responsibilities which have been lawfully vested with the Commission;
7. To undertake any measures for prevention of corruption, as deemed necessary by the Commission.

### **1.2.8 Laws and Powers**

The Commission goes with its functions, powers and organizational structures in line with the provisions of the Anti-Corruption Commission Act, 2004. The other relevant laws are-

1. The Penal Code, 1860
2. The Evidence Act, 1872
3. The Criminal Procedure Code, 1898
4. The Prevention of Corruption Act, 1947
5. The Criminal Law (Amendment) Act, 1958
6. The Money Laundering Prevention Act, 2012 and the Amendments.

### **1.2.9 The Commission's Special Powers for Enquiry/ Investigation**

1. Summoning the witnesses, ensuring their attendance and conducting interrogations;
2. Searching out and putting up the relevant records;
3. Recording depositions;
4. Asking for government records or certified copies from any court or office;
5. Issuance of notice for interrogation of the witnesses and review or re-examination of records;
6. Taking any other prescribed actions in fulfillment of the purpose of the law.



In conformance to Section 19 (3) of the ACC Act, 2004, " Any person obstructing an official legally empowered by the commission or a commissioner in the exercise of his powers under this sub-section (1) or any person deliberately violating any order given under that sub-section commits a punishable offence is liable to a term of imprisonment of not more than three (3) years or a fine or both".

#### **1.2.10 Commission's Fundamental Work**

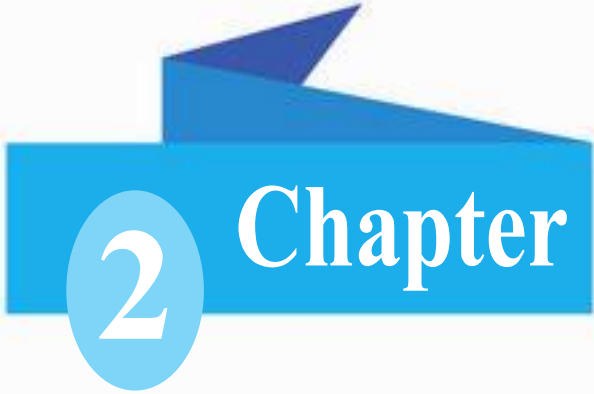
The fundamental goal of the ACC is to operate on drives relentlessly to curb, control and resist corruption. To achieve this goal, the ACC is going ahead in getting with the following responsibilities and working systems:

- To conduct enquiries, investigations and deal with other legal proceedings assiduously so that the corrupt people can in no way to take any indulgence, whatsoever;
- Identifying the areas more prone to corruption, to enquire effectively into the corruptions in those areas and cause legal remedies in addition carrying out educative and awareness raising programmes as curative and preventive approaches;
- Raising social movement against corruption by integrating the social power to prevent corruption;
- Ensuring an environment free from corruption through these effective and coordinated approach to curative and preventive measures;
- Adopting necessary interventions to engender ethical values and promote good practices by way of executing bilateral MoUs;

The Commission is heading fast with series of parallel actions to curb, control and prevent corruption. The Commission is committed so that the attempts for corruption can be nipped in the bud. Yet in case any corruption takes place, the Commission plunges up to rush to instant legal actions accordingly. Besides, the Commission has started implementing various programs in collaboration with all classes of representatives from the society to impact up a social movement against corruption.







## 2 Chapter

### Regulatory Functions to Combat Corruption

2.1 Introduction

2.2 Enquiries

2.3 Investigation

2.4 Institutional Team

2.5 Prosecution

2.6 Arrest

## Regulatory Functions to Combat Corruption

### 2.1. Introduction

According to the Anti-Corruption Commission Act, one of the legal mandates of the Commission is to conduct enquiry and investigation into any allegation relative to corruption, either on its own initiative, or submitted by any victim of corruption, or by anyone on his/her behalf concerning offences that correspond to the Schedule of the ACC Act. As curative measures to combat corruption, the Commission causes the accused persons to be placed or appear before the Court after completion of enquiries and investigations of the complaints, and deals with the cases in the Court in expectation of awarding appropriate punishments to the genuine criminals. The legal actions indeed are set to motion just after receipt of the complaint of corruption. The Commission virtually considers each complaint with equal importance. In course of probing into the complaint of corruption, the deciding factors for the Commission are: objectivity, truth, documentary evidence, the laws of the Commission and other existing relevant laws of the land. To entertain a complaint of corruption, the social, business related, political, professional, regional and religious status or any other identities, matter nothing to the Commission. The Commission has meanwhile adopted a grading system to be applied to measure up the admissibility of the applications for enquiry.

#### 2.1.1 Significant offences included in Schedule to the ACC Act, 2004 (and its Amendments)

- Public servants/bankers/elected public representatives or any person nominated by the government, taking gratification (bribes/gift) in respect of performance of official duties;
- Public servants/elected public representatives or any person entrusted by the government, or any other person acquiring wealth illegally in his/her own or other's name;
- Embezzlement of, or causing damage to, government properties;
- Public servants unlawfully engaging in trade/commercial business without permission from the appropriate authority;
- Public servants attempting to save knowingly an accused person from punishment;
- Offences under the Money Laundering Prevention Act, 2012 ;
- Forgery or cheating by public servant/banker/merchant;

#### 2.1.2 Receipt of Complaints about Corruptions

Any citizen of the country may lodge/submit to the Commission the allegations of offences as included in Schedule to the Anti-Corruption Commission Act, 2004. The Commission proceeds with legal actions on the basis of the specific allegations relating to offences as stated in the Schedule to the Anti-Corruption Act, 2004 (with Amendments). The Commission has got no mandate to initiate any legal actions on the allegations about the offences not belonging to the Schedule. In some cases, however, the petitions of allegations are referred to the Ministries and the Divisions concerned for actions by the appropriate authority.

If any public servants/banker/elected public representatives or person engaged in any government duties, demands bribes, and if prior to payment of the bribe, the Head Office of the Commission or the officer in charge of the nearest office of the ACC, are intimated about it, the bribe-taker (s) may be caught red-handed by applying trapping technique. Trapping case is an extremely effective weapon to hit hard at the root of corruption with, and to generate public awareness against corruption. If any complaint is lodged through Hotline-106 of the Complaint Center of the Commission, actions are immediately launched.

### 2.1.3 Offices of ACC where Complaints are Received

- a) Chairman/ Commissioner, Anti Corruption Commission, Head Office, SegunBagicha, Dhaka.
- b) Divisional Director (division under which the offence gets committed), Anti-Corruption Commission, Divisional Office, Dhaka/Chittagong/ Rajshahi/ Khulna/Barisal/ Sylhet.
- c) Deputy Director (the Integrated District Offices under which the offence gets committed ), Anti-Corruption Commission, Integrated District Office, Dhaka-1/Dhaka-2/Tangail/Faridpur/ Mymensingh/Chittagong-1/Chittagong-2/Rangamati/Comilla/Noakhali/Rajshahi/Bogra/ Pabna/ Rangpur/Dinajpur/Khulna/Kushtia/ Jessore/Barisal/ Patuakhali/ Sylhet/ Habiganj.
- d) From any telephone any citizen may lodge a toll-free complaint to the Hotline-106 of the Complaint Center of the Commission.
- e) Any person by mail to chairman@acc.org.bd, may lodge any complaint relating to any offences included in the Schedule,

### 2.1.4 Measures to be Adopted based on Complaints

This is the legal duty of the ACC to place those before the law, who unlawfully gain money and wealth. In addition to the own sources of the Commission, any citizen can lodge complaints with the ACC against person(s) who have alleged acquired illegal properties. The ACC can take lawful actions if complaints against a person gaining illegal money and wealth, are submitted mentioning therein his/her name/profession and full address as well as the following information-

- Immovable property (house, flat, plot, land, vehicle, etc) along with location, quantity, tentative price, detailed address;
- Specific information about bank account, stock share, FDR, savings-certificates, etc.
- Registration number/ type of vehicle(s);
- Location, type and specified address of business organization; and
- Description of the lifestyle disproportionate to known sources of income.

The Commission takes on stern legal actions in cases of embezzlement and damage of public money/assets. But the following information are required to be there while sending the allegation to the Commission-

- Amount of money/assets embezzled and time of commission of embezzlement;
- When and how the embezzlement took place, and in capacities of which positions;
- Descriptions of the accomplices abetting in commission of the embezzlement indirectly/ keeping in concealment;
- Documents/records relevant to the occurrence.

In cases of abuses of power and other offences, complaints may be submitted with a clear statement about when and how the accused person got benefitted by the abuse of power, or thereby caused others to get benefitted or to suffer damage, or caused damage to the money and assets of the State. However, the complaints should be specific and must be accompanied by supportive information and documents. At least the following information should be made available -

- Description of complaints and time of occurrence;
- Information and evidences in support of the allegations; and
- Name, identity, profession and full address of the alleged person.

After receiving the complaints, the Commission takes the following points into account:

- Whether the allegation corresponds to any offences included in the Schedule of the ACC Act;
- Whether the complaint is specific and information-based;
- Whether the period of occurrence of the offence is mentioned;
- Involvement of the alleged person with the complaint;
- Whether the full address/es of the alleged person/s are specified;
- Importance and dimension of the complaint;
- Amount of financial involvement in the complaint;
- Whether the name and address of the complainants are mentioned and



- Other relevant laws are reviewed so as to ensure the admissibility of the complaint/s.

### 2.1.5. The Allegation and its Statistics of Post-Scrutiny Actions

The tasks to receive and scrutinize the complaints/allegations are accomplished in compliance with the Anti-Corruption Commission Rules, 2007. Pursuant to the Rules, one 'Complaint Scrutiny Cell' is operating in the ACC to examine the allegations. The allegations received from multiple stakeholders and sources are scrutinized by the Cell. In 2017, the Commission has introduced a grading system in scrutinizing the allegations. Resultantly the scope, whatsoever, for officers and staff of the ACC, to indulge in any sort of apathy or malice is totally eliminated.

In 2017, 17,953 allegations poured into ACC from the respectable citizens belonging to various classes of the society, from media and various organizations. Of these, 937 allegations were taken up for enquiries and 377 were forwarded to the departments concerned for taking necessary actions. The statistics of the allegations received in 2017 and of post-scrutiny measures are set out in Table-1 and comparative scenario of allegations received by the commission in 2014, 2015, 2016 and 2017 in Table-2

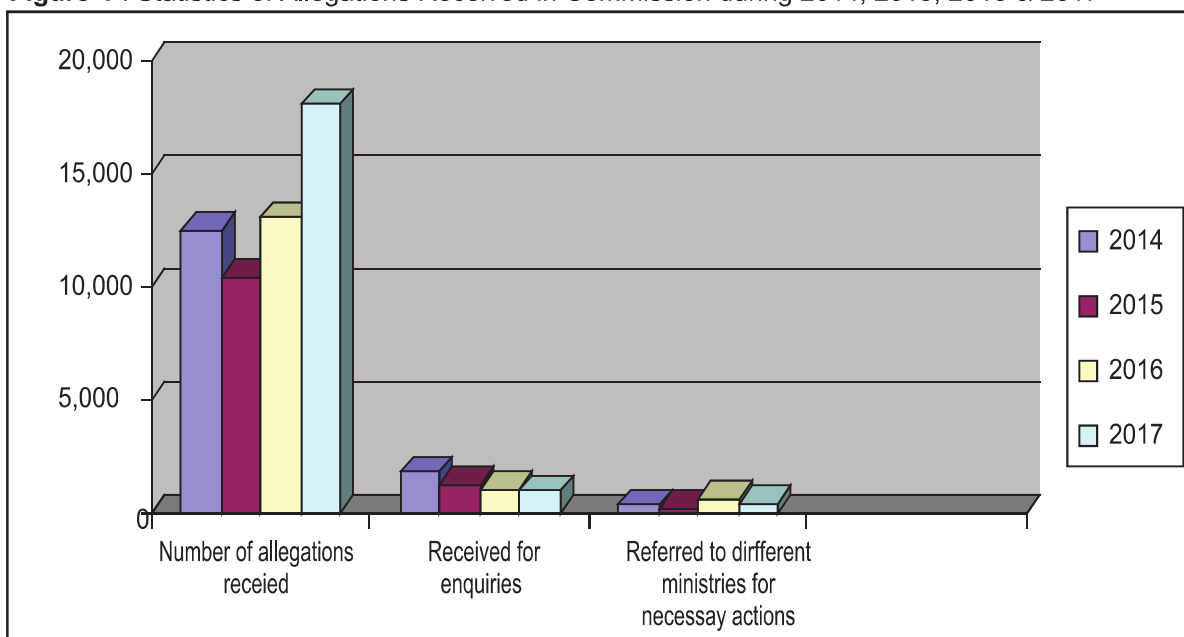
Table-1 : Statistics of allegations received, and post-scrutiny measures taken, in 2017

Source of allegations received		Total number of allegations received	Number of allegations screened out for enquiries	Number of allegations filed	Sent to the departments concerned for necessary actions
Members of public	15,681				
Govt. Offices/Agencies	102				
Private Offices/ Agencies	193				
Newspapers/ TV reports	238	17,953	937	16,639	377
Divisional offices of the Commission	1,739				

Table-2 : Comparative scenario of allegations received by Commission in 2014, 2015, 2016 and 2017

Year	Number of allegations received	Received for enquiries	Referred to different ministries for necessary actions
2014	12,500	1,689	237
2015	10,415	1,240	165
2016	12,990	1,007	588
2017	17,953	937	377

On review of the all allegations through last four years it appears that the allegations lodged with the Commission in 2017 is the highest in number. Compared with the allegations of 2016, the year 2017 registers an increase of 4,963, the incremental percentage amounting to 38%. This trend is considered to be the indicator of deeper public trust reposed upon the Commission.

**Figure-1 : Statistics of Allegations Received in Commission during 2014, 2015, 2016 & 2017**

## 2.2 Enquiries

### 2.2.1. Legal Basis of Enquiries

After having received, the Commission scrutinizes the allegations and picks up the most plausible ones for enquiries. Pursuant to the Section 17(a) of the Anti-Corruption Commission Act, 2004, the foremost responsibility of the Commission is to hold enquiries into the specific complaints on the offences as included into the Schedule. Enquiry is the primarily obtained information and documentary proofs, which are collectively tantamount to a preliminary idea that helps determine and verify the alleged offences. Under the Sections 19 and 20 of the ACC Act, 2004 the Commission is vested with special powers to conduct enquiries. Aiming at that end the ACC carries out its actions pertaining to enquiries along with three Wings (Enquiry & Investigation Wing, Special Enquiry & Investigation Wing, and Money Laundering and Inspection Wing). Under provision of the Section 35(1) of the ACC Act, 2004, the Bureau of Anti-Corruption was abolished since the day on which the Commission emerged in entity. Simultaneously with abolishment of the Bureau and as provided under Section 38(3) of the ACC Act, 2004, the enquiries, investigations or approvals of issues pending with the Bureau, came under the jurisdiction of the Commission. These functions are being currently discharged through its Money Laundering Wing.

The Enquiry & Investigation Wings supervise the operations of enquiries done by the six Divisional and 22 (twenty two) integrated District Offices at field levels.

Of the issues set for enquiries, the jurisdiction of those having specialized nature belongs to the Special Investigation Wing of the Commission.

The issues assigned to this Wing are: to hold enquiries into institutional corruption, apprehend corrupt persons by trapping, grand cases of financial corruption and other specialized actions.

As under the Money Laundering Act, the function of the Money Laundering Wing is to carry out enquiries and investigations into the allegations concerning money laundering and into the pending complaints as received from Bureau of Anti-Corruption.

## 2.2.2. Statistics of Enquiry Operations as Adopted by Commission

### Enquiry Operations in 2017 including pending allegations of preceding years

Laden with huge number of enquiries pending through preceding years, the Commission, undertook special programs to launch enquiry operations. In pursuit of the working strategy of the Commission, special directives were communicated to the officials to end up the pending enquiries within the specified time lines. Alongside, the totality of enquiries held in 2017 including the ones remaining pending since previous years, numbered to 3,759. The Commission in 2017, completed 1,445 enquiries quite successfully. Based on the outcomes of the enquiries held, 273 cases were instituted. The results of the other completed enquiries were done with, in wrapping up the cases and entering in the records of the Commission, and through disposals in other manners as well. The Table-3 and Figure-2 projects out a comprehensive scenario of statistics about the enquiry operations.

Table-3: Statistics of Enquiries into Allegations in 2017

Enquiries pending at start of 2017	Cases of enquiries received in 2017	Total enquiries	Enquiries concluded in 2017	Cases instituted	Conclusively disposed	Disposed otherwise
1	2	3	4	5	6	7
2,527	1,232	3,759	1,445	273	1,114	132

\* Consequent upon the amendments of the Money Laundering Prevention Act & the ACC Act , some complaints have been disposed by referring those to the offices concerned.

\*\* Multiple cases have originated from the same record/file.

Figure-2 : Statistics of Comprehensive Actions of Enquiries held during 2017

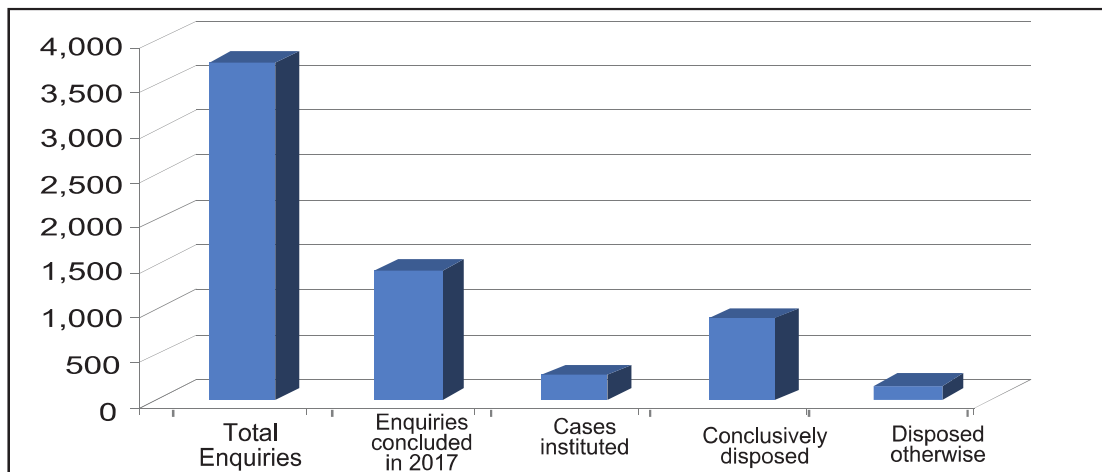


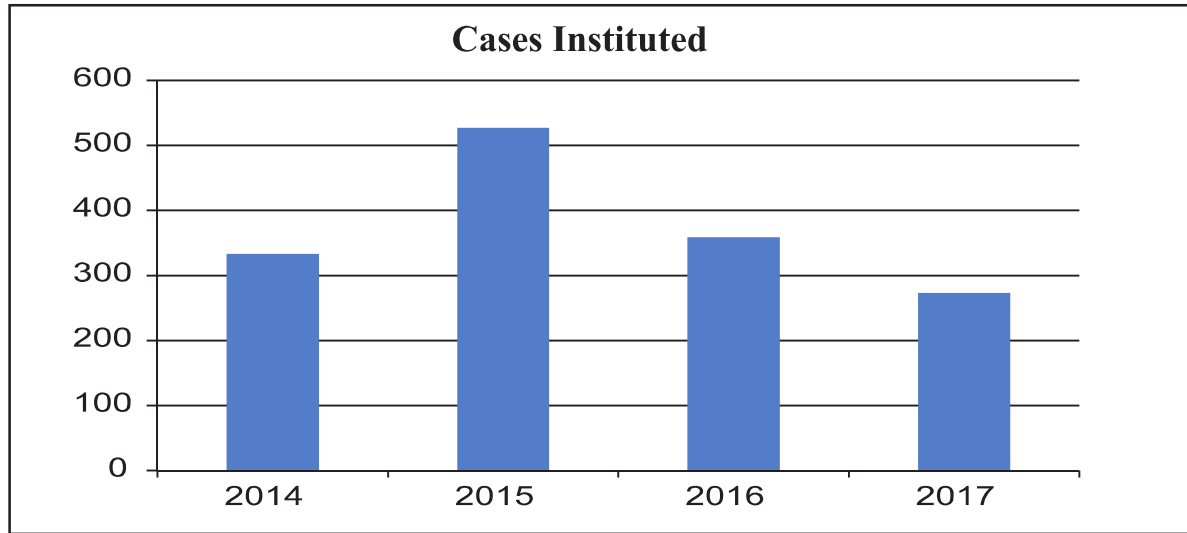
Table-4 : Statistics of Cases Instituted in 2014, 2015,2016 and 2017

Year	Number of cases lodged
2014	333
2015	527
2016	359
2017	273



On reviewing the statistics of the cases filed by the Commission, it appears that the number of cases in 2017, compared with that in 2016, has decreased. This decrease may be attributed to more diligence adopted by the Commission in respect to instituting quality based (having adequate documentary evidences to prove with) cases.

Figure-3 : Graphical Representation of Statistics of Cases Instituted in 2014, 2015, 2016 and 2017



### 2.2.3 Commission's Division-wise Enquiry Operations

During 2017, the Commission conclusively disposed 1,006 enquiries out of 2,451 enquiries including those pending in the preceding year, and filed 160 cases during the same period. In the Table-5, the statistics of the Division-wise enquiry operations of the Commission are incorporated.

Table-5 : Division-wise Statistics of Enquiries in 2017

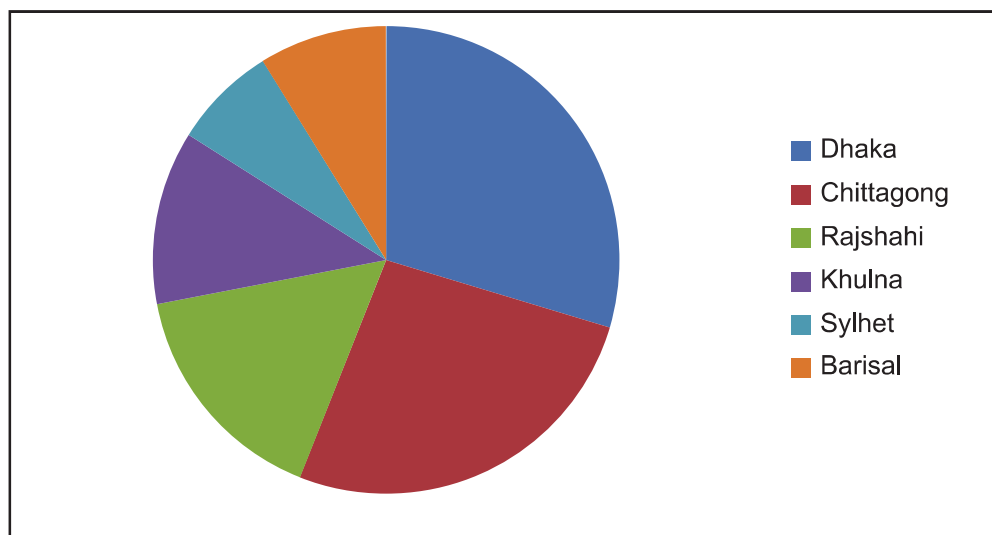
Description	Dhaka	Chittagong	Rajshahi	Khulna	Sylhet	Barisal	Total
Pending enquiries of previous year	493	477	245	190	88	128	1,621
Enquiries received in 2017	234	169	146	104	88	89	830
Total enquiries	727	646	391	294	176	217	2,451
Number of enquiries disposed.	304	200	189	107	95	111	1006
Number of FIRs lodged on results of enquiries	59	28	36	20	05	12	160
Number of enquiries closed for records	243	158	148	80	86	89	804
Disposal otherwise	26	14	19	15	04	10	88

\* Sometime more than one case arose out of a single Enquiry

\*\*Owing to legal amendments, some enquiries have been sent to other agencies.



Figure- 4: Division-wise Statistics regarding Approvals of Cases



## 2.2.4 Information concerning Enquiry about Assets

It is the ethical as well as legal responsibility of the ACC against those who have gained illegal assets beyond their known sources of income.

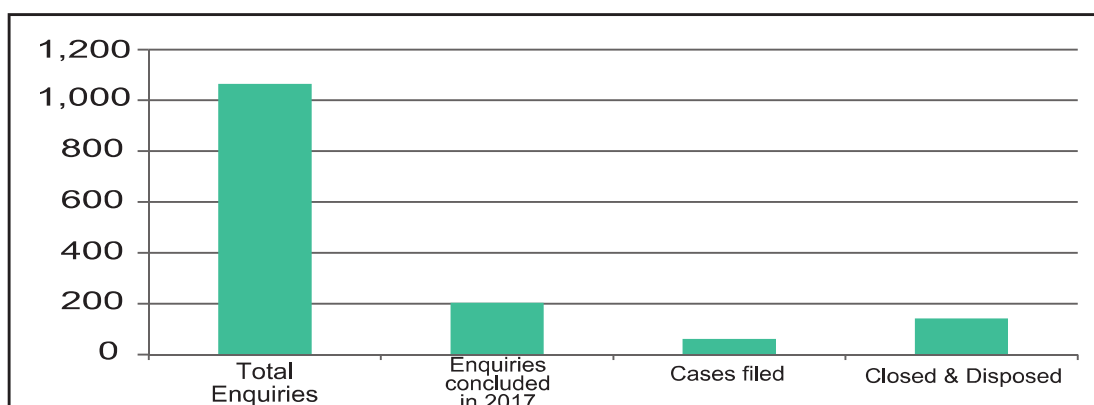
Out of 1065 enquiries 298 (28%) were received 2017 and the rest 767 (72%) enquiries are the carry-over from previous years. This year the Commission has concluded 204 enquiries, and instituted 62 cases based on the findings of the completed enquiries.

Table-6 and Figure-5 present a perceptive view about the activities of the ACC in respect to holding enquiries and the results thereof:

Table-6: Statistics of Enquiry Operations Concerning Assets

Enquiries pending at the beginning of 2017	Enquiries received during 2017	Total enquiries	Enquiries concluded in 2017	Cases filed	Closed & Disposed
1	2	3	4	5	6
767	298	1065	204	62	142

Figure- 5: Enquiries Conducted on Assets and ACC's Actions based on Results of Enquiries







### 2.2.5 Enquiry on Money Laundering

During 2017, the Commission conducted 77 enquiries out of 127 enquiries including those undisposed Money Laundering enquiries carried forward from the preceding year, as such the Commission in the same year lodged 13 cases, closed 20 complaints, and 44 complaints were forwarded to other agencies. In the Table-7 and Figure-6 a perceptive view of the Commission's performances regarding the enquiries on money laundering and the outcome, has been presented.

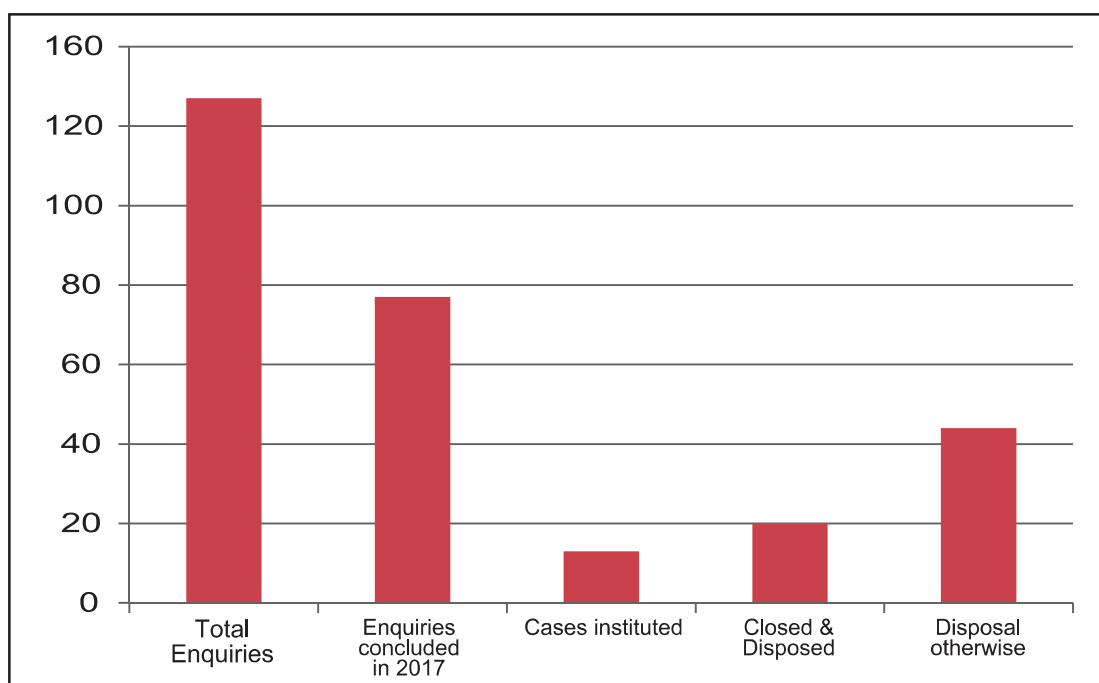
Table- 7: Statistics of Enquiry Operations of ACC into Money Laundering in 2017

Enquiries pending at the beginning of 2017	Enquiries received in 2017	Total enquiries	Enquiries completed in 2017	Cases instituted	Closed & Disposed	Disposal otherwise
1	2	3	4	5	6	7
103	24	127	77	13	20	44

\* Sometime more than one case arose out of a single Enquiry.

\*\*Owing to legal amendments, some enquiries have been sent to other agencies.

Figure-6: Statistics of Enquiries by ACC on Money Laundering in 2017



## 2.3. Investigation

### Introduction

Investigation constitutes the foundation of proofs for the cases of the Commission. This is indeed the most significant phase, to obtain documentary proofs and evidences so as to reinforce prosecutions of the anti-corruption cases in the Courts. Pursuant to the Anti-Corruption Commission Act, the Commission is resolutely committed to complete the investigations within the stipulated time line. According to the Commission's Annual Work Plan, the investigation operations are intensively monitored within the time bounds. On completion of the enquiry held in consideration of prima facie



credibility, the Commission appoints an officer to conduct full investigation after the case is instituted. If, after reviewing the investigation report, the Commission gets satisfied, then it concedes to approve the charge-sheet or the final report, as the case may be. In the process of approving the charge-sheet, the Commission takes all caution to remain dispassionately objective free from political and professional bias.

### 2.3.1 Legal Basis of Investigation

It is the mandated duty of the Commission to hold enquiries into the complaints related to the offences included in the Schedule of the Anti-Corruption Commission, and accordingly to bring the accused persons under the purview of law. The Commission keeps on discharging this duty since its inception. With a view to completing the investigations within the given time lines the Commission is endeavoring relentlessly. The prime statutory function of the Commission corresponds to Section 17(a) of the ACC Act, 2004. The outputs of the investigations form the foundations of prosecutions against the offences of corruption. The Sections 19 and 20 of the ACC Act, 2004 have conferred special power upon the ACC. Aiming at that end, the Commission accomplishes the investigational operations through three Wings notably: Investigation Wing, Special Investigation Wing, and Money Laundering Wing.

The branches and the sections of Investigation Wing and Money Laundering Wing supervise the performances regarding investigations carried out at field-levels by the 6 Divisional Offices and 22 Integrated District Offices. Besides, the Investigation Wing investigates into the cases pouring in from multiple stakeholders and sources. Of the selected assignments for investigations, the specialized areas are overseen by the Special Investigation Wing of the Commission.

### 2.3.2. Investigational Operations in 2017 including Investigations Pending since Previous Years

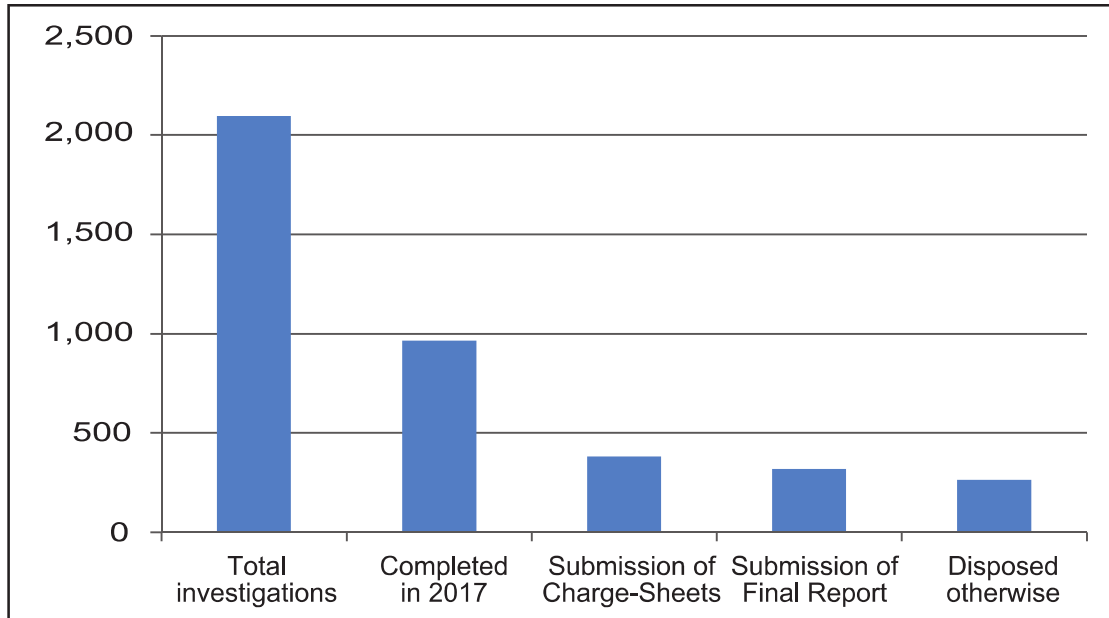
Conforming to the working strategy of the Commission, special directives are often communicated to the officials to complete the investigations within the given time line. The Commission has taken firm steps to accomplish each investigation within the given time line. As per the Annual Work Plan of the Commission, the matters relative to investigations are intensively monitored. The total number of investigations in 2017 stood to 2,095 including the pending investigations of the preceding years. The Commission has successfully completed 965 investigations in the year of 2017. Based on these investigations completed as such, the Commission accorded approvals for 382 charge-sheets. Against rest of the completed investigations, 319 final reports were approved. Under legal duress, investigations numbering 264, were referred to other agencies. Table-8 and Figure-7 set out the statistics of investigational operations for 2017.

Table-8: Statistics of Investigations into Allegations for 2017

Investigations pending at beginning of 2017	Investigations received in 2017	Total investigations	Completed in 2017	Submission of Charge Sheets	Submission of Final Report	Disposed otherwise
1	2	3	4	5	6	7
1,448	647	2,095	965	382	319	264



Figure-7: Statistics of Investigations during 2017



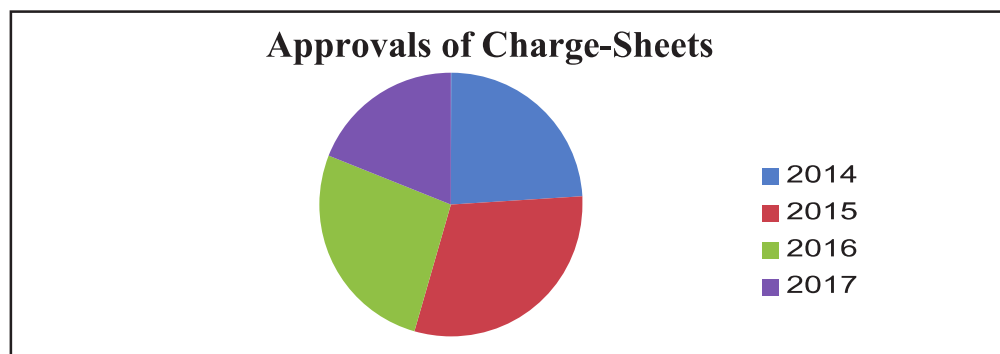
### 2.3.3 Results of the Investigations done in 2014, 2015, 2016 and 2017

Table-9 : Comparative scenario of investigational operations in 2014, 2015, 2016 and 2017

Year	Approval of Charge-Sheets
2014	484
2015	614
2016	535
2017	382

On reviewing the statistics of the charge-sheets approved by the Commission during last four years, it transpires that approvals of charge-sheets during 2016 has substantially decreased. This decrease in charge-sheets may be imputed to more diligence exercised by the Commission in respect to investigating quality based (having adequate documentary evidences to prove with) cases. The Commission is putting up its best efforts to harvest the convictions in 100 % cases.

Figure: 8 presents the comparative scenario of charge-sheets approved, based on investigations conducted in 2014, 2015, 2016 and 2017



### 2.3.4 Division-wise Investigational Operations

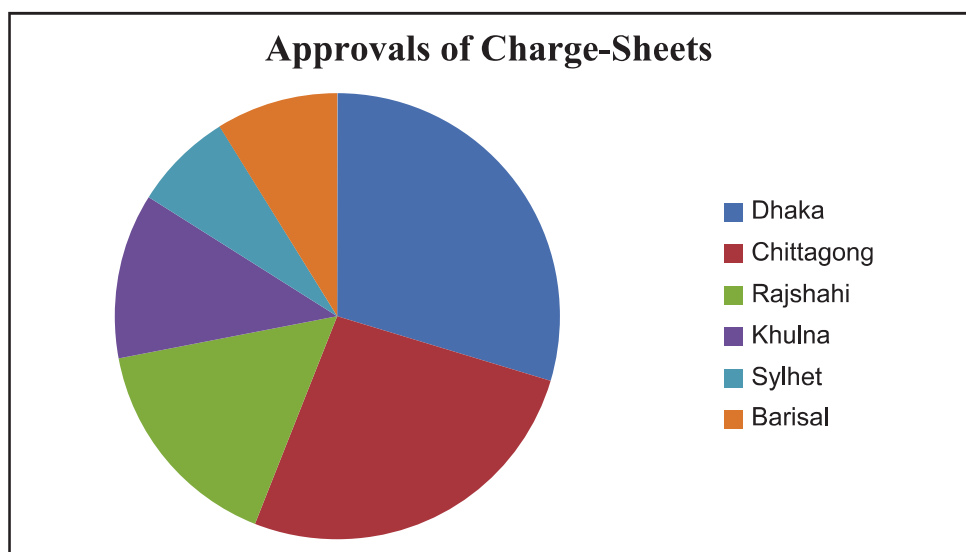
In 2017, the Commission disposed 761 investigations out of 1,588 including those received from the preceding year, resultantly the Commission accorded approvals to 276 charge-sheets. In Table-10 and Figure-9, Division-wise statistics of investigational operations during 2016, have been delineated.

Table- 10: Division-wise Statistics of Investigational Operations in 2017

Description	Dhaka	Chittagong	Rajshahi	Khulna	Sylhet	Barisal	Total
Number of incomplete investigations from previous years	258	288	235	145	88	74	1,088
Number of investigations received in 2017	128	76	124	77	40	55	500
Total number of investigations	386	364	359	222	128	129	1,588
Number of investigations completed in 2017	191	108	200	106	82	74	761
Approvals of charge-sheets on investigations	75	55	56	53	23	14	276
Approvals of Final Report	45	48	86	37	39	26	281
Disposal otherwise	71	05	58	16	20	34	204

\* Sometime more than one case emerged from a single Enquiry

Figure-9: Graphical view of Division-wise statistics of charge-sheets approved in 2017





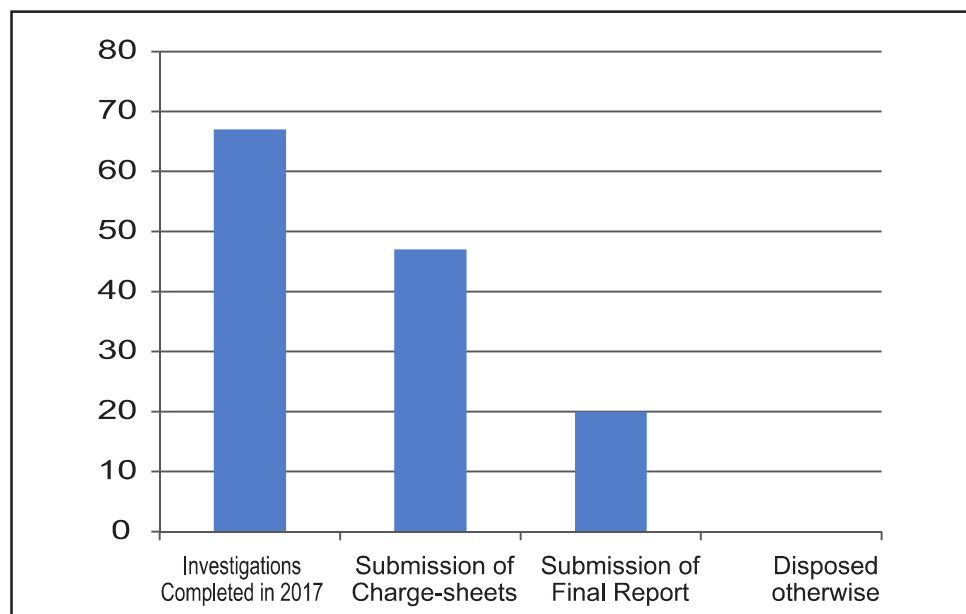
### 2.3.5 Investigations on Ill-gotten Wealth

Taking actions against the possessors of ill-gotten wealth is the legal mandate of the ACC. Out of 242 investigations 66 (28%) were received in 2017 and the rest 176 (72%) investigations were carried forward from the previous years. The Commission this year has completed 67 investigations, and approved 47 charge-sheets on the outputs of the completed investigations. Table-11 and Figure-10 present a perceptive view about the efforts of the ACC regarding investigations conducted and results received in this regard.

Table- 11: Statistical view of Investigational Operations on Ill-gotten Wealth and the Results

Investigations pending at the beginning of 2017	Investigations taken up during 2017	Total investigations	Investigations completed in 2017	Submission of Charge sheets	Submission of Final Report	Disposed otherwise
176	66	242	67	47	20	-

Figure-10 : Statistical view of Enquiry and Investigational Operations on Ill-gotten Wealth and the Results



### 2.3.6 Investigations on Money Laundering

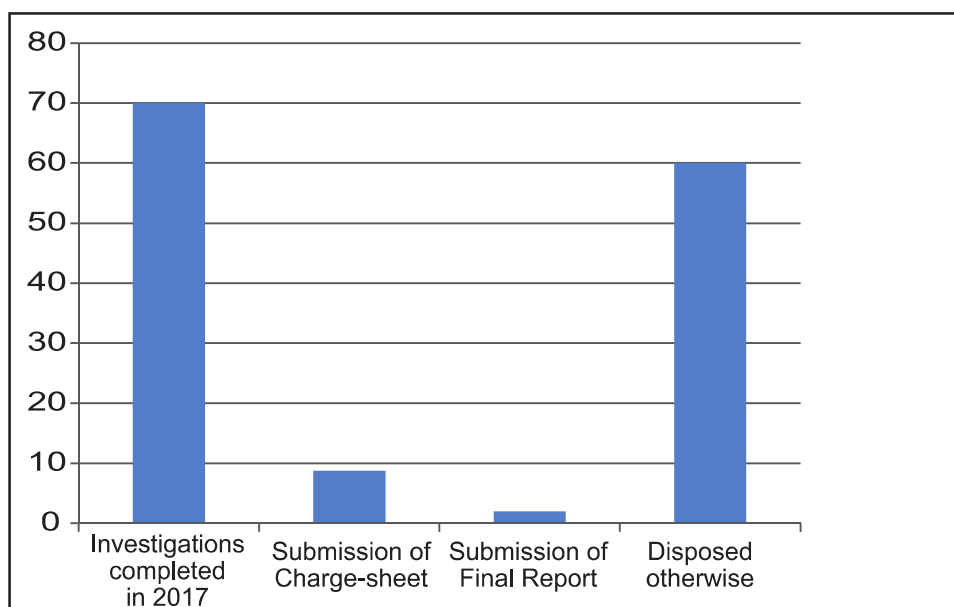
In 2017, the Commission disposed of 70 investigations into money laundering out of 97 including those carried forward from the preceding year, resultantly the Commission approved 08 charge-sheets. The ACC investigates into the money laundering cases laying utmost importance on. In the Table-12: and Figure-11 perceptive views of the Commission's performances regarding the investigations on money laundering and the outputs, have been discretely presented.



Table-12: Statistical view of Investigational Operations and Resultson Money Laundering

Investigations pending at beginning of 2017	Investigations taken up during 2017	Total investigations	Investigations completed in 2017	Submission of Charge sheet	Submission of Final Report	Disposed otherwise
76	21	97	70	08	02	60

Figure-11: Statistical Graphic View of Investigational Operations on Money Laundering



### 2.3.7 Matters Relating to Trap-Cases

Prompted with the intent to uproot the sources of corruption, the commission operates trap cases. In case any officer or staff set to rendering services to the public, ask for bribes or gifts, and the Commission receives any complaint about it, instructions to carry out trap operation are awarded. Necessary steps are taken up to catch hold of the persons on the spot when found directly involved with the scheduled offences. If any public servants employed in government services, demands "bribe" against any services, and if prior to making the transaction of "bribe", the Head Office or officer in charge of the nearest office of ACC is informed about such illegal demand, actions are taken to catch the bribe-taker red-handed by laying out traps. Table-13 and Figure-12 give out the interventions of the ACC relative to investigations into trap-cases during 2017.

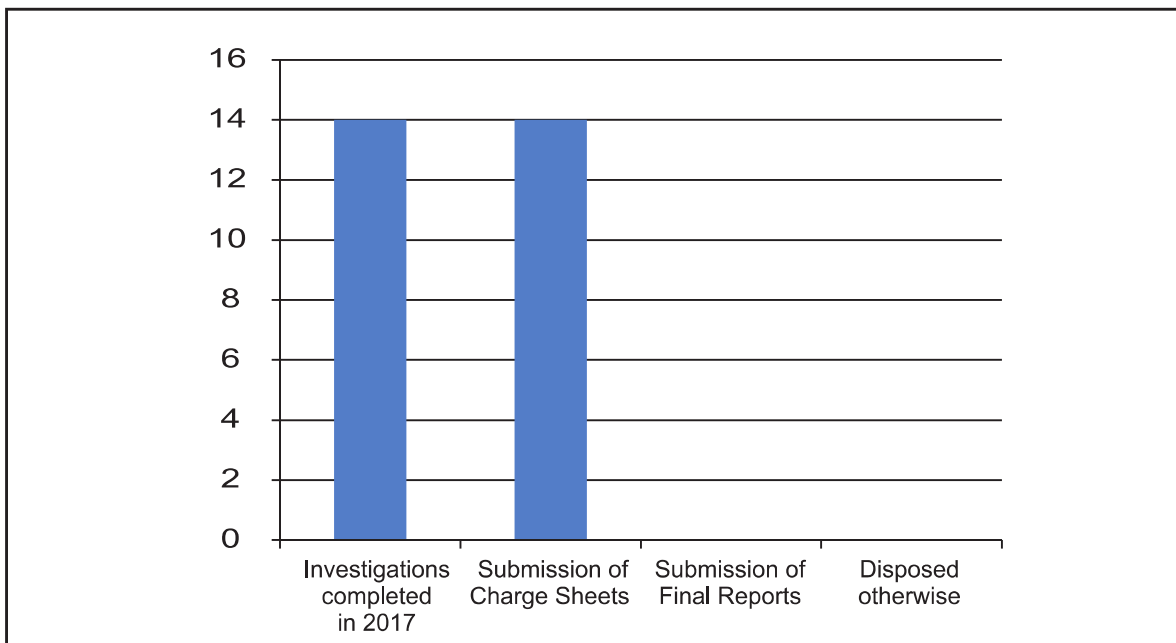
Table-13: Investigational Operations in Trap Cases during 2017

Investigations Pending till 2017	Investigations taken up during 2017	Total Investigations	Investigations completed in 2017	Submission of Charge Sheets	Submission of Final Reports
1	2	3	4	5	6
02	24	26	14	14	-

Review of Investigation of trap cases reveals that the Commission has accorded approvals in 100% cases.



Figure-12 : Investigational Operations of ACC in Trap Cases during 2017



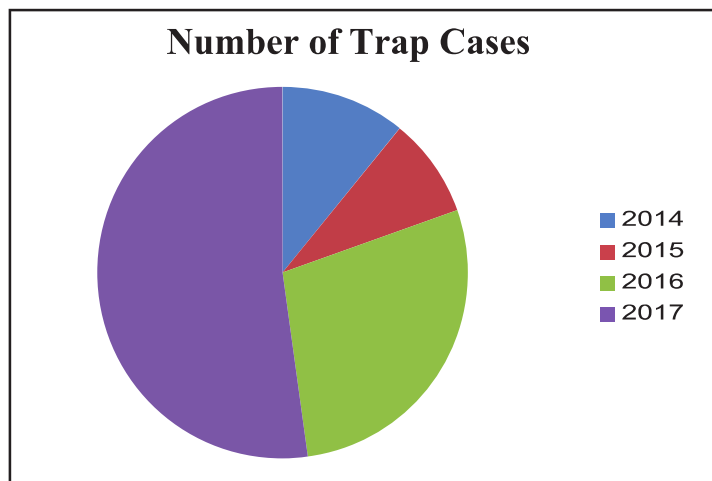
In the following Table-14 and Figure-13 a comparative view of Trap Cases operated during 2014, 2015, 2016 and 2017 is exhibited.

Table- 14: Statistics of Trap Cases during 2014, 2015, 2016 and 2017

Year	Number of Trap Cases
2014	05
2015	04
2016	13
2017	24

Review of Table-14 reveals that the maximum number of trap-cases have been launched during 2017. This number stands even more than double of the totality of such cases operated during the three preceding years. The Commission is pledge-bound to eradicate corruption by clutching the bribe taking officers under hold of law. The trap operation is a stern message flagged out to the bribe-takers indicative of fatal consequences. In launching the trap cases the Commission prefers to put an end to the culture of rent seeking. This year 8 trapping drives are launched in response to the complaints received through the Hot Line-106 of the Commission's Complaint Center.

Figure- 13 : Comparative Graphic view of Trap Cases during 2014, 2015, 2016 and 2017



## 2.4. Institutional Team

As the Commission is mandated to probe by enquiry into the complaints on its own initiative, so is responsible to identify the sources of multiple forms of corruption in the backdrop of the socio-economic situations in Bangladesh and also to recommend for necessary actions accordingly. Given with legal scope, the ACC started taking on enquiries and investigations into institutional corruption as well since the year 2008.

In a bid to combat and prevent corruption in 25 organizations, the Commission formed 25 institutional teams in 2017. The organizations include: Titas Gas; Bangladesh Railway; Civil Aviation Authority; Bangladesh Biman; Customs, VAT and Excise; Department of Income Tax; Dhaka WASA; Department of Narcotics Control; Roads and Highways Department; Bangladesh Road Transport Authority; Registration Complex including Offices of the Sub-Registrars; Bangladesh Inland Water Transport Authority; Bangladesh Inland Water Transport Corporation; Public Works Department; Office of the Comptroller General of Accounts; Sea and Land Port Authorities; Directorate of Drug Administration; Offices of the Deputy Commissioner, Dhaka (Land Acquisition (LA) and Revenue Sections (SA), Department of Environment; Bangladesh Standards and Testing Institution; Rajdhani Unnayan Kartripokkha; Land Records and Survey Department; Directorate of Health; National Housing Authority and Directorate of Education. The performances of all the teams which were constituted with specified TOR to control and prevent corruption, are regularly reviewed. The officials in the rank of Director General keep monitoring over the activities of the teams.

Each team is instructed to watch into and analyze the relevant existing laws, rules, operating system, misappropriation/abuse of public money, and to identify the reasons of success/es, limitations, legal encumbrances, harassments to service-takers and of corruption in these institutions. Moreover, the teams are assigned with the task to submit reports with recommendations of remedies to preclude recurrence, and to put forth proposals to the Commission to initiate legal actions against the persons found liable.

Pursuant to the aforesaid instructions the team concerned with Land Records and Survey Department, has meanwhile formulated, and submitted its report to the Commission with, nine specified recommendations. Similar team related to Directorate of Education, has also formulated, and submitted its report to the Commission with, specified recommendations. On holding discussions and review, the Commission has dispatched some concrete recommendations to the concerned ministry of the government. The Commission holds the view that these recommendations





are implementable which, in those offices, must reduce the misdeeds of harassments and dillydallying in respect to delivery of government services. The reports of the other teams are underway of evaluation and analysis by the Commission.

The recommendations of the teams are set out below:

Some recommendations toward establishing good governance in Land Records and Survey Department:

1. Replacing the seasonal staff, the survey operation needs to be carried out by permanent and trained employees in place;
2. During continuance of the survey operation, all about it must be widely and intensively disseminated so that the owners of the lands may get well aware about the survey and what they are required to do. All should be done so as to ensure that the owners of the lands can show up in course of the survey operations with the relevant documents in support of their ownerships;
3. To get rid of flawed surveys, digital system of surveys and records keeping needs to be introduced. The Assistant Commissioner (Land) and the Sub-Registrar concerned may be involved with the recording process so that they can use the information to meet official needs. However, there lies dearth of trained workforce to conduct digital surveys. Measures need to be taken up to make for this gap. The operation of survey/modifying the records should be rendered to go as continuous process so that every transfer of ownership/ amendment can get instantly updated. This will ensure if any survey is concluded in a place, no repeated survey will be needed. Resultantly, the cost of long drawn surveys through ages, litigations and public harassments will be substantially reduced.
4. Departmental and punitive legal actions may be initiated against the officials and staff who are found involved with corruption, or in some cases traps may be laid out to catch them red-handed while taking bribes. Besides, the ongoing survey operations may be intensively monitored and trap cases may also be operated to make instant arrest against those found receiving bribes in cash. To execute the purpose of such intensive monitoring, a vigilance committee may be constituted comprising representatives from Upazila administration, Upazila Parishad and Upazila Settlement office, which can oversee the successive stages of the ongoing survey operations in the Upazila.
5. Many special objection cases arise and are lodged with the Tribunals under existing legal support against recording of the lands in favor of previous owners in the circumstances of the real owner staying abroad, his/her illness and transfer of ownership taking place on account of buys/sales during the survey operations. Such cases cause untold sufferings of the people, and the very legal complexities open up opportunities for the corrupt officials and staff to take to corruption. Scopes may be created to amend the records in succession of transfers of ownership by way of making necessary amendments in the Survey Act, 1875, the S.A. Manual or in Section 143 of the State Acquisition and Tenancy Act, 1950 or in any other legislation. If there is scope to attain ownership through records in successive continuation, special objections is not likely to be raised or lodged,
6. The issues like recording the government khas lands, abandoned property, wakf estate or other land having government interest, in the name of private person perceivably on unethical gains, should be critically looked into. The Commission is of the opinion that the situation may be improved if measures are taken for comparative analysis between the particulars of lands as recorded by the office of the Deputy Commissioner in the latest survey with those of the preceding one.

The Commission in the same year has reported to the Cabinet Division and the Ministry of Education pointing at the sources of corruption and recommendations as were identified and specified

respectively in the investigative report of the "Institutional Team" formed to prevent corruption in the arena of education. In the report 39 recommendations have been articulated as considered workable to wipe out corruption arising out of leakage of question papers, note/guides, coaching business, constructions of infrastructures in educational institutions, inclusions for MPO, recruitment of officers and staff and transfer activities.

## **2.5 Prosecution**

### **2.5.1 Legal Basis for Conducting the Cases**

Aside with investigating into the complaints, the Anti-Corruption Commission plays the role of a prosecuting agency. Moreover, in addition to holding Enquiries and Investigations into corruption, it is the responsibility of the ACC to conduct the prosecution cases at varying stages of the courts. The Commission conducts each of the cases taken with high importance. In dealing with the cases the Commission follows the Anti-Corruption Commission Act, 2004 (and its Amendments), the Prevention of Money-laundering Act, 2012 (and its Amendments), the Penal Code, 1860, the Criminal Procedure Code, 1898, the Prevention of Corruption Act, 1947, the Criminal Law Amendment Act, 1958, the Evidence Act, 1872 and other relevant laws and rules. On the basis of the enquiries and investigations the Commission, as provided under section 17 (b) of the Anti-Corruption Commission Act, 2004, is empowered to lodge and conduct the cases. In order to identify the corruption as an offence the Schedule mentions about the offences under Anti-Corruption Commission Act, 2004 (and its Amendments), the Prevention of Corruption Act, 1947, the Prevention of Money-laundering Act, 2012 (and its Amendments), the sections 161-169, 217, 218, 409 of the Penal Code, 1860 and offences under sections 420, 467, 468, 471, 477A of the same Code, provided they relate to public property or are committed in discharge of official duties, by public servants or by the officers or staff of the banks or financial institutions. However, any offences related and predicated to the sections 109, 120 B and 511 of the Penal Code, 1860 which is related to the offences stated in the Sections from (a) to (d) of the ACC, Act 2004.

As articulated under section 32(1) of the Anti-Corruption Commission Act, 2004, the Commission, is vested with full the power to accord approval for filing cases against the offences as referred to above. In accordance with the Section 28 (1) of the Anti-Corruption Commission Act, 2004, the offences under this Act and its Schedule shall be triable by a special judge. The Section 28(2) of the Criminal Law Amendment Act, 1958 provides that saving the Section 6(5) and the Section 6 shall apply to Appeals in corruption cases. In case any contradictory matters arise between the Criminal Law Amendment Act 1958, and the Anti-Corruption Commission Act, 2004, the legal provisions of the Anti-Corruption Commission Act shall prevail [Section 28 (3) of the ACC Act].

The Law Wing supervises the legal affairs and preserves the updates of the corruption cases. The two separate units named the Legal and the Prosecution Branches of this Wing, are supervised by two Directors under the overall direction of one Director General. The lawyers appointed by the Commission, conduct the cases in different Courts under direct supervision of this Wing. According to provisions of the ACC Act, 2004, the Commission may possess one Prosecution Unit of its own with adequate number of Prosecutors [Section 33 (a)]. To conduct the corruption case in the courts of special judges and in both the Divisions of the Supreme Court of Bangladesh, the Commission, as of present practice, appoints its lawyers on contractual basis under separate panel. The lawyers of the thirteen-member panel who are termed as "Public Prosecutors", are performing their duties in the 13 courts of special judges in Dhaka. There in the courts of special judges of Dhaka, 4 female Prosecutors are engaged. Moreover, the lawyers numbering 38 in Dhaka Division, 29 in Chittagong, 23 in Rajshahi and 19 in Rangpur Division, 25 in Khulna Division, 14 in Barisal and 10 in Sylhet and 14 in Mymensing, are advocating for the Commission.

### **2.5.2 Conducting the Cases in Trial Courts**

The momentum of the prosecution related activities has been visibly achieved. In 2017, the rate of conviction in the cases has risen to 68 per cent. The Commission is putting all efforts to ensure 100 per cent convictions in all the cases. In obeying the directives of the Commission, the officials of the Law Wing regularly get to contact with the lawyers of each case, and make sure that the lawyer/s



and the witness/es do appear in the Court. The Commission monitors each case individually through the Law Wing, with equal importance. Some significant interventions made by the Law Wing of the Commission during 2017, are presented below:

- Through the Law Wing, the Commission has obtained legal opinions corresponding to 1106 records concerning various corruption. These legal opinions are virtually sought with intent to conducting quality- based enquiries and investigations.
- With a view to hiring qualified and talented Lawyers and Public Prosecutors, "The Lawyers and Public Prosecutors Appointment Policy, 2017" was formulated;
- An Office Order has recently been issued in revising the rate of honorarium/ allowances for the learned Lawyers and Public Prosecutors. Such measures may be deemed as incentives to boost their interest in dealing with the cases;
- To expedite the disposal of cases, this Wing holds meetings regularly with learned PP and the lawyers in every month, and monitors to oversee whether the cases all over the country are being conducted properly;
- Steps are taken to help execute the summons/warrants so as to ensure the presence of the witnesses on the appointed date of the case;
- Through the Legal Wing, the Commission has submitted a comprehensive proposal to the government to bring in few amendments in the Anti-Corruption Commission Rules, 2007, Insurance Act, 2010 and the Code of Criminal Procedure (Amendment) Act, 1958;
- The diverse programs dedicated to implementing the Strategic Work Plan of the Commission, are being launched by this Wing.

By the end of December, 2017, 308 cases were disposed of in the court of special judge. Of these, 237 (79%) cases were instituted by Anti-Corruption Commission and the other 71 (21%) were carried over from erstwhile Bureau of Anti-Corruption (BAC). The 237 cases lodged by ACC were disposed of in the learned trial courts, of which 161 cases ended in convictions. The rate of conviction in the cases of the Commission amounts to 68 % (approx.) and the rate of convictions in cases of the defunct Bureau of Anti-Corruption accounts to 39%. The statistics of the corruption cases pending trials till December 2017 with the Court of special judge, are shown in Table-15.

Table-15: Statistics of Corruption Cases Tried in Court of Special Judge in 2017

Descriptions	Cases of ACC	Cases of defunct Bureau	Total
Number of cases under trial	2803	609	3412
Number of cases in ongoing trial	2446	349	2795
Number of cases stayed	357	260	617
Number of cases disposed	237	71	308
Number of cases ending in convictions	161	28	189
Number of cases ending in acquittals	76	43	119

Figure-14: Graphical Statistics of Corruption Cases triable in Court of Special Judge in 2017

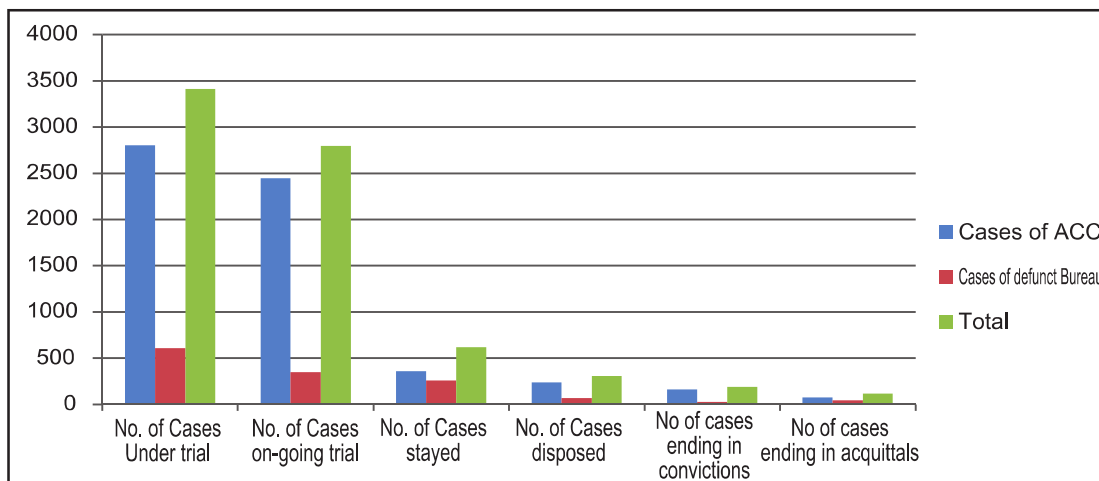


Table-16: Comparative Statistics of Convictions during 2014, 2015 ,2016 and 2017

Descriptions	Rate of convictions in the cases of ACC	Rate of convictions in the cases of defunct Bureau
2014	46%	33%
2015	37%	25%
2016	54%	45%
2017	68%	39%

Regarding the cases of the Commission, while reviewing the judgments of the trial Courts during last four years, it appears that the rate of conviction in the cases of the Anti-Corruption Commission in 2014 was 46%, in 2015 it was 37%, in 2016 rose to 54% and in 2017 the rate of conviction stood higher up to 68%. That indicates among the past four years the rate of conviction in the cases of the Commission in the trial Court is the highest.

Likewise, in the cases of the defunct Bureau, the rate of conviction in 2014 was 33%, in 2015 it was 25%, in 2016 that scaled up to 45 % and in 2017 the rate of conviction registers 39%. Multiple problems including deaths of many witnesses and the accused persons, tuned up as a big challenge in tackling with the cases of the former Anti-Corruption Bureau.

Figure-15: Comparative Graphical Representation of Convictions for 2014, 2015, 2016 and 2017

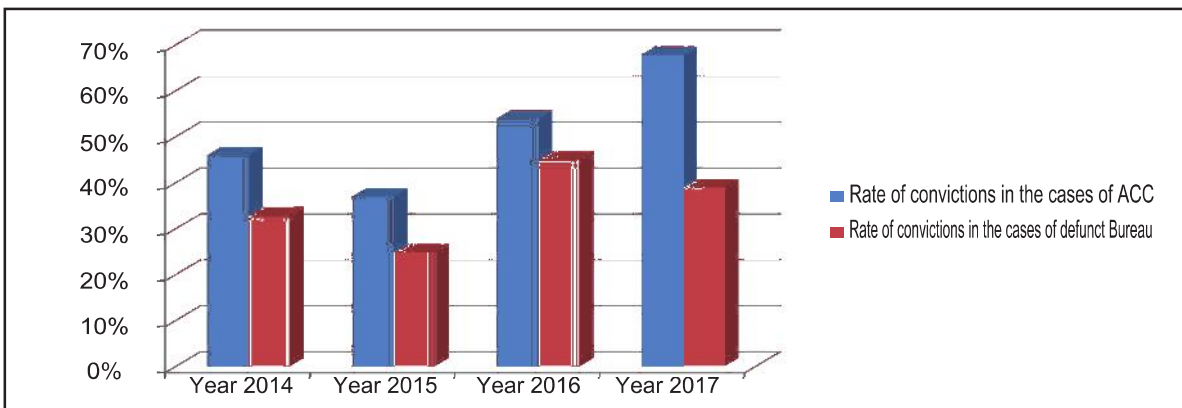


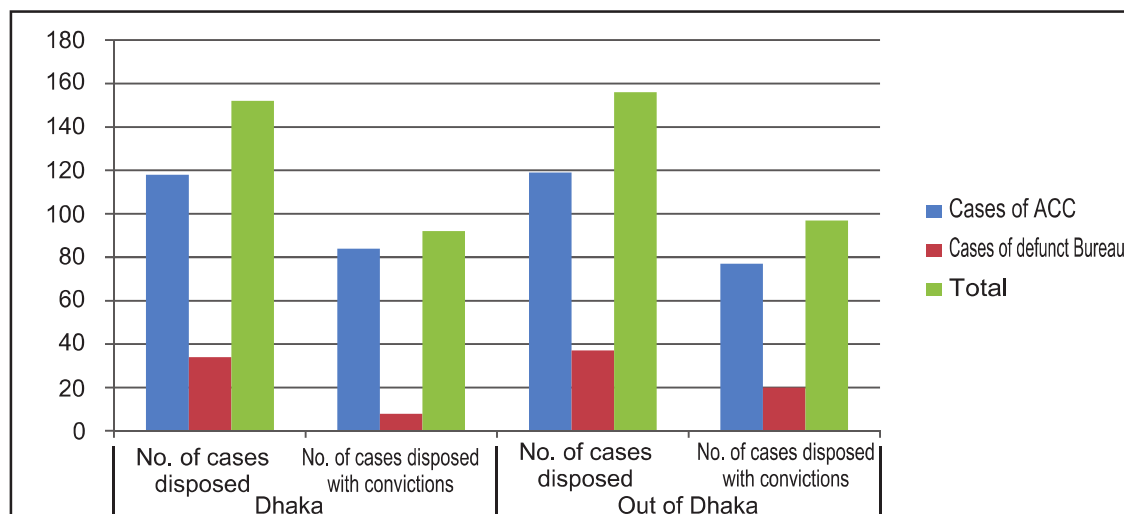


Table-17: Statistics of Corruption Cases Disposed and Convicted in, by the Courts in and out of Dhaka during 2017

Descriptions		Number		
		Cases of ACC	Cases of defunct Bureau	Total
Dhaka	No. of cases disposed	118	34	152
	No. of cases disposed with convictions	84	08	92
Out of Dhaka	No. of cases disposed	119	37	156
	No. of cases disposed with convictions	77	20	97

During 2017, the court of special judge in Dhaka disposed of 152 cases of corruption. Of the total disposals, the rate of cases filed by ACC accounts to 78% (approx.) and the rest of the cases (about 22%) belonged to defunct Bureau of Anti-Corruption. Concurrently the courts of special judges existing out of Dhaka disposed of 156 cases. The scenario shows up almost similar to that of Dhaka. The total disposal cases belonging to the defunct Bureau is 37 (24%). A comparative statement of statistics regarding disposal and convictions by the courts existing out of Dhaka, is laid out in Table-17.

Figure-16 : Comparative view of Statistics of Corruption Cases Disposed and Convicted in, by the Courts in and out of Dhaka during 2017





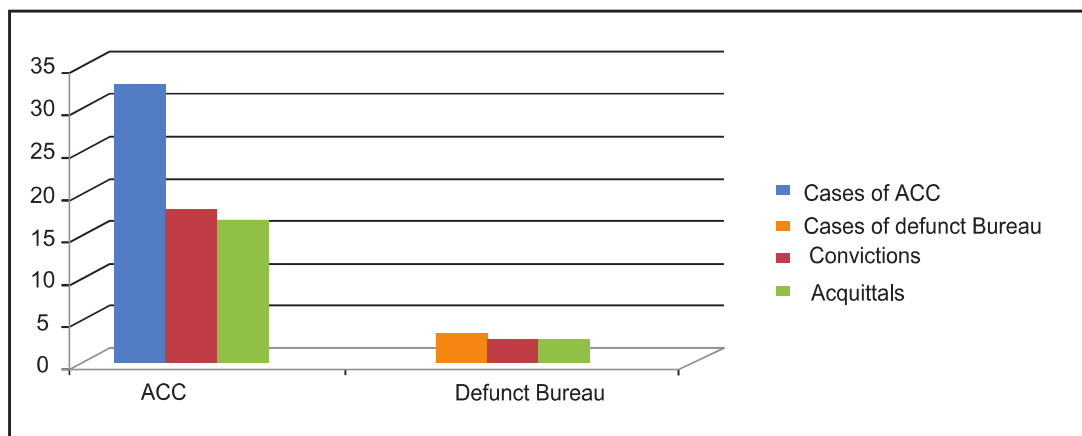
## Statistics of Property Related Cases ending in Trials

Table-18: Statistics of Property Related Cases Tried in the Court of Special Judge for 2017

Descriptions	Cases of ACC	Cases of defunct Bureau	Total
Number of cases disposed	31	02	33
Number of cases of convictions	16	01	17
Number of cases of acquittals	15	01	16

During 2017, 33 cases concerning property were disposed of in the court of special judge, of which 17 cases ended in convictions and in 16 cases the accused persons were acquitted. On reviewing the statistics of Table-18, it transpires that out of the total cases filed by the Commission, concerning property disproportionate to known sources of income, 52% cases ended in convictions and 48 % in acquittals.

Figure-17: The Statistical View of Judgments in Property Related Cases



## Statistics of Money Laundering Cases Ending in Trials

Table-19: Statistics of Money Laundering Cases, tried in Court of Special Judge in 2017

Descriptions	Cases of ACC	Cases of defunct Bureau	Total
Number of cases disposed	08	-	08
Number of cases of convictions	08	-	08
Number of cases of acquittals		-	





During 2017, 8 cases relating to money laundering were disposed of in the Court of special judge and each case ended in conviction. That indicates 100% convictions ensured in money laundering cases.

The statistics of the Table-19, while reviewed, show that in all the money laundering cases 100% convictions could be achieved.

Figure-18 : Comparative view of Convictions and Acquittals in Money Laundering Cases tried in Court of Special Judge

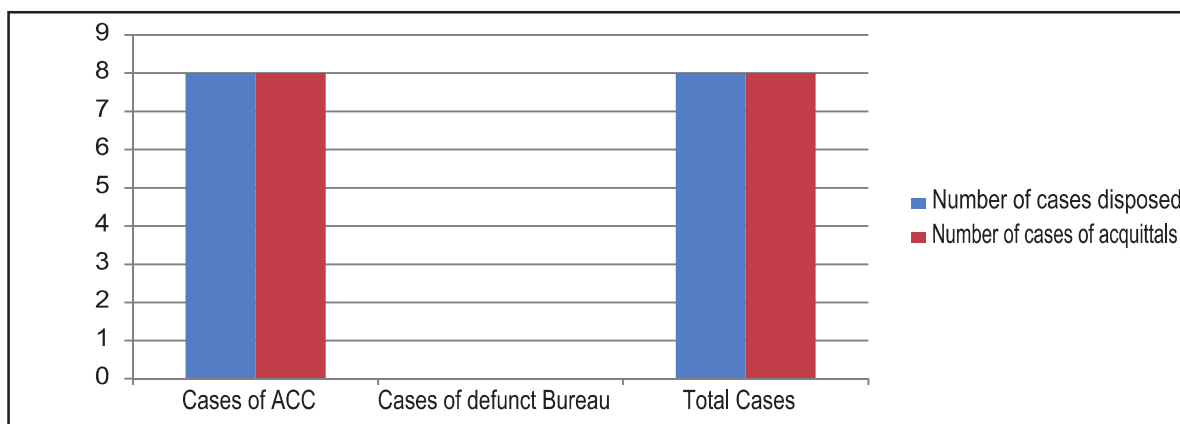
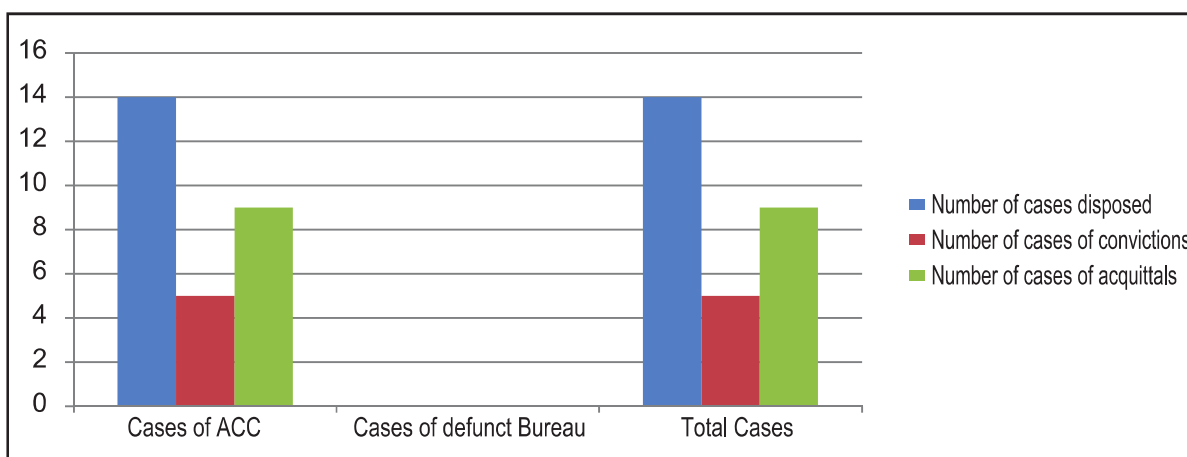


Table-20: Statistics of Trap Cases Tried in Court of Special Judge

Descriptions	Cases of ACC	Cases of defunct Bureau	Total
Number of cases disposed	14	-	14
Number of cases of convictions	05	-	05
Number of cases of acquittals	09	-	09

During 2017, 14 trap cases were disposed of. The Table-20, while reviewed, reveals that out of the total trap cases lodged by the Commission, 36 % case ended in convictions.

Figure-19 : Scenario of Convictions and Acquittals in Trap Cases Tried by Court of Special Judge



### 2.5.3 Prosecuting in Cases with Higher Courts

The Commission has deployed 39 lawyers to move for Anti-Corruption Commission cases in the Appellate Division and the High Court Division of the Supreme Court. Of them 5 are female advocates. One lawyer is exclusively dedicated to work in the Supreme Court Cell for keeping the case related coordination between the Commission and the Supreme Court. The Tables 21 and 22, give out the statistics relating to the cases of ACC conducted in the Supreme Court.

Table-21 : Statistics of Criminal /Writ/Appeal Cases in the High Court Division of the Supreme Court

Descriptions	2017			Disposal in 2017	Pending before Stay Order	Stay Orders in 2017	Total no. of Stay Orders	Stay Orders vacated	Stay Orders remaining in force
	Remainder of Previous year	Cases lodged in 2017	Total no. of cases						
No. of Writ Petitions	922	106	1028	114	382	0	382	41	341
No. of Misc, Cases	1366	1023	2389	926	371	06	377	206	171
No. of Criminal Appeal Cases	356	209	656	66	14	0	14	5	09
No. of Criminal Revision Cases	279	160	439	120	66	0	66	16	50

Table-22 : Statistics of Cases in the Appellate Division of the Supreme Court, arising from Criminal Appeal/Misc/Revision/Writ Petitions

Descriptions	2017			Disposal in 2017	Currently pending	Pending before Stay Order	Stay Orders in 2017	Total no. of Stay Orders	Stay Orders vacated	Stay Orders remain in force
	Remainder of Previous year	no. of cases lodged in 2017	Total no. of cases							
Writ Petition	83	0	83	11	72	56	02	58	15	43
Criminal Misc. Case	101	94	195	48	147	45	05	50	20	30
Criminal Appeal	23	03	26	06	20	31	02	33	10	23
Criminal Revision	19	16	35	12	23	15	0	15	12	03

## 2.6 Arrest

### 2.6.1 Legal Basis of Arrest

Under section 20 (3) of the Anti-Corruption Commission Act, 2004 (Amended, 2016), an officer gets vested with the powers of an officer-in-charge of a police station, as applicable to conducting enquiry and investigation into the offences under the Schedule to the ACC Act, 2004. In 2017 the enquiry/ Investigating officers arrested as many as 182 accused persons for the sake of enquiries and investigations concerning corruption cases.





All the arrestees were provided with all legal protection. The Commission is prompted to launch the drives for arrests by legal compulsion, and to reduce the criminals' utter disregard for laws, raise public awareness against corruption and lessen the severity of corruption. Moreover, on receiving information in advance the Commission has launched operations on 24 trap cases and caught the offenders red-handed with the bribe-money in cash.

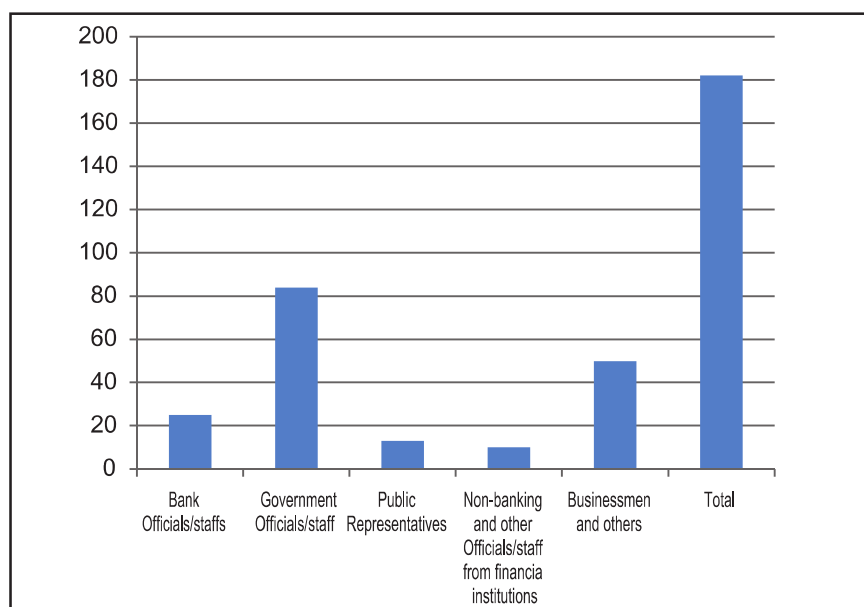
The foremost tool to strike deep into the root of corruption is to catch the bribe-takers red-handed right with the bribe-money. Generally the criminals of this group are brought under the purview of law by operating on trap cases. From this view it was pronounced by the Commission at the commencing phase of the year-2017 that the year of 2017 must appear as a year of horror for the bribe taking officers. The Commission has tried to stand true to its words of commitment. As many as 24 trap cases were instituted and bribe- Taking officials involved were arrested in 2017 while such trap cases were only 13 in 2016. Since inception of the Commission it is in this year that the highest numbers of trap cases were operated.

Table-23: Statistics of Arrestees from Bank and Government Officials and Others

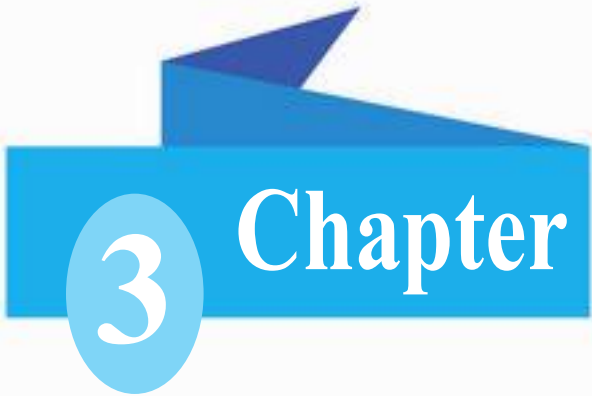
Occupations /Identities of the Arrestees	Number
Bank Officials/staff	25
Government Officials/staff	84
Public Representatives	13
Non-banking and other Officials/staff from financial institutions	10
Businessmen and others	50
<b>Total</b>	<b>182</b>

The review of the Table-23 reveals that the bank and government officials constitute the major segment of the arrestees. The reason is that more importance has been attached to the corruption perpetrated by the government and bank officials.

Figure-20 : Graphical Statistics of Arrestee from Bankers, Government Officials and Others







# 3 Chapter

## Prevention of Corruption and Promoting of Best Practices

### 3.1 Introduction

### 3.2 Inclusive Programs against Corruption



## Prevention of Corruption and Promoting of Best Practices

### 3.1 Introduction

Uppermost importance has been attached to prevention of corruption in the legal enactment of the Anti-Corruption Commission. Out of 11 operational agendas of the Commission 6 pertain to actions that are virtually preventive to corruption. It is, in essence, with the objective to combat and control corruption that the Commission values higher on prevention. Once corruption could be prevented, efforts to combat it are likely to lose priority. Aiming at that end, the Commission is heading with diverse interventions- getting the civil society integrated to prevent corruption. If the citizens could be sensitized about their Rights, prevention of corruption is likely to become easier. Prompted by that intent in view the Commission has formed Corruption Prevention Committees (CPC) in all the towns/ metropolitan cities, districts, upazilas, even at union levels, including the men of integrity in the society. The members of these Committees, intended to trigger off the power of the society, are working on multiple programmes within their respective peripheries. The Committee-members are keeping up their sincere initiatives to build up an upsurge of social movement at the towns/metropolitan cities, districts and upazila levels, against the unethical practices including also the coaching businesses and note-guides ongoing in the spheres of education. Not only in the area of education, but also in the service sectors like health, land, electricity, etc. that the CPCs are going quite active to prevent corruption. In 25129 educational institutions the ACC with the supervisory support of the CPCs has constituted "Integrity Units", comprising students from schools, colleges and madrasas, with the objective to forge up the values of integrity and dedication among the young generations, The respected teachers concerned are made the advisors to those Committees. The Commission is endeavouring that ways with the mission to shape out a stunningly decent future for our upcoming generation by launching concerted efforts against corruption. By tradition, the people of this country are forgivers, non-malevolent, and nurture high ethical values too. This society, therefore, cannot afford to contain the ignoble and unethical felony like corruption.

The corruption is totally devoid of any positivity, whatsoever. Corruption stands out as the monster blockade to moral and psychic enlightenment of the nation alongside the economic and structural developments. The perpetrators of corruption are so-called "the Fearless" and in some cases "the Powerful" too. Drives to eliminate those wrong-doers ducked into the mud of corruption necessitate more power to fight against. The source of such "Power", as the Commission values, is the "Citizens". The Article 7(1) of the sacred Constitution of Bangladesh, achieved through great war of liberation, spells out ". All powers in the Republic belong to the people". The firm belief as held by the Commission is that if the people at every strata of the society grow conscious about their rights to the State, and can collectively raise resistance against corruption, the so-called "the Fearless" will lose hold of their immoral courage. The ACC prefers to take the men of integrity from all walks of life on to a common platform. Accordingly, through Workshops, the implementation progresses of the Commission's Strategic Action Plan (SAP) were, shared with all the stakeholders including the representatives of the civil society, the media personalities, NGOs, lawyers, government officials and the staff, and the implementable suggestions/inputs put forth by them have been incorporated into the SAP. Workshops of the like were organized not only at central level, but also at grass-root levels. The doorways to the Commission's e package of preventive actions are laid accessible to all classes of the people. As of now, the workforce of the Anti-Corruption Commission is numerically 1073. Of those more than 300 are investigating officers. Given with this small size of manpower, the Commission is set to implementing its multi-directional programs with direct support from the people to combat, control and prevent corruption. The Commission inaugurates the Hot Line-106 of its

Complaints Centre on 27 July of 2017. Stunningly around 75000 calls were poured into the Hot Line-106 within one week. In respect to this issue, many international media including BBC, AFP, Deutsche Valle, and almost all the mass-media in Bangladesh put out special reports.

In executing Memorandums of Understandings (MoU) with those institutions which are engaged in working toward prevention of corruption the Anti-Corruption Commission intends to bring home the good practices of those institutions, and to disseminate them across the country in fine adaptations to its own modalities. To serve this purpose the Commission has entered into a MoU with the Anti-Corruption Commission of Bhutan, which has happened historically as first of its kind. With regard to signing of MoUs, the Commission, through its Prevention Wing, is intensively keeping liaison with the relevant institutions of different countries including Indonesia, China, USA, Singapore, Hong Kong, Russia, Austria, Malaysia and India.

The Article 20 (2) of the sacred Constitution of the People's Republic of Bangladesh provides, "...The State shall create conditions in which persons, as general principle, shall not be able to enjoy unearned incomes." In close association of all the Commission wants to seal up the ways of enjoying such unearned incomes by way of preventing the corruptions.

### **3.1.1 Legal Basis of Research, Monitoring, Prevention and Mass-Awareness Programs**

The Anti-Corruption Commission is a statutory institution runs by legal enactments. The section 17 of the Anti-Corruption Commission Act, 2004 enunciates the functions of the Commission. The preventive actions of the Commission are carried out in pursuance of this Section. The foremost legal obligation of the Commission is to prevent the misdeeds of corruption. The Section 17 (f) stipulates to "carry out research on the prevention of corruption and submit recommendations to the President regarding the actions to be taken on the basis of the research findings." The Section 17 (g) to "promote the values of honesty and integrity in order to prevent corruption and take measures to build up mass awareness against corruption". Preventing corruption, generating values of integrity and dedication against corruption, conducting researches on prevention of corruption, and above all raising mass-awareness and the like are the task performed through the Prevention Wing of the Commission. Under vertical direction of one Director General, two branches of this Wing dubbed as Prevention and Research, are supervised by two Directors for each. Under direct supervision of this Wing, the activities of the CPCs and of the Integrity Units composed of students, are evaluated. . Public Hearing, Workshop, Seminar, establishing Honesty Stores, observance of Anti-corruption Week, Research and other programs inclusively involving the people are carried out through this Wing. The Commission through this Wing formulates the by-laws and guidelines, and ensures compliance by the District, Upazila, Union CPCs and also by other associated organizations. In course of forming each and every Committee, the by-laws and guidelines are followed. In setting up the Honesty Stores by the Commission in various educational institutions, the by-laws are also properly abided by, which had been approved by the Commission itself.

### **3.1.2 A Number of Initiatives by Prevention Wing**

1. With a view to promoting good practices among the students of new generation- particularly among those of secondary level, the Commission in 2017 initiated to set up "Honesty Stores" in different schools.

As to establishing the "Honesty Stores", the Commission approved of the relevant Policy in 2017. The Policy spells out that pursuant to the by-laws and guidelines of the CPCs, the "Honesty Stores" had already been set up on purpose to inculcate the values of integrity and dedication among the students of different educational institutions, and to ignite mass-awareness against corruption. Learning about, and continued exercise of, honesty is the prerequisite to anchoring the ethical values and integrity deeper into the mental frame-work of the students. Keeping that in view the managing committees of the existing schools across the country have been advised to establish "Honesty Stores" without any shop-keepers, which are expected to set examples of how to apply ethical learning.



Accordingly at the secondary level one boys'-school and one girls'-school in every district has been set to go for establishing, operating and managing "Honesty Stores" under the auspices of the managing committees concerned as the ACC has advised to that effect. In 2017, as many as 824 "Honesty Stores" were set up with direct support by the Prevention Wing of the Commission.

2. To carry forward the programs to combat, control and prevent corruption more effectively, the Anti-Corruption Commission formulated a Five-Year Strategic Action Plan (2017-2021) in 2017 with support of a development assistance agency of Germany (GIZ). In the context of this Strategic Action Plan, the Work Plan for the year of 2017 was also formulated and implemented accordingly. In the process of implementing 5 Year Strategic Plan, a separate Work Plan for 2018 has also been prepared. The prime objective of this Work Plan is to ensure optimal utilization of limited resources. Moreover, in the structure of the Strategic Action Plan, the priorities of the ACC are pointed out, and to achieve the objectives of the priorities, specific time lines are set for each Wing of the ACC, which will constitute the basis for measuring the outcome. The remarkable aspects of the Work Plan of the current year are: institutional capacity building, effective enquiry and investigation, effective prosecution, effective prevention tactic, well devised educational technique, innovative research and development, reflection of political good-will, upholding the institutional independence, and strengthening the institutional infra-structure. The core foundation of the Work Plan of 2018 corresponds to AAA that is indicative of Advocacy, Analysis and Action. Special mention may be made about the progress of the Strategic Action Plan of 2017, which has been intimated to the respected citizens of the country by courtesy of mass-media.
3. Aiming at reducing harassments, irregularities and purposive dillydallying, and to ensure transparency and accountability of the local government servants, the Commission through its Prevention Wing has kept carrying out country-wide Public Hearings in the upazilas and districts including Dhaka.
4. In the head office of the Commission, a bilateral Memorandum of Understandings was signed on 14 June, 2017, between the Anti-Corruption Commission of Bhutan and the Anti-Corruption Commission of Bangladesh. Mr. Iqbal Mahmood, Chairman, Anti-Corruption Commission of Bangladesh and Ms. Kinly Yangzom, Chairperson, Anti-Corruption Commission of Bhutan, signed on the MoU on behalf of respective organizations. Two Commissioners - Dr. Nasiruddin Ahmed and Mr A F M Aminul Islam, other high officials of the Anti-Corruption Commission of Bangladesh, Mr, Sonam Tobden Rabgye, H.E. Ambassador of Bhutan and 4 high ranking officials of the Anti-Corruption Commission of Bhutan were present in the signing ceremony.
5. In the MoU, 8 areas have been recognized for mutual assistance including preliminary enquiry into corruption, identification, authentication, sharing experiences along with prevention of corruption, good practices and educational programs to prevent corruption. Regarding entering into MoUs to promote good practices, the Commission is constantly keeping contacts with the relevant organizations of different countries including Indonesia, China, USA, Singapore, Hong Kong, Russia, Malaysia and India.
6. In 2017 a couple of discussion meetings titled as "Corruption-Free Government Services: Nature of Corruption Complaints" were held with the field level officers in Chittagong and Barisal. The Commission is mulling over to hold this sort of meetings gradually in every divisional city. Additionally, 12 workshops, consultative meetings and seminars were also organized in different districts including Dhaka.
7. In bids to prevent corruption the Commission holds out country-wide corruption preventive "Human Chains" participated by the representatives of the new generation, that is, by the students of different schools. Centrally in Dhaka Metropolitan City, long "Human Chain" participated by students and citizens from various professions and classes, was formed and





exhibited spontaneously starting from Uttara to Press Club through Farmgate, Bangla Motor, Shahbag, Maitsa Bhaban, Kakarail turning, and Bijoy Nagar. Mr. Nurul Islam Nahid M.P., Hon'ble Minister, M/O Education, Mr. Iqbal Mahmood, Chairman, ACC, Dr. Nasir Uddin Ahmed and Mr A F M Aminul Islam, Commissioners, and other high officials of the Anti-Corruption Commission of Bangladesh, took part in the "Human Chain" in front of the Press Club. Moreover, "Human Chains" were also demonstrated in every district.

8. For building mass-awareness against corruption the routine actions are going uninterrupted as to forming and reforming the Corruption Prevention Committees with immaculate and honest persons, at the levels of the union, upazila, district, city and metropolitan city. The amended versions of the bye-laws and guidelines have been published in 2016 for the Corruption Prevention Committees and the Associate Bodies working in the metropolitan cities, districts, upazilas and unions. In 2017, CPCs were formed in 3,221 Unions with overall supervision of the Prevention Wing and in collaboration with the CPCs of the cities/ metropolitan cities, districts and upazilas, local district administrations, upazila administrations, the integrated district offices of the ACC, divisional offices,.
9. In 2017, as many as 4,81,900 posters and leaflets containing fine adages were distributed with intent to prevent corruption and promote good practices. Besides, 71,821 exercise books, 65,428 ruler-scales, 18,897 geometry boxes bearing on the nice sayings like "No bad deeds- not to endure it", "Go for fair deeds- build the nation together", "Think the wellbeing of nation-shall go to the right way", "Shall tell the truth- stand opposed to inequity and injustice", "Shall obey the laws- live with safety", " Pledge for patriotism- adieu to corruption", "None trusts a liar", "No laughing at the Elders", were handed out to the students of 6th, 7th, 8th and 10th classes all over the country. Table clocks numbering 500 and 300 umbrellas were also distributed to the students & teachers of educational institutions.
10. A new generation endowed with ethical values may emerge if the future generation could be roused to such values. With that expectation the Commission is continuing with forming up "Integrity Units" in the schools, madrasas, colleges, residential halls of the Universities and the training institutions of the country as the associate bodies of the Corruption Prevention Committees. In 2017, Integrity Units were constituted and re-constituted in 25,129 educational institutions throughout the country. The CPCs, local district administrations, upazila administrations, the integrated district offices of the ACC, its divisional offices, have extended all supports to implement these initiatives
11. The Commission often receives complaints about instances of harassments, irregularities, dillydallying done to the citizens seeking public services. To ensure transparency and accountability of the local officers of the government the Commission conducts country-wide Public Hearings. It is through the Prevention Wing that 35 Public Hearings and 5 Follow-up Public Hearings were carried during 2017.
12. The Prevention Wing plays its role also as the Focal Point in drawing out and implementing the programs for observance of Anti-Corruption Week, International Anti-Corruption Day, the Founding Anniversary of the Commission and holding out country-wide "Human Chains".
13. With the objective of raising public awareness against corruption, a number of short documentary films dubbed as "Punishment" (Shasti), "Triumph of Truth" (Shottyer Joy), "Get Good and Let Good" (Bhalothakbo, Bhalo Rakhbo) and "Mistake" (Bhool) have been televised in private TV channels and Bangladesh TV. Likewise, in the public places of the districts and upazilas the same films are put to being exhibited regularly by the District Information Offices,
14. As done in the preceding year, the Prevention Wing in collaboration with BTRC, has initiated to disseminate anti-corruption message through SMS over the mobile phones.





15. Debate competitions against corruption have been organized for the students throughout the country.
16. The Commission's own magazine named "Quarterly Dudak Dorpon" focused as the mouthpiece of the Commission is being published on monthly interval since 2017. Furthermore, the "Dudak Dorpon" have been distributed free among the common people. During 2017 as many as 70,000 copies of the "Dudak Dorpon" were distributed.
17. Under technical assistance of German Development Assistance Agency GIZ, the Prevention Wing is jointly implementing the project titled "Justice Reform and Corruption Prevention" in five districts of the country in collaboration with the Law and Justice Division of the Ministry of Law, Justice and Parliamentary Affairs.
18. Round the year, the Prevention Wing is organizing public awareness building diverse programs including discussion meetings, debate contests, essay competitions, building human-chains, rallies, seminars, dramas, etc. against corruptions at Union level that is at the grass-root level.

## **3.2 Inclusive Programs Against Corruption**

### **3.2.1 Involvement of Social Power against Corruption**

The principal responsibility of the Commission, as mandated by the Anti-Corruption Commission Act, 2004, is to engender the values of honesty and dedication, and building public awareness against corruption. No better option is there but to surge out a social movement against corruption. To move fast that way, institutionally coordinated efforts are needed. To act as an influencer to that social movement the Anti-Corruption Commission is striving to get all the stakeholders united on to the same platform including the civil society, mass media, NGOs, government officials, political personalities, students-teachers, professionals. Scopes to integrate the representatives of all classes of the people from society have been created in the Five-Year Strategic Action Plan adopted for five years, so as to work for corruption prevention. It is the society that needs to play the pioneering role to promote or burgeon integrity. The Commission goes pretty optimistic, because all including the government of the country, mass media, civil society, NGOs, government officials, political personalities, students-teachers and the professionals, are rendering unstinted support to the actions of the Commission taken up for prevention of corruption. Out of the 11 functions as articulated under section 17 of the Anti-Corruption Commission Act-2004, 6 functions relate to prevention of corruption. In order to discharge these functions fully and immaculately, the Commission has formed up Corruption Prevention Committees in all the unions, upazilas, districts and metropolitan cities, comprising the enlightened persons of the society, and through these Committees, is implementing various mass-awareness building programs intended to cause behavioural improvement, promote good practices as well.

In 2016, in conformance with the by-laws and guidelines of the Corruption Prevention Committees and the associate bodies, the district CPCs were formed comprising members not exceeding 13 in number for each, Upazila CPCs having members not exceeding 9 for each and Union CPCs with members not exceeding 7 for each. Each Committee consists of female members constituting one-third of the total size of the Committee. Of the total corpus of the members, one President, two Vice-President and one General Secretary are to be nominated. The Commission shall nominate all the committee members and they will remain responsible to the Commission through the Divisional office/ office of the Integrated Districts concerned. The adult citizens of Bangladesh residing in the area designated for the Committee, are eligible to be nominated as members of the Committee. Those who will not be considered eligible to be nominated as members of the Committee includes any foreign citizen, elected public representative, salaried government servant of the Republic, active member of any political party, person declared insane or bankrupt by any court, loan-defaulter, person accused for criminal offence or convicted by any court. Virtually the CPCs are composed of persons having integrity known in respective areas, the honest and dynamic people of



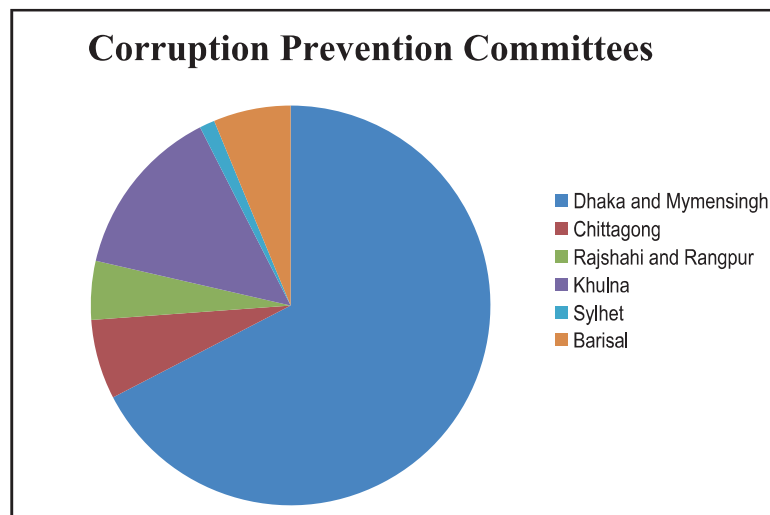
the society including self-sacrificing persons, teachers, religious leaders and former government officials. All accounts of incomes and expenditures of the Corruption Prevention Committees (CPCs) are regulated in accordance with the instructions issued by the Finance and Accounts Wing of the Commission. The accounts of incomes and expenditures are maintained by this Wing according to the prescribed system and formats. An "accounts and audit sub-committee" is formed consisting of any three members of the Committee. This sub-committee submits an audit report to the Committee concerning the accounts of incomes and expenditures for the period, as determined before. A Deputy Director or the officials of the Commission holding higher positions can inspect the accounts of any Committee. All the activities of the CPCs are performed in accordance with the Policy approved by the Commission.

During 2017, the ACC undertook efforts to constitute and re-constitute 1 CPC in metropolitan city, 8 in regional cities, 62 in districts and 422 CPCs in the upazilas. This year 3,221 Union Corruption Prevention Committees have been formed as for the first time. The Division-wise distributions of the CPCs showing against unions, upazilas, districts and metropolitan cities are incorporated into the Table-24 below.

Table-24: Division-wise Statistics of CPCs shown against Unions, Upazilas, Districts and Metropolitan Cities

Names of Divisions	Upazila CPCs	District CPCs	Metropolitan CPCs	Union CPCs	Total CPCs
Dhaka and Mymensingh	106	16	08	2,373	2,503
Chittagong	89	10	01	140	240
Rajshahi and Rangpur	109	16	-	51	176
Khulna	50	10	-	457	517
Barisal	34	06	-	06	46
Sylhet	34	04	-	194	232
Total	422	62	09	3,221	3,714

Figure-21 : Division-wise Distributions of Corruption Prevention Committees





### **3.2.2 Integrity Units- Forums for Youths against Corruption**

The Integrity Units are the organizations consisting of the students from different educational institutions which are meant to infuse into them the sense of honesty, morality and value-judgements. The helm of future leadership of the country is in the strong hold of the representatives of young generation of today. As such their ethical attainments and honesty must stand as the benchmark transcending the bounds of time and obedient to tenets and customs of the society. The Commission intends to inspire the young generation with the precept that honesty is the best policy and as such to sharpen their moral values too. With the purpose of generating the values of integrity, dedication, characteristic obduracy and arouse abhorrence against corruption among the young generation and above all to integrate the students with the mass-awareness raising activities, the Commission with the initiatives of the CPCs has formed up Integrity Units in the educational institutions like schools, madrasas, colleges, University Halls and training institutions, with overall supervision of local administrations within their respective work areas. According to the provisions of the by-laws and guidelines-2015, the members of the Integrity Units shall be absolutely voluntary service givers-free from the influence of any political creeds, and must not get involved with any activities inconsistent with the provisions of prevailing laws or that may go against the discipline of law and order. The executive committee of each Integrity Unit comprises 11 (eleven) students from the same educational institutions and an Advisory Council consisting of 3 (three) to 5 (five) teachers. All the students of the same institution are the general members. The CPC in consultation with the Advisory Council, nominates the members, the President and the Secretary of the executive committee from among the interested students. The CPC in consultation with the Advisory Council, nominates the members, the President and the Secretary of the executive committee from among the interested students.

As involvement with the preventive actions against corruption, each Integrity Unit takes part in all public welfare-oriented Programmes like building moral character of the students, developing education and health and conserving the climate and environment. Despite having had limited resources, the Commission is also executing a lot of varied Programs together with the members of the Integrity Units under the supervision of the CPCs. The Programs among others include building human-chains, road-marches, seminars, cultural functions, discussions, dramas, debates, cartoons and essay competitions, etc. Given with limited abilities of the Commission, learning materials such as exercise books, ruler scales, geometry boxes, etc. with fair sayings appearing on, have been handed to the members of the Integrity Units. The future generation, as the Commission firmly believes, will play the lead role to further up the social movement against corruption.

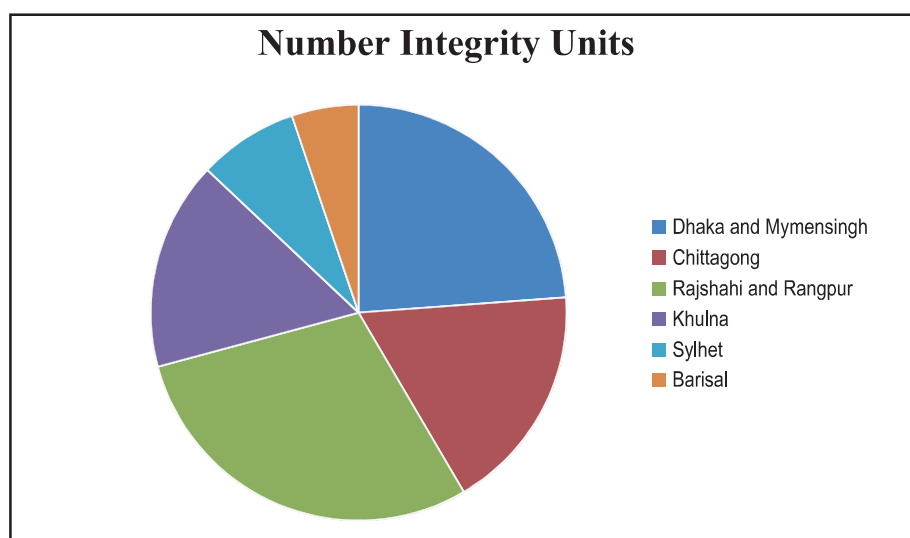
In the context of the execution of the MoUs with Bangladesh Scouts and Girls Guides Association, the Commission in joint collaboration with them, is implementing multiple programs at district and upazila levels to raise awareness against corruption. On inspiration by Bangladesh Girls Guide Association and the ACC, the Integrity Units were constituted, and various programs are implemented including moral upliftment of the members of the Integrity Units, anti-corruption communication techniques, information technology, Right to Information Act, gender advancement, human rights, climate change, good governance, etc.



Table-25: Division-wise Statistics of Integrity Units

Names of Divisions	Number of Integrity Units
Dhaka and Mymensingh	5,990
Chittagong	4,454
Rajshahi and Rangpur	7,351
Khulna	4,075
Barisal	1,954
Sylhet	1,305
Total	25,129

Figure-22 : Division-wise Graphical Statistics of Integrity Units



### 3.2.3 ACC's Innovative Venture- "Honesty Store"

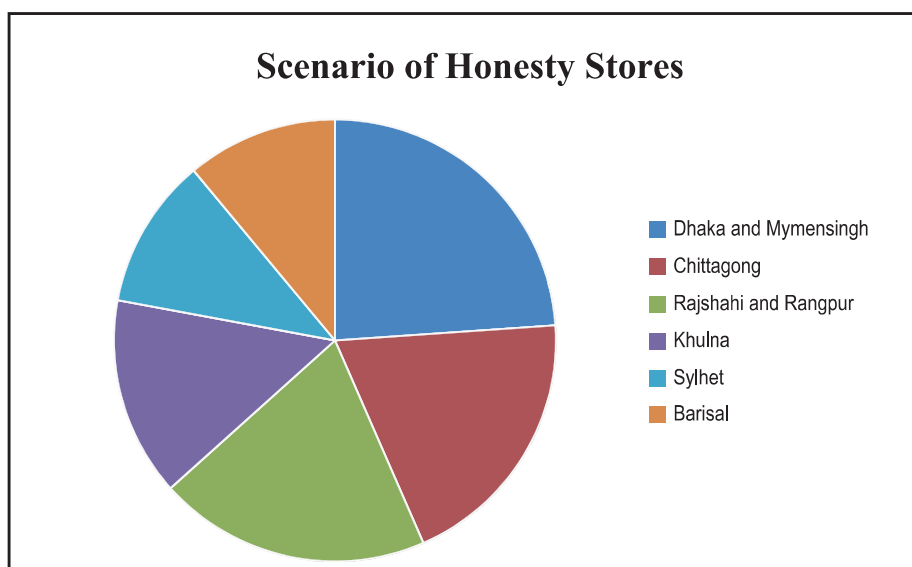
The ACC is going ahead with series of multifarious actions to sharpen the values of honesty and morality among the young generation. The Honesty Store is an innovative addition to the package of the Commission's programs. In this innovative shop, varieties of learning materials/goods are available with comprehensive price list and the cash box to take in the money for payments, without shop keeper. The students buy the materials/goods as they want, and make the payments by dropping the money into the cash box. The Commission has not yet received any complaints, whatsoever, about any unethical practices in operating these stores. This makes the Commission pretty optimistic about it. In this context, the Commission has established the said Honesty Stores in 824 educational institutions during 2017. The United Nations Development Program (UNDP) is extending technical assistance to the ACC in setting up the Honesty Stores.

In 2017, The Commission has accorded formal approval to the Policy regarding establishment of Honesty Stores. The policy description, inter alia, spells out that in accordance with the by-laws and guidelines of the CPCs, the Integrity Units have already been formed comprising the students from the educational institutions, with intent to engender the values of honesty and dedication among the young generation and build public awareness against corruption. Regular learning about honesty and applying it in practice is considered the pre-requisite to anchor in ethical values and honesty into the mind-set of the students.

Table-26: Division-wise Statistics of Honesty Stores

Names of Divisions	Number of Honesty Stores
Dhaka and Mymensingh	197
Chittagong	161
Rajshahi and Rangpur	164
Khulna	120
Barisal	91
Sylhet	91
Total	824

Figure-23: Division-wise Scenario of Honesty Stores



### 3.2.4 Statistics of the Commission's Preventive Actions

The Prevention Wing is vested with the responsibility to undertake, implement and supervise the initiatives of the Commission for prevention of corruption and conducting researches. Besides, the Divisional offices, the offices of the Integrated Districts, District Administration, Upazila Administration, District Information Office and the Corruption Prevention Committees, Integrity Units concerned get actively involved with the programs directed for prevention of corruption within their respective jurisdictions.

In association with these offices and organizations, the Commission takes on and implements a number of multi-directional and mass-awareness building efforts across the country. Additionally, cooperations from these associate bodies are often sought while to observe the Anti-Corruption Week, International Anti-Corruption Day and celebration of the founding anniversary of the Commission, etc. The key objective in implementing these programs is to involve the representatives from all strata of the society. Such moves for implementations form part of the inclusive approach as extended to the common people too.

With assistance from the Integrity Units, formed under direct supervision of the CPCs at the four levels of city/metropolitan city, district, upazila and the unions, the Commission continues to build up social movement igniting stern abhorrence against corruption, by ways of raising public awareness

through series of Programmes like organizing anti-corruption rallies, human-chains, road-marches meetings, seminars, workshops, documentary film shows, cartoon-displays, debate and essay competitions, etc. The conscious segment of the people from different professions are found actively taking parts in and showing unity with, the corruption preventive programs like human chains, processions and discussion meetings organized by the CPCs in assistance with the local civil society, Integrity Units, trade bodies, NGOs and other social and cultural organizations. The Commission always welcomes the inclusive approaches against corruption. Most of the activities of CPCs and Integrity Units are accomplished on voluntary initiations. The CPCs and the members of the Integrity Units play significant roles in observing the Corruption Prevention Week (every year from 26 March to 01 April), Foundation Anniversary of ACC (21 November), Victory Day, and the International Anti-Corruption Day on 09 December. The Chairman, Commissioners and senior officials of the Commission participate in these sorts of corruption prevention programs.

The Table-27 exhibits the performances of CPCs and Table-28 sets out the activities executed through the Integrity Units.

Table-27: Performances of CPCs at Unions, Upazilas, Districts and Metropolitan Cities during 2017

Division	Discussion Meeting	Debate Contest	Essay Competition	Humanchains	Rally	Seminar	Drama	Celebrity speech	Others
Dhaka and Mymensingh	1,084	87	80	232	188	50	51	393	875
Chittagong	205	56	55	186	129	18	09	50	39
Rajshahi and Rangpur	644	96	92	263	227	17	38	208	220
Khulna	451	53	25	110	97	08	03	15	455
Barisal	148	16	13	83	66	08	10	47	27
Sylhet	82	21	19	46	29	-	-	40	-
<b>Total</b>	<b>2,614</b>	<b>329</b>	<b>284</b>	<b>920</b>	<b>736</b>	<b>101</b>	<b>111</b>	<b>753</b>	<b>1,616</b>

Table-28: Performances of the Integrity Units during 2017

Divisions	Discussion Meeting	Debate Contest	Essay Competition	Human chains	Rally	Seminar	Drama	Celebrity speech	Others
Dhaka and Mymensingh	1,912	99	99	439	390	126	55	476	262
Chittagong	132	44	42	130	100	10	06	44	09
Rajshahi and Rangpur	1,120	55	29	199	197	04	03	63	86
Khulna	296	53	25	97	93	07	03	60	331
Barisal	177	18	07	83	44	08	13	30	17
Sylhet	77	17	16	42	26	-	-	44	-
<b>Total</b>	<b>3,714</b>	<b>286</b>	<b>218</b>	<b>990</b>	<b>850</b>	<b>155</b>	<b>80</b>	<b>717</b>	<b>705</b>





## **Anti-Corruption Debate Competition-2017**

Debating is a powerful tool to refine the existing laws and principles. Debating plays a key role to help foster democratic mind-sets. In the democratic system, the right decision is arrived at, through debating. A debate is the technique of argumentation and counter argumentation with fineness of art in presentation. The debate is a special achievement of human civilization, a proven means to get over the problems. The Anti-Corruption Commission has taken up the agenda of debate competition as one of the most effective approaches to promote the sense of dedication and best practices in the society.

The participants of such debate competition are the unblemished members of the Integrity Units that had been formed in the schools, colleges and madrasas in a bid to cause country-wide mass-resurrection, and to implant the value of honesty and commitment among the young generation against corruption. In 2017, two-tiered debate contests were organized regarding prevention of corruption and promotion of good practices, participated by the students from secondary or equivalent and higher secondary or equivalent levels. Debaters from every district took part in these competitions. The champion and the runner-ups are centrally selected. In order to keep this competition free from any controversy, the ACC has approved a policy related to implementing the program of debate competition.

## **Publication of the Monthly "DUDAK DORPON"**

The quarterly publication of the ACC is now upgraded to the monthly publication. Every month the "Dudak Dorpon", goes into publication as instructed by the Commission. Since 2012, the "Dudak Dorpon", comes into publication as the own journal of the ACC. The "Dudak Dorpon" presents out partial scenario of the Commission's overall performance. During 2017, as many as 70,000 copies of "Dudak Dorpon" had been published through its five issues. All those copies were distributed among different Ministries, Divisions, Departments/ Directorates, Banks, Divisional Commissioners, Deputy Commissioners, Superintendents of Police, various educational institutions, Presidents/ Secretaries of CPCs and many other organizations. The copies of the monthly "Dudak Dorpon" are also being dispatched to the commonplace readers free of charges.

## **Propagative Actions by the Commission**

The Commission persistently lets open and disseminate information against corruption so as to harness the social power to cause moral upliftment and promote good practices. In addition to the traditional, the modern information technology is also applied in this regard. The information are conveyed out through almost all the mass media of the country in collaboration with Bangladesh Telecommunication Regulatory Commission (BTRC) through mailing small messages to the mobile phone users against corruption. To promote good practices, as many as 481,900 posters and leaflets containing various good sayings were also distributed during 2017. Moreover, 71,821 exercise books, 65,428 ruler-scales 18,897 geometry boxes with on-cover slogans reading as- "Shall not commit any bad deeds- nor shall endure it, "Shall work fairly- shall build up the country together", "Shall think about the country- shall go to the path of morality", "Shall tell the truth- shall resist the inequity and injustice", " Shall obey the laws- shall live with safety", " Pledge for patriotism-drive off the corruption", "None trusts a liar", "Don't laugh at the Elders", were given out to the students of 6th, 7th, 8th and 10th classes.

## **National and Global Partnership**

As part of inclusive approach, the Commission keeps up its efforts to develop partnerships with the national and international organizations. In continuation of the approach, a Memorandum of Understanding was signed on 14 June, 2017 between Anti-Corruption Commission of Bhutan and Anti-Corruption Commission of Bangladesh. Mr. Iqbal Mahmood, Chairman, Anti-Corruption Commission of Bangladesh and Ms. Kinly Yangzom, Chairperson, Anti-Corruption Commission of Bhutan, signed on the MoU on behalf of respective organizations. At that time, two Commissioners-





Dr. Nasiruddin Ahmed and Mr. A F M Aminul Islam, other high officials of the Anti-Corruption Commission of Bangladesh, Mr. Sonam Tobden Rabgye, H.E. Ambassador of Bhutan and 4 high ranking officials of the Anti-Corruption Commission of Bhutan, were present.

In the MoU, 8 areas have been recognized for mutual assistance including preliminary enquiry into corruption, identification, authentication, sharing experiences along with prevention of corruption, good practices and educational programs to prevent corruption. Regarding entering into MoUs to promote good practices, the Commission is constantly keeping contacts with the relevant organizations of different countries including Indonesia, China, USA, Singapore, Hong Kong, Russia, Malaysia and India.

Meanwhile, the Anti-Corruption Commission is implementing country-wide programs at district and upazila levels to create awareness against corruption, in joint collaboration with the organizations like Transparency International Bangladesh (TIB), Bangladesh Scouts, Bangladesh Girl Guides, that is, organization with which Memorandum of Understanding have been signed. Based on mutual cooperation in the area of corruption prevention, the Anti Corruption Commission and Transparency International Bangladesh (TIB), are executing diverse programs including observance of International Anti-Corruption Day, arranging Information Fair, Public Hearing, Seminar-Symposium and forming country-wide Human Chain. Apart from this, in pursuance of its inclusive approaches, the Commission is deeply mulling over to enter into MoUs with a good number of socio-cultural organizations including CLP-USA, the organization of Bangladeshi expatriates in USA, Gunijon Trust, Kite Bangladesh Ltd. In various programs of the Commission like debate contests, cartoon and essay competitions, seminars, symposiums, workshops, consultative meetings, discussion meetings, street -meetings, human-chains, road marches, cultural events- preventive to corruption, etc. the members of Bangladesh Scouts and Bangladesh Girl Guides Associations are also actively taking parts. Moreover, their active participation in the programs of, the International Anti-Corruption Day on 9 December, the Founding Ceremony of the ACC and the Anti-Corruption Week are inspiring for the Commission. May specially be mentioned that with eying on the sufferings of the citizens caused by traffic congestions, the Commission abstains from staging any street rallies in the metropolitan cities.

Aiming at locally operating on the diverse programs for prevention of corruption, the "Integrity Units", were formed as associate bodies of the CPCs on inspiration from Bangladesh Scouts Association, Bangladesh Girl Guides Association and the ACC. Accordingly Training Programs are also being organized in joint collaboration of the ACC and Bangladesh Girl Guides Association, on some thematic issues notably morality of the members of Integrity Units, communicative strategy against corruption, information technology, the Right to Information Act, gender development, Human Rights, climate change, good governance, etc.

### **Commission's Involvements with International Development Agencies**

1. Assisted with the financial support of German Development Cooperation Agency- GIZ and in joint collaboration with the Law and Justice Division of the Ministry of Law, Justice and Parliamentary Affairs, implementation of a project titled "Justice Reform and Corruption Prevention" is going underway in five districts. The one-Year Action Plan formulated in 2017 as part of the implementation process of the "Anti- Corruption Strategic Plan" has been completed under Technical Assistance of German Development Cooperation Agency- GIZ. Similarly, the strategic work plan for 2018 has been formulated.
2. The United Nations Development Programme (UNDP) is extending financial support to establish Honesty Stores, and observe the International Anti-Corruption Day.
3. Set with the objective of digitalizing the functionalities of the Commission, one Technical Project titled "Institutional Capacity Development" worth BDT 76.0 million, (jointly funded by Asian Development Bank, Korea and Government of Bangladesh) is going underway for implementation since April, 2017 and to end by March, 2020. An amount of BDT 2.9 million has been allocated for FY 2017-18. Under the project, one IT-based system will be devised



to supervise the scrutiny of allegations about corruption, actions for prevention of corruption, enquiries, investigations and prosecuting moves in the ongoing court cases. Resultantly, the oversight capacity of the ACC in cases of prevention, enquiry, investigation and prosecution, will be wider and deeper.

4. Covered under the "VAT On-line Project", assisted by World Bank is continuing in implementing the programs of public hearing conducted by the Commission.

## **Observance of Anti-Corruption Week**

Alike every year past, this year also the ACC has observed the Anti-Corruption Week (26 March-01 April). This time the observance of the Anti-Corruption Week has highlighted the theme: "Eliminate corruption, Enliven Ourselves, Enliven the Nation". On 26 March, 2017 at 08:30 hours Mr. Iqbal Mahmood, the Chairman of ACC, inaugurated the Anti-Corruption Week-2017 by releasing balloons and pigeons in the premises of the ACC's head office.

In course of the event all the officials and staff members of the Commission were present over there including Dr. Nasiruddin Ahmed, Commissioner, Mr. A F M Aminul Islam, Commissioner, Mr. Abu Md. Mostafa Kamal, Secretary, Dr. Md. Shamsul Arefin, Director General (Prevention), Mr. Md. Asaduzzaman, Director General (Special Investigation), Mr. Farid Ahmed Bhuiyan, Director General (Investigation), Mr. Md. Moydul Islam, Director General (Legal) and Mr. Md. Atikur Rahman, Director General (Money Laundering). Prior to formal inauguration, accompanied by the two Commissioners, Mr. Iqbal Mahmood, Chairman of ACC, hoisted both the national flag and the flag of the Commission. Simultaneously the Girl Guides and the artists of the Directorate of Mass-Communication jointly rendered the national anthem.

ACC's Chairman in his speech emphasized on the observance of Anti-Corruption Week, for building up a social movement to prevent corruption by awakening the conscience of the people representing all classes and professions. He urged all to participate in the struggle waged against corruption from their respective positions, and said corruption hindered the growth and development. Various researches revealed that corruption swallows 2 to 3 percent of the economic growth or GDP at large. We, therefore, collectively aspire to slash the magnitude of corruption for the interest of the nation. In this respect, he sought cooperation from all in eradication corruption. After the inauguration ceremony, the Commission led by its Chairman placed floral wreath at the National Martyrs' Memorial at Savar for paying homage to the memories of the valiant martyrs of liberation war. A prayer was also offered wishing the eternal peace of the departed souls.

On March 27, Commission arranged a get-together and oath-taking ceremony at Osmani Auditorium, Dhaka, with the members of the Integrity Units comprised of the students. Mr. Iqbal Mahmood, Chairman of the ACC, administered the oath to the participants of the Integrity Units.

On March 28, Mr. Iqbal Mahmood, Chairman of the ACC, led a Human Chain Program formed at 10:00 hours in front of the National Press Club, with the officers and staff members of the Commission. On the same day at 15:00 hours, prizes were distributed among the journalist- winners of the "ACC Media Awards-2016" in recognition of their investigative and creative reports on competition.

On 29 March, in the National Theatre Auditorium of the Bangladesh Shilpakala Academy, the members of the Corruption Prevention Committees of the metropolitan cities, districts and upazilas were awarded by the ACC. Mr. Abul Maal Abdul Muhith, Hon'ble Minister, M/O Finance, Government of the People's Republic of Bangladesh, attended the function as Chief Guest and distributed the prizes.

On 30 March, a seminar titled "Integrated Efforts Against Corruption" was held with Mr. Iqbal Mahmood, Chairman of the ACC, in the chair. Mr. Md. Shafi-ul-Alam, National Consultant of NIS Support Project, presented the key-note paper. Many dignified personalities including the political

personalities, high ranking government officials, respected teachers of the Universities, distinguished media personalities, and representatives of NGOs, Development Assistance Agencies and Civil Society members delivered speeches in the seminar.

On 31 March Friday, in weekly "Jumma prayer", the religious leaders presented special sermons against corruption in different mosques including the national mosque Baitul Mokarram.

On 01 April, in the National Theatre Auditorium of the Bangladesh Shilpakala Academy, the ACC gave out the prizes to the winners of the Debate, Essay, Poster Drawing and Cartoon Competitions which had been organized throughout the country and participated by the students of educational institutions. In the prize awarding ceremony, Dr. Muhammed Zafar Iqbal, Professor, Department of Computer Science and Engineering, Shahjalal University of Science and Technology, was present as the Chief Guest.

In keeping consistence with the central program, the Anti-Corruption Week was locally observed in each of the districts and upazilas.

### **The Commission's Founding Anniversary**

The Anti- Corruption Commission was founded on November 21, 2004, consisting of one Chairman and two Commissioners. The Anti-Corruption Commission Act, 2004, has conferred the responsibilities upon the Commission to combat, control and prevent corruption and also to generate values of integrity and dedication in the society. Mr. Iqbal Mahmood, Chairman of the ACC, accompanied by two Commissioners Dr. Nasiruddin Ahmed and Mr. A F M Aminul Islam inaugurated the Thirteenth Founding Anniversary in the early hours by hoisting the flag of the Commission at the Commission's Head Office. Later, the Chairman of the ACC, together with two Commissioners, went to the street and released off pigeons, the symbol of peace. Addressing the journalists, the Chairman, urged all classes of people of the society, to come forward on the auspicious moment of the event, to collectively raise strong voice against corruption for the wellbeing of the masses. He said, we, by observing the founding anniversary, intend to make our self criticism on the successes and failures of the current year. Following the formal inauguration, oath- taking and discussion meeting were held in the National Theatre Auditorium of the Bangladesh Shilpakala Academy with the theme: "Build together a Bangladesh, free from corruption". On the commencement of the event, the ACC Chairman administered the oath to all the officers and staff members of the Commission.

In the discussion meeting presided over by Mr. Iqbal Mahmood, the ACC Chairman, the Chief Guest- Dr. Mohammed Farashuddin, former Governor of Bangladesh Bank, said a conducive atmosphere is needed to combat and prevent corruption. Eradication of corruption is not possible only with legal measures, it needed awareness building among the citizens. He told in every country there exists the Executive, Judiciary and Legislature, and alongside the powerful Mass Media and the Civil Society. The Mass Media and the Civil Society exist in our country too, but they stay apart from anti- corruption movement. However, if the Mass Media and the Civil Society get united against corruption, mass awareness about it must explode. The Commission should pinpoint the systems vulnerable to corruption and crush those in the bud.

In this respect, the National Board of Revenue, Bangladesh Bank and the ACC may jointly form up institutional teams to hold back the bridle of economic corruption.

In his address as Chair, Mr. Iqbal Mahmood said development and corruption are possibly twin-bothers. But if the ACC in support with the regulatory framework can work properly, it will, surely restrain corruption. He further said, if all of us including the government officers, civil society and media go ahead with concerted efforts, corruption can be thwarted back. Dr. Nasiruddin Ahmed, Commissioner, in his speech said we witnessed the tears rolling down the eyes of victims in course

of their attempts to receive government services. To get rid of this situation, we are dedicated to execute divergent reforms including public hearing. Mr. AFM Aminul Islam, Commissioner, said when we assumed our office in 2016, the rate of conviction was 37 per cent, which by now rose to 68 per cent.

In the field level, programs similarly were organized on the occasion of the founding Anniversary, at all the divisional offices and the integrated district offices.

## **Promoting Relations with the Media**

A harmonious relations are prevalent between the Commission and the media. The Commission keeps vigilance over the investigative reports on corruption published in the mass media, and some reports are also taken up for investigations. A good number of cases of the Commissions are derived from the mass media report. Moreover, the decisions taken by the ACC are instantly communicated to the citizens through the media. Most of the activities of the ACC are also disseminated by means of media. The media is at liberty to circulate the news about the Commission. The Commission believes in uninterrupted flow of information. The Commission discloses its information regularly through Press-Notes, Press Briefings and Press Conferences. In a bid to disclosure of information, the Commission keeps alert about protection of the status and dignity of the persons related to complaints. The Commission always gets cautions to provide objective information. In 2017, the Commission did not give out any rejoinder against any of the news contents. The Commission generously appreciates this sort of cooperation from the media.

## **The ACC's Media Award**

Aiming at encouraging investigative media reporting on corruption and creative reporting in the media on prevention, the Anti-Corruption Commission has introduced "Dudak Media Award". Every year six journalists are awarded from two categories. The Commission gives out these awards in compliance with the recommendations of the Jury Board comprised the senior and distinguished Journalists of the country. On 3rd day of the Anti-Corruption Week-2017, at conference hall of the ACC's Head Office, the package of the Award in Cash, Crest and Certificate was individually handed out to the 6 winners of the "Dudak Media Award" by the Chief Guest- Mr. Asaduzzaman Noor, Hon'ble Minister, M/O Cultural Affairs. In the prize awarding ceremony, the Chief Guest stated the role played by the media was laudable. Lots of impediments stood against development, he added. Corruption is not only the problem of Bangladesh- it is a global problem too. The developed countries are also plagued with corruption. In many of the countries the government and even the Prime Minister was forced to step down. He said, led by Honourable Prime Minister the country is heading in expedition of development. Alongside, the Prime Minister has recognised corruption as the monster like obstacle to development.

In his speech as Chairperson, Mr. Iqbal Mahmood said, the role of media to prevent corruption is undeniable. The Commission, he further stated, wanted to build up well-coordinated resistance against corruption. Addressing the prize winning journalists he said, you may go ahead in making out more investigative and creative reports emphasizing objectivity and fairness, which will significantly contribute to combat and prevent corruption.

Among other participants of the Prize Awarding Ceremony, the members of the ACC's Media Award Jury Board, namely Mr. Manjurul Ahsan Bulbul, the Chief Executive of Ekushe TV and Mr. Shah Alamgir, Director General of PIB, spoke on the occasion. Among others present at the moment were Mr. AFM Aminul Islam, Commissioner, Mr. Abu Mohammad Mostafa Kamal, Secretary, and Mr. Asaduzzaman, Director General, of the ACC. For this time, the winners of the ACC's Media Award in 'Electronic Category', are Mr. Obaidul Kabir, Senior Reporter of Masranga TV, Mr. Jamson Mahbub, Staff Reporter of Ekattor TV and Mr. M M Sekander, Special Representative of Ekushe TV.





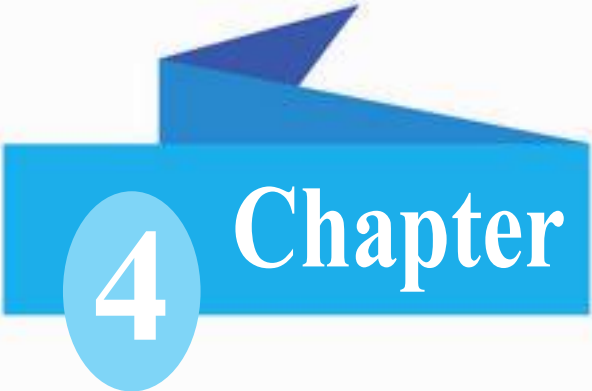
From "Print and Online Category", the winners include Mr. Abu Saleh Rony, Staff Reporter of the Dainik Samakal, and Mr. Fakhrul Islam, Senior Reporter of the Prothom Alo. As apart, special honour has been accorded to Mr. Badruddoza Babu, the Special Representative of Masranga Television.

## **Observance of International Anti-Corruption Day**

The Anti-Corruption Commission observed the International Anti-Corruption Day, 2017 with the theme-"Let Us Unite Against the Corrupt", on 9 December, as announced by the United Nations. In 2003, the United Nations declared December 9 as the "International Anti-Corruption Day". Since 2007, the Commission begins observing the International Anti-Corruption Day. ACC has been observing the day every year with its own institutional arrangement. Under such context, the ACC proposed to Cabinet Division on 27 December 2016, requesting to observe the International Anti-Corruption Day nationally. Afterwards, the government announced officially to observe 9 December as the International Anti-Corruption Day. In an official notification regarding observance of national and international days, government has included the Day under class-"B" category. The Commission holds the view that the decision to observe the Day officially manifests the sturdy stand of the government against corruption in more articulate and stronger voice.

In the event of releasing some pigeons in the open sky, symbol of peace, and setting off the festoons on 9 December, Mr. Iqbal Mahmood, Chairman of the ACC inaugurated the Day at head office of the Commission. Two Commissioners Dr. Nasiruddin Ahmed and Mr. A.F.M. Aminul Islam, and other high officials of the Commission attended the function. Just after the inauguration, the Chairman, by putting his signature in the register kept in the media centre of the Commission, launches the mass signing program too against corruption, As first of its kind, the ACC this year has adopted the mass signing program against corruption. On the occasion, Chairman of the ACC says, corruption is not only a problem of Bangladesh, it is a global problem too. Hence Anti-Corruption days are ceremonially, observed around the world. This year, he adds, the government observes the International Anti-Corruption Day officially, which will further step up the struggle against corruption. Furthermore, after the inauguration, an anti-corruption Human chain led by the Chairman of the ACC was formed in front of Bangladesh Press Club. The officers/staff of the Commission, ACC panel lawyers, members of the CPC of Dhaka metropolitan city, Girl Guides, Boys Scouts, Ansars, BNCC, staff members of district administration of Dhaka, the Social Welfare City office, Immigration Employees Development Program, mass signing campaign, Rural Education, Bureau Bangladesh, Directorate of Agricultural Extension and the members of "Aparajeyo" (Invincible) took part in that Human Chain programme. Later, a discussion meeting was also held in the National Theatre Auditorium of the Bangladesh Shilpakala Academy of Arts. Dr. Muhammad Zafor Iqbal, Professor of the Department of Computer Science and Engineering of Sylhet Shah Jalal University of Science and Technology, attended the meeting as the Chief Guest. Furthermore, the documentary films against corruption were displayed in the public places including Children Park, Gulistan and Farmgate. In keeping consistence with the central programs, various programs were drawn up at metropolitan city, district, upazila and union levels. Human chain and discussion meetings were held and documentary films were also exhibited.



A graphic for Chapter 4. It features a blue 3D ribbon-like shape that forms a banner. On the left side of the banner, the number '4' is displayed in white inside a light blue circle. To the right of the circle, the word 'Chapter' is written in a white serif font. The entire graphic is set against a light gray background.

# 4 Chapter

**Public Hearing**

4.1 Public Hearing to Prevent Corruption

4.2 Statistics of Public Hearings Conducted



## Public Hearing

### 4.1 Public Hearing to Prevent Corruption

#### 4.1.1 Introduction:

Public Hearing is an effective means to be used for direct communications between the people expecting government services and the public servants in charge of rendering services of the like. During the Public Hearing the high officials of the Commission remain present and resolve different problems. On reviewing the grievances of the service-takers and the responsive explanations of the officials concerned, it transpires that the harassments while to receive government services is basically attributable to unawareness of the citizens, inefficiency of the officials, irregularities, mismanagement and defiance to time-limits in providing the government services. The Public Hearing is used as a strong tool to enhance the transparency, accountability and sense of conscience of the government officials at local level. In 2017 the Commission conducted 35 Public Hearings in different districts, 5 Public Hearings as follow-ups, that accounts to 40 Public Hearings conducted in all for the year. As maiden initiation, the ACC started of Public Hearing from Muktagasa in Mymensingh. The massive public participation in and their enormous support for the Public Hearing encouraged the Commission to continue it. Currently the programs of Public Hearings are being carried out with the technical support of various agencies including World Bank and TIB. Through 35 Public Hearings conducted in 2017, the Commission received 1,218 complaints, of which 1,030 complaints were disposed of.

In accordance with the Constitution of the People's Republic of Bangladesh, the prime obligation of the State is to provide the basic supports for the citizens to live with. Secondly, the Article-13 of the United Nations Convention Against Corruption (UNCAC) underpins the importance of participation of the Society (Civil Society, NGOs, Mass Media, etc.) in preventing corruption, procuring information and reporting. Thirdly, the pledge to deliver the public services to the citizens, has been spelled out in the National Integrity Strategy, 2012 as approved by the government. Fourthly, in the neighboring countries- India and Nepal, the public hearing on public service delivery has turned into very powerful working tool. Worth noting that the central theme of the 7th Five Year Plan is empowering the citizens, which is possible by means of applying Public Hearing and other social responsibility mechanisms.

#### 4.1.2 Objectives of the Public Hearing

- Listening direct to the complaints/grievances raised by the service-seeking citizens, and to get these settled off by the service-providing offices/agencies;
- Improving the quality of services deliverable to the citizens in every public office in compliance with the Citizen Charter;
- Building public awareness about Rights of the Citizens;
- Increasing empathy between service-seeking citizens and service providing officials;
- Identifying the sources of irregularities, corruption and procrastination.

#### 4.1.3 Theoretical framework of Public Hearing

The structure of Social Responsibility as enunciated in the Global Development Report-2004 of World Bank, has been used as the theoretical framework of Public Hearing. In conforming to this structure, what are needed to go a long way of service delivery are: (1) the strong voice of the Citizenry in the decision making process with the policy makers (2) monitoring (Citizen power) the



service delivery activities of the service providers, by the citizens, and (3) evolving motivational structures by the policy makers, for the service providers. The importance of the accountability direct to the citizens, has been highlighted through Public Hearing (Accountability through short-cut).

#### 4.1.4 Legal framework of Public Hearing

##### *Provisions of the Constitution:*

- The Article 20 (2) states, "The State shall endeavour to create conditions in which, as a general principle, persons shall not be able to enjoy unearned incomes, .....".
- The Article 21 (2) provides "Every person in the service of the Republic has a duty to strive at all times to serve the people".
  - The National Integrity Strategy, 2012
  - The relevant sections of the Anti-Corruption Commission Act, 2004.
  - Two Office Memorandums of Cabinet Division issued on June 1, 2014 and June 5, 2014.
  - The Right to Information Act, 2009.
  - The Whistleblowers Protection Act, 2012

#### 4.1.5 Conducting the Proceedings of Public Hearing

The Commission is employing the Public Hearing as a key instrument to prevent harassments, irregularities and corruption. It is also an effective means to deepen the trust between the service-seeking populace and the employees of the Republic engaged in providing public service delivery. All powers in the Republic, as the Article 7 (1) of the Constitution articulates, belong to the people. Hence what is urgently needed is to eradicate all forms of harassments, irregularities, corruption and dilly-dallying that often occur in receiving the public services. Remaining present in each of the Public Hearings, the Chairman himself or any Commissioner of the Commission observes the proceedings and announces instant decisions to resolve the problems raised over there. The Commission has meanwhile formulated the Policy pertaining to conducting the Public Hearing. On reviewing the public hearings, it transpires that the common people are not well aware of the public service receiving process, and simultaneously the public servants concerned are also found not rendering the services at right times and thereby deprive the citizens of their right to services. In some cases the government employees harass the service-seekers by abuse of the power unethically.

Through the public hearings instant solutions are given to the victims of sufferings, which also enables to identifying the sources of irregularities and corruption. Here, multiple strategic approaches for prevention of corruption are also applied. In this regard, the higher authorities of the government offices are extending continued cooperation to the Commission. The Commission formulated the Policy for Public Hearing in 2016. Presently the Public Hearings are held on the basis of this Policy.

- The Public Hearing is an open forum for all including the local elites, public service-takers, representatives of media and civil society, law practitioners, NGOs and other interested personalities. The official of the integrated district office of the Anti-Corruption Commission may, if necessity arises, invite the appropriate personalities by letters or telephone, to attend. In this regard, steps are taken in consultation with the Corruption Prevention Committee concerned. The Public Hearing remain accessible to the Members of the Parliament, the Mayor, Upazila Chairman, city Commissioners, ward Councilors and other public representatives.

#### 4.1.6 Expected Results from Public Hearing

- Developing a bridge between the local administrations and the people;
- Public awareness about the rules and procedures related to disposal of public services;
- Transparency and Accountability in the performances of government offices;
- Prompt disposal of problems after taking cognizance of the grievances of the service seeking citizens;
- Improvement of service delivery system;
- Allowing people to take critical stand for developing public awareness against Corruption;



- Getting practical ideas about the sources and nature of corruption;
- Making the officers aware of their own responsibilities;
- Reporting to the government about the performances of the government officials;
- Taking legal actions on receiving the specific complaint of corruption.

As declared in the Constitution, every person in the service of the Republic has a duty to strive at all times to serve the people. Providing services to the people is the Constitutional obligation of those under public employment. The Public Hearing is a means of social responsibility. Aiming at transforming every local government office into an accountable organization, the Commission has kept on conducting Public Hearing. Resulting from Public Hearing held regularly, and from its follow-ups, many a problem gets solved out. The Commission is executing and monitoring the decisions adopted in the Public Hearings. Expected that the Public Hearings would play effective role to help receive the public services free from irregularities, harassments or corruption.

## 4.2. Statistics of Public Hearings Conducted

On incidences relating to public service deliveries, the Commission in 2017 organized and conducted Public Hearings in Chittagong WASA, Chittagong Medical College Hospital, Chittagong PDB, in all the government offices located in 32 Upazilas, including Upazila Land Office, Settlement Office, Office of Sub-Registrar, Rural Electrification Society (Samitee), Upazila Health and Family Welfare Office, Upazila Accounts Office, Office of Upazila Project Implementations Officer, Upazila Cooperative and Social Welfare Office, Upazila Primary Education Office, Upazila Secondary Education Office, Upazila Department of Public Health and Engineering, Upazila Department of Youth Development, Upazila Department of Local Government, Upazila Department of Agricultural Extension and Bangladesh Rural Development Board. Through these Public Hearings, the Commission received 1,218 complaints from the citizens from grass-root level. Out of these, 1,030 complaints were disposed of.

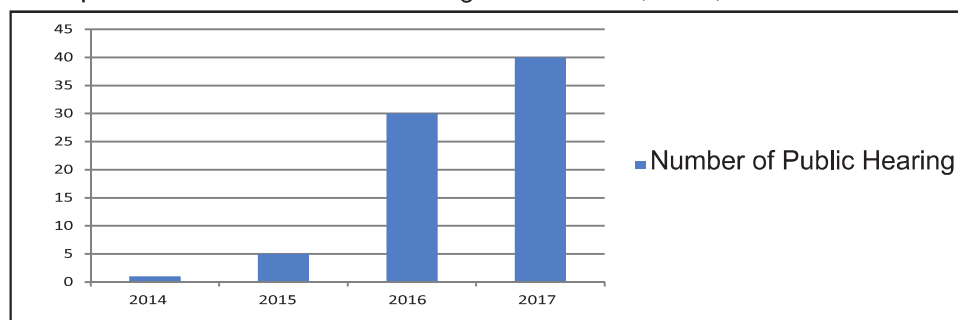
In 2017, the Commission executed the follow-up programs of Public Hearing, at Savar in Dhaka, Chokoria in Cox's Bazar, Muktagasa in Mymensingh, Charchat in Rajshahi, and at Rupsha Upazila of Khulna. Out of the complaints that had been raised in the previous Public Hearings, larger number of the complaints were resolved during the follow-ups.

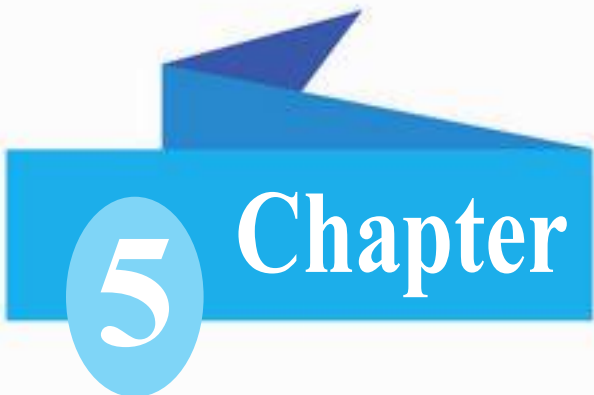
The comparative statistics of Public Hearings held during four preceding years are shown below under the Table-29 and Figure-24.

Table-29: Statistics of Public Hearings held in 2014, 2015, 2016 and 2017.

Year	Number of Public Hearings/Follow-up Public Hearings
2014	01
2015	05
2016	30
2017	40

Figure-24: Graphical Statistics of Public Hearings held in 2014, 2015, 2016 and 2017.



A graphic for Chapter 5. It consists of a blue 3D rectangular block with a white circle on its front face containing the number '5'. To the right of the circle, the word 'Chapter' is written in white serif font. The entire graphic is set against a light gray background.

## 5 Chapter

### Information Management of the Commission

#### 5.1 Commission's Information Management

## Information Management of the Commission

### 5.1 Commission's Information Management

#### 5.1.1 Anti-Corruption Commission and Right to Information Act

Information is the Power. The Constitution of the People's Republic of Bangladesh, that emanated from the great war of liberation, recognizes the freedom of thought, conscience and of speech is recognized as one of the Fundamental Rights. The right to information is inextricably related to the freedom of thought, conscience and of speech. With a view to ensuring the people's right to information, the ACC is persistently working for implementation of the Right to Information (RTI) Act, 2009. In respect to citizens' demands and in compliance with the Information Disclosure Policy, 2011 formulated as required by the RTI Act, 2009, the Commission has kept providing information accordingly. In addition to providing information on demand, the Commission goes with proactive disclosure of information too. According to the Information Disclosure Policy, 2011, any memorandum published pertaining to the composition, structure and activities of the Commission, books, statistics, log books, orders, notifications, deeds, specimens, letters, reports, financial statements, project proposals, audios, videos -all these have been defined as "information". But the official note and note sheets are not treated as 'Information'.

In the context of the Policy, the information about the Commission have been classified into four categories as stated below:

- a) Voluntary information (the Commission shall disclose those information proactively);
- b) Providing information on demand;
- c) Providing partial information on demand;
- d) Other information of which disclosure or delivery are not compulsory.

The Commission brings to light all the information for the people regarding the specific work plans including the programs adopted/executed in alignment with the Strategic Action Plan and Policies pursued to promote integrity and best practices for prevention of corruption.

In pursuance of the RTI Act, the Public Relations Officer in the Headquarters, the Directors within their own jurisdictions of six Divisional Offices and the Deputy Directors within their jurisdictions of 22 Integrated Offices are assigned with the responsibilities to provide information in consideration of the natures of the Citizens' demands. As legally empowered by the RTI Act, any citizen can apply to the Commission seeking information, in prescribed formats or in plain papers. The applications must be responded to, within the stipulated timeline. Any omission to provide the information without any valid reasons, will be deemed as "Misconduct", and accordingly actions shall be taken against him/her under the Anti-Corruption Commission (Employees) Service Rules, 2008. The assigned officials are made well aware about it. The officials responsible to provide information are specially trained up on the Right to Information Act, 2009.

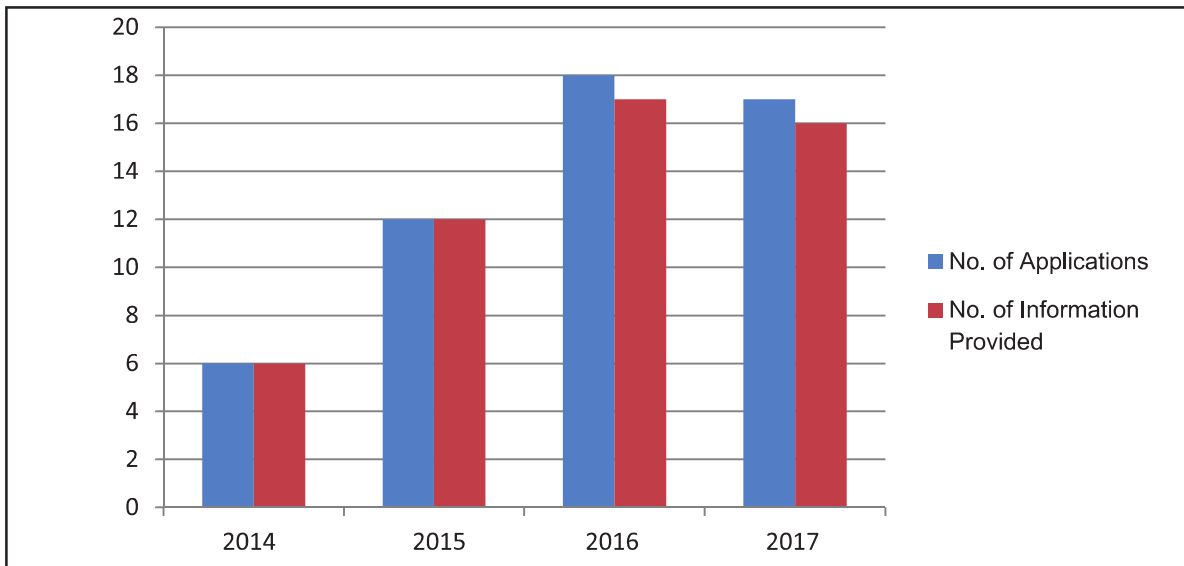
During 2017, the Commission provided information to every citizen who wanted the information in accordance with the RTI Act, 2009. In 2017, a total of 17 citizens applied for information under the RTI Act. As on 31 December, 2017, information against 16 applications, were provided to the citizens concerned except only one still remained under process.



Table-30 : Statistics of Applications Received by Commission and Information provided during 2014, 2015, 2016 and 2017

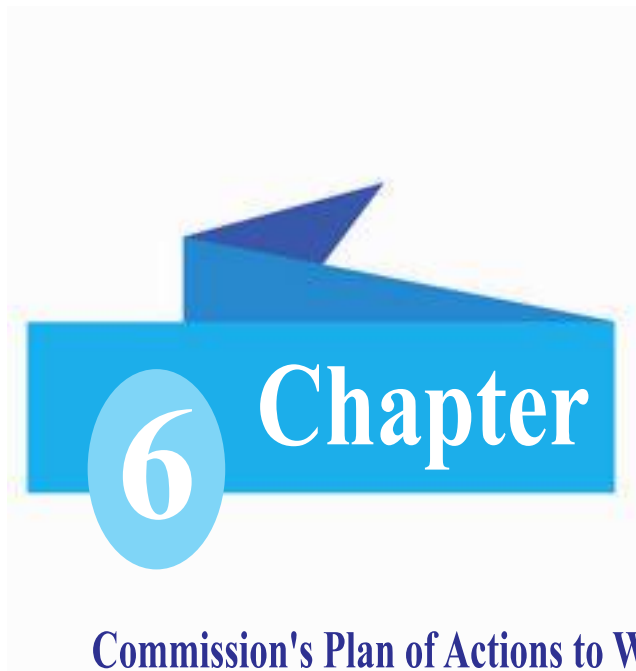
Year	Number of Applications for Information	Number of Information Provided
2014	06	06
2015	12	12
2016	18	17
2017	17	16

Figure-25: Graphical Representation of Applications Received and Information Provided in 2014, 2015, 2016 and 2017









## **Commission's Plan of Actions to Way Forward**

### **6.1 Commission's Action Plan**



## Commission's Plan of Actions to Way Forward

### 6.1 Commission's Action Plan

Despite multiple adversaries Bangladesh could succeed to buoy up the continuity of economic growth. By end of the financial year 2016-2017, the growth of GDP, as tentatively calculated, moves up to 7.24 per cent, and the per capita national income increases from preceding financial year's figure of US\$ 1,466.00 to US\$ 1,602.00. The people of the country, as such, is enjoying the fruits of the economic development. The progress attained by Bangladesh is enviable as per the indices of social development. As the economic, social or all infrastructural developments enthuse the people, on the other hand if corruption and irregularities take place in developmental activities, they often get frustrated. It is not only the corruption in development, but also the harassment, irregularities or dilly dallying in receiving government services, that hurt the people. The people's expectation from any government or the State is always innovative. The primordial and global crime called corruption is impeding the successes achieved through economic advancement, social development, poverty alleviation or any other successes of the country. The Anti-Corruption Commission is the statutory institution legally mandated to combat this crime for the State. This crime is now prevalent across the world. Not only within the country, the ACC needs even to conduct a good number of cross-country enquiries and investigations as well. The Commission is implementing series of multi-directional programs to combat, control and prevent corruption. In spite of confronting various challenges, the Commission has achieved successes in many areas during 2017. This year the rate of convictions in the cases of the Commission disposed in the trial courts, rises to the highest extent. Alongside, some weaknesses of the Commission are also identified. Well-concerted efforts are the most desired interventions to combat, control, prevent corruption and promote good practices. As part of its inclusive approaches, the Commission strives to take the citizens from all strata of the society and the government, media, civil society, students and teachers- on to a common platform.

#### 6.1.1 Formulation and Implementation of Strategic Action Plan

With the objective to make the actions of the Commission more dynamic, results oriented and visible, one 5 (five) year (2017-2021) Strategic Action Plan has been drawn up in cooperation with German Development Agency (GIZ, Deutsche Gesellschaft für internationale Zusammenarbeit). In furtherance of the the Strategic Action Plan, the Action Plan for the year of 2017 has already been implemented. For proper implementation of the Five Year (2017-2021) Strategic Action Plan, a separate Action Plan for 2018 has been formulated. In this Strategic Plan 8 remarkable areas are identified which comprise institutional capacity building, effective enquiry and investigation, efficient prosecution of the cases, effective prevention and educational technique, innovative research and development, manifestation of political will, upholding the institutional independence and strengthening the institutional infrastructures. In order for proper implementation this Strategic Action Plan of the Commission, coordinations with multiple organizations including the government are well needed .

#### 6.1.2 Training:

Training for the officers/staff is a powerful tool to enhance the institutional capacity. As a significant component of training, the Commission may constitute a panel of talented and experienced trainers. Such initiative can pave the way to opportunities for the officers /staff to sharpen and deepen their skills, efficiency and mind-sets. Corruption is not the single problem for any country- it goes as a global problem. Transformation of corruption in dimension and nature is constantly occurring. For one

way, the technology has ushered in newer avenues of knowledge, the other way its abusers are pouring out money from one country to another by means of hacking and cyber crimes. This situation necessitates identifying the sources of corruption, organizing specialized training for the lawyers, officers/staff of the Commission, on modules like cyber security, forensics and money laundering, so as to develop their efficiency in conducting investigation and preventing corruption.

#### **6.1.3 Establishing a Training Academy:**

For capacity development of the Anti-Corruption Commission and sharpening the quality of the officers/staff of the government organization, against corruption, no alternative is available better than training. With that end in view, one Training Academy may be established for the ACC as there is no training institute of its own so far.

#### **6.1.4 Automation:**

In 2017, the activities of a technical assistance project jointly funded by Asian Development Bank (ADB), Korea and the Government of Bangladesh have got underway. Meanwhile the consulting firm-Technohaven- JV, has also got moving with their practical interventions. The core objectives of the project worth BDT 76,000,000 (seventysixmillion) are institutional capacity development of the ACC and installation of web-based softwares meant to facilitate intensive supervision of complaints under scrutiny, enquiries, investigations and prosecutions of court cases. Introducing an IT-Based system is a pre-requisite to efficient monitoring on conduct of each enquiry or on investigation or any other relevant tasks of the Commission within given time lines. In pursuing the present manual system, it becomes almost impossible to monitor each of the records. Introducing the theoretical and practical system based on overseas knowledge and state-of-the-art technology, is a key necessity to ensure monitoring of all the programs within the administrative purview, including enquiries into complaints about corruption, investigations, prosecutions and prevention of corruption. So on completion of the project, an IT-Based System will be in operation for monitoring all the program-based actions of the Commission.

#### **6.1.5 Establishing Property Recovery Unit:**

It has been finally decided to set up a separate Property Recovery Unit enabling it to seize and maintain the alleged property during the court proceedings, or in case the accused dies. But for the Property Recovery Unit to carry out its operational activities, a time serving and tenable Policy is needed.

#### **6.1.6 Intelligence Unit:**

Precise and truthful information is very significant for the sake of corruption control. The Commission holds that the advance and accurate information can be obtained only through Intelligential engagements. The Commission in its Annual Action Plan has therefore decided to set up an Intelligence Unit, and accordingly the operations of the Intelligence Unit have got started of provisionally. The working strategy of the Commission mentions about the initiatives to include the components of necessary manpower, equipment and other facilities into the organizational structure, ensuring adequate budget allocations, and the additional manpower to be incorporated into the Service Rules of the ACC. A joint Intelligence Task Force may be constituted fast, and policy guidelines may also be drawn up. Moreover, to operate the Intelligence Unit effectively, trainings may be imparted to the officers and staff members concerned of the Commission in association with national and overseas agencies including CID of the police.

#### **6.1.7 Establishing Honesty Stores:**

Establishing "Honesty Stores" with a view to promoting good practices, is a pursuable venture. the Commission meanwhile has set up Honesty Stores in 824 educational institutions. In addition to establishing Honesty Stores in the academic institutions, assistance may also be sought out from the local administration to assess the qualitative impact of these Honesty Stores on the students.

#### **6.1.8 Strengthening the Prosecution Unit of the Commission:**



The prime parameter to judge the competency of the Commission is the results of the court cases. The court cases are dealt with, through the Prosecution Unit under supervision of the Legal Wing. On developing a data-base system, information about number of cases lying with each of the lawyers, stages of the cases, trial courts with on-pending cases or current status of the cases, may be learnt instantly through this system. It is expected that in order to ensure the accountability of the lawyers, the Prosecution Wing of the Commission may be strengthened, made more effective and accountable if, however, the management and evaluation system and the existing policies could be improved and reformed accordingly. Initiatives may be undertaken to appoint additional staff members (providing with motor bikes) so as to execute the services of summons/warrants against the witnesses, and to help execute the warrants and order for attachment of properties. Furthermore, steps may be taken to establish archives for preserving the judgments of the most important court cases.

#### **6.1.9 Commission's own Transparency:**

To build the public trust, it is critically needed to ensure transparency and accountability of all the officials belonging to the Commission. Given that context, the most needed task of the Commission is to make the Monitoring and Evaluation Unit stronger and more capable. The Unit should be provided with adequate work force, resources and technological equipment. It is through this Unit that the performances of the enquiry/ investigation officers may be intensively monitored.

#### **6.1.10 Promoting Public Relations:**

It is possible to brighten the institutional image and deepen the public trust by means of public relations. The Commission believes in uninterrupted flow of information. However, the Commission prefers to disseminate the objective and truthful information to the media in right time.

It is through the media that the Commission informs the people of the country about all of its activities. It is the media to reach the people through Press Briefing to disclose its activities, operational strategy and future plan of actions. In doing with public relations the Commission always values the concern that the human dignity of an individual must not be flatly disparaged. The Commission by way of its own strategy, disseminates the information to the media about burgeoning trend of good practices, control and prevention of corruption. In waging struggle against corruption, the cooperation from the media is more necessary. In continuing pursuit of inclusive approaches, the interactions of the higher authorities of the Commission with representatives of the media, editors, representatives of civil society, may be increased.

#### **6.1.11 Incentives for Commission's Officers and Staff:**

The officers and staff members of the Commission discharge their duties under high risk. In view of that the issue of risk allowance may be taken into consideration. Apart from that, the Commission may mull over extending rationing facilities to all classes of the officers and staff members.

#### **6.1.12 Research Program:**

One of the major responsibilities of the Commission, as mandated by the Anti-Corruption Commission Act, 2004, is to formulate research plan including topics relative to prevention of corruption, and to place recommendations to Honorable President on the basis of research results. However, in 2017 the Commission has embarked on a couple of research works. Aiming at reducing corruption in Bangladesh, one well equipped Research and Development Branch may be established. For the purpose, ample training, both in-country and overseas, may be organized after selection of eligible staff members.

#### **6.1.13 Commission's Work Environment:**



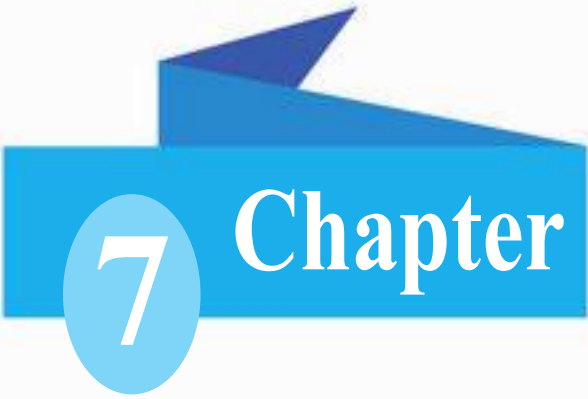
With a view to improving the work environments in head office vis a vis local offices of the Commission, new projects titled "Constructions of Office Buildings for the Integrated District offices of Rangamati, Kustia and Memensingh" and "Constructions of Office Buildings for the Integrated District offices of Noakhali and Hobiganj" are underway of implementation. Meanwhile, the construction of office building for Jessore Integrated District office has been completed. Measures are likely to be initiated to gradually construct the office buildings of all the Divisional Offices and all the Integrated District Offices. Substantial infrastructural developments have been done inside the Head Office of the Commission. Apart from that, measures to be initiated for procurement of modern equipment for the interrogation room, installation of telephone bugging device, setting up radio station, providing walki-talki sets, and introducing mobile tracking system,

#### **6.1.14 Dissemination of Anti-Corruption Commission Act:**

The common people are not aware of the Anti-Corruption Commission Act, and of the offences included into its Schedule. For that reason, despite thousands of complaints reaching to the Commission, number of actual complaints found for investigation is very few resulting in wastage of time, energy & resources of work. In this perspective, one manual may be shaped out compiling various laws, rules, notifications and office orders pertaining to the ACC. Based on this Manual documentaries, booklets, posters, leaflets, etc may be produced and widely disseminated.





A graphic for Chapter 7. It features a blue 3D ribbon-like shape that forms a stylized '7' and the word 'Chapter'. The number '7' is white and set within a light blue circle. The word 'Chapter' is in white serif font on a blue rectangular background.

# 7 Chapter

## **Enhancement of Institutional Capacity**

7.1 Human Resource Management and Development

7.2 Budget Management of the Commission

7.3 Actions Taken to Prevent Internal Corruption of ACC

7.4 Monitoring and Evaluation of the Commission's overall Performances



## Enhancement of Institutional Capacity

### 7.1. Human Resource Management and Development

The human resource constitutes the heart of any organization. The Anti-Corruption Commission supported by the Administration Wing, goes with all actions related to human resource management, developing their capacity, improvement of work environment, ensuring security and keeping up the time transcending standard of ethics. The Commission concedes the highest priority to its human resources development. The Commission is of the view that the training both in-country and abroad, is crucially important to develop the skills, agility, mindset and characteristic firmness of the officers. In the perspective of the modern world, there is no better alternative to enhancing the efficiency of the officers and the support staff enabling them to combat newly emerging forms of corruption including cyber crimes and money laundering. Because over the times corruptions are also assuming varying nature and objectives. In this context, the ACC adopted a five-year Strategic Action Plan, and aligned with this plan, the Commission is dedicated in carrying out multiple efforts for human resource management and development. As part of this Action Plan, 1073 officers and support staff could avail of the opportunities to participate in various trainings, workshops, seminars and symposiums both at home and abroad.

The human and financial resources, and the supply management of the Commission are dealt with, by its Administration, Establishment and Finance Wing, which is split into two branches- "Administration and Establishment", and "Finance and Accounts". The responsibilities that come under the purview of the Administration, Establishment and Finance Wing are as stated below:

1. Recruitment of officers and support staff, promotion, placement, deputation and travels management;
2. Taking necessary actions in disposal of departmental cases instituted against the officers and support staff of the ACC and managing affairs relating to service conditions and other related issues;
3. Placing the proposals by nominating officers and support staff for training abroad;
4. Rendering necessary secretarial support to the Secretary of the Commission before the meetings of the Commission;
5. To inspect the sub-ordinate offices at least twice a year, and submit the Inspection Reports to the Secretary of the Commission;
6. To supervise the overall security of the Commission, and maintain the ware houses and the infrastructures;
7. To procure, maintain and supply the necessary logistics for all the wings of the Commission;
8. To control and implement all the programs regarding Information and Communication Technology
9. Improving the work environment of the Commission, etc.

#### 7.1.1 Special Initiatives by Administration Wing

##### 1. Structuring out a Revised Organogram:

Currently the manpower of the Anti-Corruption Commission is 1073 (1264 including the supernumerary). The new and revised Organogram is awaiting the final approval by the government. Meanwhile, the Ministry of Public Administration has conceded to approve the manpower set-ups of the divisional and district offices of the ACC, and to include 2 additional posts of Director General, 18 posts of Director, 107 Deputy Director and 198 Assistant Directors leading to creation of 1068 new posts in all temporarily and inclusion of



120 transports into the TO&E. The Finance Division has also accorded its concurrence. The revised organogram including the newly created posts will come into effect after the corresponding pay-scales get vetted and other formalities are accomplished.

**2. Fresh Recruitment:**

During 2017 a total of 45 officers and support staff were recruited as additional manpower. Of them, 10 are Assistant Directors, 11 Deputy Assistant Directors, 12 Assistant Inspectors, 2 Data-Entry Control Operators, 1 Steno-Typist and 9 Drivers.

**3. Training:**

During 2017, officials and staff members numbering 1,378 and 17 were imparted with training within the country and abroad respectively.

**4. Use of Information Technology:**

**(a) Hot-Line 106 of ACC's Complaint Center:**

The Hot-Line 106 of ACC's Complaint Center was inaugurated on 27 July 2017. With the help of the hot-line, the complainants from any fixed/mobile phone can lodge complaints by making toll-free calls to the Complaint Center of the ACC. In case any complaint is received with credible information and relating to the offences under the Schedule of law of the Commission, special enforcement team of the ACC instantly takes actions by paying visit to the spot.

**(b) e-Filing:**

A 18-digit electronic file system has been introduced since January 01, 2018. For the purpose, arrangements are going underway to provide relevant training in phases, to the officers and the staff concerned.

**(c) Procurements through e-Tendering:**

For the first time the ACC has started the procurement activities by adopting e-GP.

**5. Armed Unit:**

Since 07 September 2017, one 20-member Armed Unit has been deployed in ACC for the purpose of operational activities. Together with the officials of ACC, the members of the Armed Unit actively take part in apprehending the culprits, and launching the anti-corruption drives. Meanwhile, the operational procedures were drawn up and the notification has also been issued to that effect.

**6. Hajatkhana:**

One "Hajatkhana" (detention centre) has been instated in the ACC to keep the arrested accused persons under custody quite temporarily prior to being produced before the Court. The ACC's "Hajatkhana" is being operated by an Additional Superintendent of Police (equivalent to the rank of a Deputy Director) placed on deputation under ACC. To ensure all out security of the "Hajatkhana", the facility for 7/24 observations by the CC Cameras with additional operational force, has been arranged. Meanwhile, the Policy guidelines for the "Hajatkhana" has been circulated as official notification.

**7. Archive:**

An Archive has been founded in the head office of the ACC. A variety of valued souvenirs are laid out in the Archive, including important documents, laws, annual reports, issues of Dudak Dorpon, crests, posters, festoons, monogram of ACC and the like.

**8. Record Room:**

One Record Room has been set up in the head office of the ACC. The valuable records are preserved in an orderly manner. Meanwhile the Record Room Manual has also been disseminated.

**9. Formation of Intelligence Unit**

The Commission has established an Intelligence Unit of its own. In procuring and providing intelligence information, this Unit is playing active and critical role to help combat and prevent corruption.

**10. Work Distribution:**

The work distribution has been prepared after settling on the duties and responsibilities of the officers and the staff members of the ACC cause faster development and better public services.

11. A project titled "Constructions of Office Buildings for the Integrated District Offices of Rangamati, Kustia and Mymensingh", set for the period between July, 2016 and June, 2019, is going under implementation at the estimated cost of BDT 188.292 million. The progress of this project is found satisfactory.

**7.1.2 Distributions of Human Resources of ACC's at Headquarters and Field Offices**

According to the Commission's existing structure of manpower, there is one Organogram, as approved by the Government, that includes a workforce comprising 1073 officers and support staff (numbering 1264 including the supernumerary posts) across the Commission's Headquarters, 6 Divisional Offices and 22 Integrated District Offices. The distribution of the ACC's human resources for the Headquarters, Divisional Offices and Integrated District Offices is set out below through the Table-31.

Table-31: Distribution of the ACC's Human Resources

Description of Posts	Number at Headquarters	Numbers at Field Offices		Total Posts
		Divisional Offices	Integrated District Offices	
Chairman	1	0	0	1
Commissioner	2	0	0	2
Secretary	1	0	0	1
Director General	6	0	0	6
Director	13	6	0	19
System Analyst	1	0	0	1
Deputy Director	59	0	22	81
Prosecutor	10	0	0	10
Programmer	1	0	0	1
Private Secretary	4	0	0	4
Assistant Director	68	0	65	133
Public Relations Officer	1	0	0	1
Deputy Assistant Director	52	0	72	124
Assistant Inspector	0	0	130	130
Court Inspector/Court Assistant/Assistant Sub Inspector	4	-	72	76
Other Officers and Staff (Clerks, Typists, etc.)	151	42	66	259
Driver	31	6	22	59
Constable	159	12	195	366
Total	564	66	644	1264

### 7.1.3. Measures Adopted for Capacity Enhancement of ACC's Officers/Staff

Corruption is what largely impedes economic and infrastructural development, poverty alleviation, growth of employment and even moral advancement. Corruption does not only pose hindrance to development, but also causes attrition of the public trust on State machineries. Bangladesh is now globally considered as the role model of development. The greatest achievement of Bangladesh is the well-poised development. The way the developmental works are going executed in the cities, similar to that are the goings-on of development found in the villages and suburbs too. But such developments also often get marred by the criminal misdeed called corruption.

So in addition to enhancing the capacity of its own workforce, the Commission endeavors to ensure its own transparency and accountability so as to make the activities of the Commission more dynamic, effective and visible as well. During 2017, simultaneously with modernization of its work environment, the Commission in 2017, undertook a host of measures including training, seminars, symposiums, etc. for developing the skills of its human resources.

In 2017, the Commission on its own management and in financial and technical support with various national and foreign agencies organized a good number of training courses notably Refresher Training Course, courses on Enquiry and Investigation Procedures, Corruption in Land Acquisition, Law and Administration Course in BCS Administration Academy, Innovations in Services for Citizens, Anti-Money Laundering Course, Gaining Experience in Enquiry and Investigation Matters, Financial and Economic Appraisal of Project, Investigating and Prosecuting of Financial Crime, Annual Performance Agreement, Training on Banking Operations, Senior Security Course, e-filing Course, Surveillance Course-2017 and Opportunities and Challenges of Bangladesh to Earn Middle Income Status. As many as 1,378 officers and staff members were trained in the year on different courses (including that of TIB). In the same time 17 officials of the ACC have taken foreign training.

### 7.1.4 Participation in International Training, Meeting, Seminar and Workshop in 2017

Corruption is not the unitary, but the global problem. In that view, the Commission, with the blend of learning drawn upon indigenous and foreign sources, prefers to take up effective measures against corruption. Aiming at that end, the Commission keeps close liaison with the anti-corruption agencies and organizations of different countries of the world. Meanwhile, the Commission in 2017, entered into a Memorandum of Understanding with the Anti-Corruption Commission of Bhutan, and is continuing contacts with few more countries for the same purpose. In this perspective, the Commission prompted with the objective to combat and prevent corruption, and to promote best practices, keeps up its participation in the regional and international meetings, seminars, conferences, symposiums, etc.

Table-32: The ACC's Participation in Regional and International Programs

Serial No.	Name of Training, Meeting/ Seminar/ Workshop	Duration	Number of Participants	Name of Associate Organisation	Name of Country
1.	The 'Professional Development Program Under the Project of Strengthening Government through Capacity Development of the BCS Cadre Officials	05-18 March 2017	01	The Duke University	USA
2.	'ICAC International Seminar on Financial Investigation'	09-10 May 2017	01	Independent Commission Against Corruption	Hong Kong
3.	The ICAC International Seminar on Financial Investigation	11-12 May 2017	03	Independent Commission Against Corruption	Hong Kong





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4.	“Capacity Building of Law and Justice Division for Strengthening Subordinate Judiciary Management”	29 May 2017 to 18 August 2017	01	Western Sydney University	Australia
5.	7th Global Focal Point Conference on Asset Recovery	06-08 June 2017	01	INTERPOL	Canada
6.	The eighth session of the Implementation Review Group of United Nations Office on Drugs and Crime (UNODC)	19-23 June 2017	01	United Nations Office on Drugs and Crime (UNODC)	Vienna, Austria
7.	The eighth session of the Implementation Review Group of United Nations Convention against Corruption (UNCAC)	19-23 June 2017	02	United Nations Convention against Corruption (UNCAC)	Vienna, Austria
8.	Study visit to Corrupt Practices Investigation Bureau (CPIB)	10-11 July 2017	07	Corrupt Practices Investigation Bureau (CPIB)	Singapore
9.	The Regional Workshop on Corruption Risk Management in Procurement: Experiences and Way Forward	12-14 July 2017	01	United Nations Office on Drugs and Crime (UNODC)	Bangkok, Thailand
10.	APG's Annual Meeting and Technical Assistance Forum 2017	17-21 July 2017	01	APG	Sri Lanka
11.	the Regional Workshop for Asian Insurance Supervisors (Crisis Management, Countering Fraud and Anti Money Laundering)	28-30 August 2017	01	ADB	Singapore
12.	Improving Bangladesh's Capacity to Investigate and Prosecute Money Laundering, Financing of Terrorism, and Transnational Organized Crimes	22-30 September 2017	01	U.S. Department of Justice, through the U.S. Embassy	Chicago, Illinois, U.S.A
13.	The 50th Year Anniversary of Celebration and Inauguration of Malaysian Anti-Corruption Commission (MACC)'S	01 October 2017	01	Malaysian Anti-Corruption Commission (MACC)	Putrajaya, Malaysia
14.	Regional Workshop on “International Cooperation in Financial Investigations, Money Laundering and Recovery of Assets	17-19 October 2017	02	United Nations Office on Drugs and Crime (UNODC)	Colombo, Sri Lanka



15.	The Presentation of findings of the regional synthesis of the Anti-Corruption Agency strengthening initiative for Asia compiled based of the studies of six countries	24-28 October 2017	01	TRANSPARENCY INTERNATIONAL	Bangkok, Thailand
16.	The Issue-Focused Training Course on “Criminal Justice Response to Corruption (J1704406)	29 October 2017 to 07 December 2017	01	JICA	Japan
17.	The Seventh Session of conference of State Parties to United Nations Convention against Corruption (UNCAC)	06-10 November 2017	02	United Nations Convention against Corruption (UNCAC)	Vienna, Austria
18.	The APG Typologies Workshop, 2017	13-16 November 2017	01	APG	Busan, Korea
19.	The Third meeting of the Asia-Pacific Law Enforcement Practitioners Network” organized by ADB/OECD Anti-Corruption Initiative for Asia and the Pacific and the Republic of Korea	15-17 November, 2017	01	the German Federal Ministry for Economic Cooperation and Development (BMZ) through Deutsche Gesellschaft für Internationale Zusammenarbeit	Seoul, Korea
20.	The Regional Workshop on Whistle blower and Witness Protection in the Fight against Corruption in South Asia	22-24 November 2017	02	United Nations Office on Drugs and Crime (UNODC)	Male, Maldives
21.	The “5th Anti-Corruption Compliance Asia Pacific Summit 2017”	06-08 December 2017	01	Anti-Corruption Compliance Asia Pacific	Hong Kong
22.	First Expert Working Group Meeting on the Global Focal Point Platform		02	INTERPOL	Abu Dhabi, United Arab Emirates
23.	The Faculty of Economics and Graduate School of Economics, Yamaguchi University	17-22 December 2017	01	Yamaguchi University	Japan

## 7.2. Budget Management of the Commission

Similar to other Constitutional Bodies, the budget of the Anti-Corruption Commission is also included into the "Charged Budget". After drawing up a rational assessment of annual demand, the Commission places its requirement for the budget allocation. Closely par with the demand, funding of the Commission is provided by the government. The government makes a certain amount of financial allocation for the Commission to meet its expenses. Once the budget is approved, the Commission does not need to obtain any prior permission to utilize the allocated fund except the pre-auditing by the Comptroller and Auditor General. The Finance and Accounts branch of the Administration Wing, supervises the operations related to funding and internal audit, and operates the procurements in compliance with the existing Public Procurement Rules. Worth mentioning that, currently all the procurement operations are being carried out through e-GP system.

The allocations (Non-development and Development) for FY 2016-17 are shown under the following Tables.

Table-33: Allocations for the ACC for FY 2016-2017 (in thousand Taka)

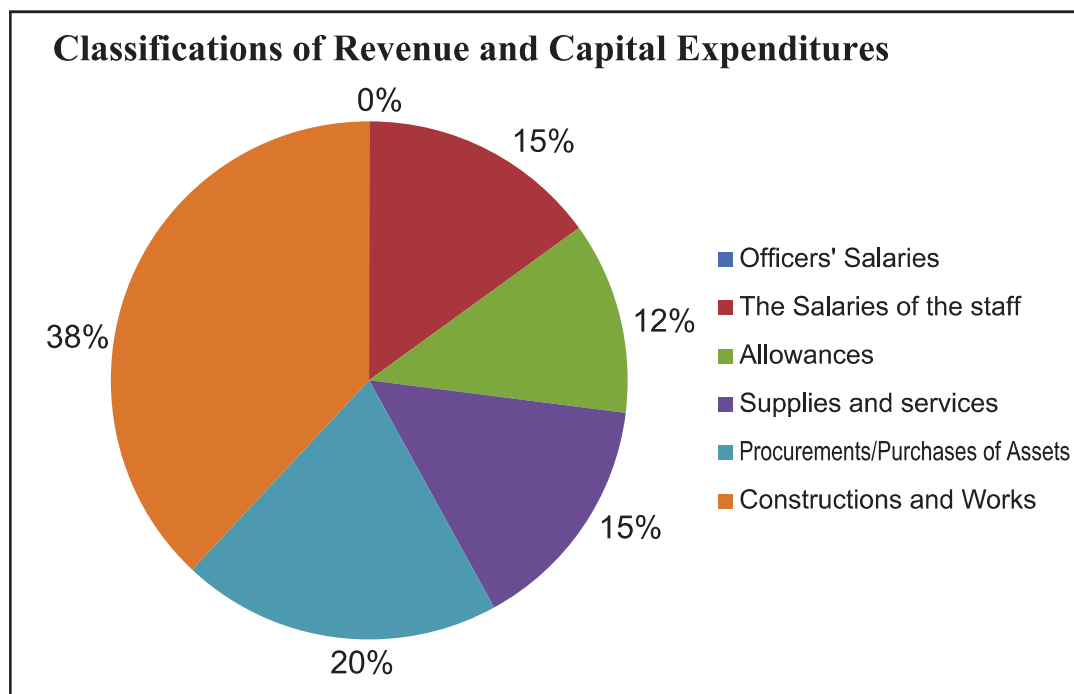
Financial Year		Non-Development	Development	Total	Revenue	Capital
2016-17	Budget	77,08,00	9,60,00	86,68,00	74,58,00	12,10,00

Table-34: Financial Classifications of Revenue and Capital Expenditures for FY 2016-2017 (in thousand Taka)

Description		2016-2017	
Expenditures	Financial Code and Head	Allocation	Expenditure
Revenue	4501- Salaries for Officers	16,50,00	15,84,14
Expenditures	4601- Salaries for staff of the Establishment	11,00,00	11,72,59
		20,72,35	20,00,81
	4700- Allowances	22,30,35	21,79,67
	4800- Supplies and Services	95,30	69,85
	4900-Repairs and Maintenance	00	00
	6300-Retirement Allowance and Gratuity	3,10,00	2,84,75
	6681- Lump-sum allocation		
Total Revenue		74,58,00	72,91,81
Capital Expenditures	6800- Procurement/purchase of Assets	11,82,00	8,23,23
	7000- Constructions and Works	3,00	300
	7400- Loan & Advances for Govt. employees	25,00	00
Total Capital Expenditures		12,10,00	8,26,23
Total Expenditures of ACC		86,68,00	81,18,04



Figure 26 : Classifications of Revenue and Capital Expenditures



### 7.3 Actions Taken to Prevent Internal Corruption of ACC

Aiming at ensuring the internal transparency and accountability, and for that propose to carry out monitoring, supervision, enquiry, investigation of any complaints about corruption against any officer/ support staff of the ACC, and to recommend for taking legal and departmental actions against the corrupt staff member, there is a permanent Internal Corruption Prevention Committee headed by the Chairman constituted under Section 19 (1) of the ACC Rules 2007. In 2017, this Committee held several meetings. Moreover, under the direct supervision of the Chairman, all the performances of the officers and staff are regularly monitored through the Monitoring and Evaluation Branch.

In 2017, the Commission awarded major punishment to 1 officer and minor punishments to 2 support staff. The statement incorporating the numbers of departmental cases lodged against the officers of the ACC and the results are shown under Table-35.

Table-35: Departmental Actions Taken against Officers/Staff ACC in 2017

Descriptions	Numbers
Forward balance from previous year	10
Received in 2017	15
Total departmental cases in 2017	25
Total number of cases disposed of in 2017	13
Rigorous punishment	01
Minor punishment	02
Disposals otherwise	10



1. The rigorous punishments include removal from service, compulsory retirement and downgrading the pay-scale of the incumbents.
2. Minor punishments include Censure, withholding promotion or pay Increment for some specified period, etc.

## **7.4 Monitoring and Evaluation of the Commission's overall Performances**

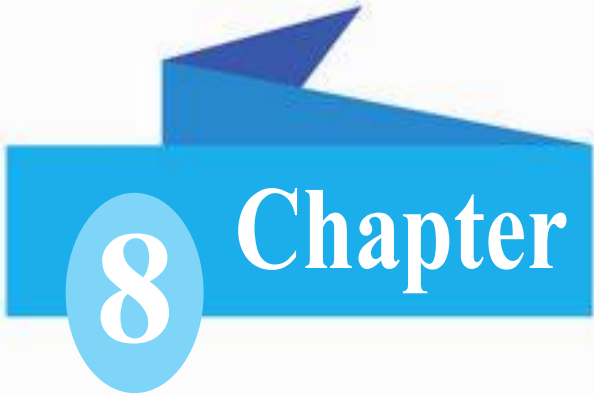
### **7.4.1. Monitoring of Works Accomplished**

The most effective tool to ensure internal transparency and accountability is to conduct short and in-depth inspections or internal auditing into every office. The Commission monitors its internal activities on the basis of the Reports received through this system. Each Wing of the Commission's Head Office, the offices of the Divisional Directors and the offices of the Integrated Districts, are regularly inspected.

The Monitoring and Evaluation (M&E) branch internally monitors the performed activities. For inspections of the Divisional and Integrated District offices, two mechanisms are pursued- Short and Detailed Inspections. The Director Generals and the Directors of the Head Office carry out these inspections. In special cases, the two Commissioners hold inspections of the Wings of the Commission's Head Office and other offices as well. The Inspection branch regularly evaluates the Inspection Reports, and submit the findings to the Chairman of the ACC. The information about the Inspections conducted in 2017 are shown under Table-36.

Table-36: Statistics about Inspections by Head Office and Divisional Offices during 2017

Type of Inspection	Head Office	Divisional Offices
Number of Short Inspections	32	24
Number of in-depth Inspections	21	12
Total	53	36

A graphic for Chapter 8. It features a blue 3D rectangular block with a triangular top. A white circle with the number '8' is positioned to the left of the block. The word 'Chapter' is written in white serif font on the front face of the block.

# 8 Chapter

## Recommendations

- 8.1 Introduction
- 8.2 Education Sector
- 8.3 Roads and Highways Department
- 8.4 Chittagong Port Authority
- 8.5 Land Port Authority
- 8.6 Public Works Department
- 8.7 Biman Bangladesh Airlines
- 8.8 Health Sector
- 8.9 Income Tax Department
- 8.10 Customs, Excise and VAT Department





## Recommendations

### 8.1 Introduction

Pursuant to the Anti-Corruption Commission Act, 2004, the legal obligations of the Anti-Corruption Commission are to combat and prevent corruption, and also to promote best practices. On the strength of this legislation, the Commission operates multivariate agenda to fight and prevent corruption. Each office and agency of the government is by itself duty-bound to consolidate the concerted initiatives to that effect. It is because the government organizations are in practice engaged to render the upmost public services. The Anti-Corruption Commission does not like to get inclined to dominate over any of the government organizations. Aiming to put an end to harassments, irregularities and corruption experienced in seeking government services, the Commission prefers to ease out the way to positive reforms of the business processes. The Commission needs to mull over the factors that are most likely to breed corruption. Under this legal context, the Commission places some short-term, mid-term and long-term recommendations to the government through the Hon'ble President. By the way, the recommendations are formulated in pursuance of Section 17 (e) of the Anti-Corruption Commission Act, 2004.

### 8.2 Education Sector

Education constitutes the core component for building a nation. Inclusive and sustainable development is not attainable without education. It is only the education that can awaken the values in the society. Until the persons get educated they cannot grow aware of their rights, that is, for building good citizens no alternative remains available as the best other than education. Education is the key solution to most of the problems including corruption, good governance, justice, citizens' rights, poverty reduction, etc. The investment in education sector is the best investment of the State. So the investment in education sector must be devoid of corruption and must set example too. Therefore, eyeing to prevention of corruption and plugging off the newly emerging sources of corruption, a good number of recommendations are set forth below:

#### 8.2.1 Building Human Resources through Education

##### **Sources of Corruption:**

To harvest the demographic dividends from the young generation while transformed into human capitals, imparting quality education, inter alia, is the best option. Under the existing education system in respect to general education, the avenues for obtaining higher degrees (graduation and post graduation) have so enormously been widened, hundreds of thousands of job seekers are found loitering around. Going jobless for long, some of them are getting deprived of the opportunities to be integrated with national development, alongside they are getting involved with corruption in bids to secure employments through bribery and also by deceitful means. Some of the government officials assigned with responsibilities for recruitment, and the ineligible job-seekers are the principal originators of corruption in recruitments. Conversely, exploiting the paucity of human resources with technological expertise, many expatriate citizens arrive, and work grabbing this area, in this country in various production-oriented enterprises. In other words, though human resources with general education abound, dearth of human resources equipped with technical know-how persist. Given with this perspective, the following operational strategies may be adopted in the educational sector:

1. The doorways to higher education may be let accessible only to those who are highly meritorious. That means, setting up a bench-mark in evaluating the grade points obtained in the examinations of SSC and HSC. The students scoring lower than the bench-mark will not



be allowed to get admitted into the general, engineering, medical and agricultural Universities. They may, however, opt to go for technical educations as like polytechnic, mono-technical and vocational learning. That means, they may be turned into technically competent human resources. Efficient human resources may be built up even through reformative interventions in human resource management. But, with a view to facilitating the technical education for the students falling below the bench marks, a master plan may be drawn up immediately for radical re-structuring accordingly in many of the existing schools/ colleges/universities located at each upazila, district, town or metropolitan city. Resultantly, Bangladesh can attain the capacity to meet both the domestic as well as the overseas demands for efficient human resources. Only at that phase, the demographic dividends may be more visible in the face of the economic prosperity of Bangladesh.

### 8.2.2 Question Paper Leaks

#### Sources of Corruption:

The only and the most primeval mechanism to judge the knowledge and merit is the conduct of examination. The key pre-requisite to building talented and enlightened human resources, is sealing off the question paper leaks. The misdeed on question papers-leaks is a newer dimension of corruption. In some cases, a good number of corrupt government officers/teachers reportedly get involved with such types of offences, in exchange for monetary gains.

Some coaching centres, unscrupulous teachers and criminal syndicate may go cahoots with some dishonest officials of the Education Board, Bangladesh Government Press (BG Press), Treasury and Examination Centres.

In every stage of setting and distribution of the question papers the government officials and support staff remain in duty-bound engagements. Leaking out the question papers for monetary gains, amounts to criminal misconduct that comes under purview of the scheduled offences of the Anti-Corruption Commission Act. Besides, the Anti-Corruption Commission is conferred with the responsibility of institutional reforms through inculcation and exercise of best practices as enunciated in the National Integrity Strategy. It is very difficult to explore out documentary evidences to prosecute the aforesaid offences. Prevention is therefore the better way than fighting against that sort of corruption.

In order for prevention of corruption of that nature, a number of specific recommendations by the Commission may be considered.

1. Only those teachers may be selected and inducted into the Question Papers Setting Committee, who are really talented, honest and ethically sound;
2. The Question Papers Setting Committee may comprise one Translator to be assigned for preparing English texts of the question papers;
3. Affidavits may be procured from those to be engaged in setting and distribution of question papers to the effect that none of their children or wards shall sit for the examinations concerned, that is, there shall be no conflicts of interests. They may be nominated only on verified truthfulness of the facts affirmed in the Affidavits;
4. Besides, all the officers/staff members including the moderators engaged in setting of question papers, should be put under rigid surveillance;
5. The question papers contained within a box having double-locks system must be dispatched to each treasury under control of the Executive Magistrate and the Education Officer. The double locks will be opened in presence of the Deputy Commissioner and may be dispatched to the Upazila Examination Centres following the same system;
6. The number of examination centres must be reduced to the minimum so far is possible. The examination centres in each Upazila should not exceed two in number. The examination centres ought to be located within the Head Quarters of the upazila;



7. Against the arrestees on charge of question papers-leaks, specific cases may be lodged under the Public Examination (Offences) Act in conjunction with the Anti-Money Laundering Act (as it involves illegal transfer of money too) or under the Information and Communication Technology Act. Apart from this, the ACC may also file cases on accusation of criminal breach of trust under the Anti-Corruption Commission Act, against the government officials/support staff if found involved with the offence.
8. The question papers of all the examination should be creative and narrative. In this regard the existing Multiple Choice Questions (MCQ) may be nullified.

### **8.2.3 Ministry of Primary and Mass Education & Ministry of Education**

In accordance with the "Allocation Of Business Among the Different Ministries And Divisions" (as amended up to December, 2014), the Ministry of Primary and Mass Education, and the Ministry of Education are dedicated to working on all educational programs directly or indirectly, including the policies of primary, secondary, higher secondary and higher educations. It is the Ministry of Education that directs the trajectory for future generation. This ministry has attained some enviable successes including handing new books over to the students at the beginning of the year, launching revolutionary programs to promote female education. But its image is being tarnished owing to some negative criticisms pointing at the question papers leaks in public examinations, proliferation of coaching business, dominating prevalence of Notes and Guides, transfers and placements of the teachers, and issues about some projects of the ministry.

To preclude occurrences of these problems, some recommendations may be taken into account like:

1. Completion of the assigned works within given time lines in complying with the Secretariat Instructions, 2014, of the Government of the People's Republic of Bangladesh;
2. Without disposing the records in exercise of the powers conferred by the Secretariat Instructions, unusual delay is caused by unnecessarily referring the records to higher authorities. From such delay dallying in disposal of the issues, scope of corruption emerges out. Departmental actions may be taken against the public servants concerned;
3. As part of decentralization of powers, saving the positions from the head of the institution/grade-3 to grade-1, the powers of transfer/posting against other positions may be vested with the departments/ divisional offices concerned. In this regard, the ministry may, however, keep monitoring over these activities in pursuit of the policy on transfer/posting;
4. The ministry should initiate actions to put end to unauthorized (without lawful authority) uses of project transports. With respect to this matter, the ministry may seek cooperation of the Anti-Corruption Commission;
5. Remedial measures should be undertaken to get rid of the wrong doings found in procurements for the projects under implementation by the Ministry of Education, Ministry of Primary and mass Education and abuses of vehicles, unnecessary foreign trips, irregularities in expenditures of money on account of training, The Integrity Focal Point (IFP) official or the unit of IFP can do away with such misdeeds by applying some useful monitoring tools notably inspection, auditing, reporting etc.;
6. The popular expectation is like the private Universities shall widen the avenues to higher education. The Anti-Corruption Commission often receives complaints against the private Universities too. Pursuant to the Private University Act, 2010, in case of failure to abide by the conditions of the license, the admissions and all the education related activities of the private Universities may be terminated;



7. Investment in education is the best of its kind. The primary education forms the foundation of any education. Accordingly the teachers of the primary schools are the most important key partners. The quality of their life and their professional career planning should be in commensurate with the demands of the time. In this respect, the positions of the assistant teachers and the head teachers of the primary schools may be upgraded to class-II and class-I respectively. Moreover, separate Commission may be formed for recruitment of the teachers of all the schools which are included under MPOs excepting those of the Universities. Apart from this, according to the National Education Policy, it seems most necessary to implement the primary education ranging up to class viii.

### 8.3 Roads and Highways Department

A good number of in-country and international researches reveal, one of the major hindrances to business and foreign direct investment (FDI) in Bangladesh is the infrastructures of road communications. Constructions, repairs and maintenance of all the national and regional highways belong to the operational responsibilities of the Roads and Highways Department (RHD). Similar responsibilities relative to rural roads network are vested with the Local Government Engineering Department (LGED) while the City Corporations and the Municipalities operate on the responsibilities to construct, repair and maintain the roads within their own areas of jurisdictions. In view of the RHD being responsible for building the national and regional highways, the Commission has endorsed a good number of recommendations to prevent corruption in RHD, which include application of technologies, expansion of research, proper compliance with the Public Procurement Act and Rules, improving the monitoring system, etc. However, the matters relating to prevention of corruption, that means, enquiries into allegations of corruption, cases, investigations, charge-sheets or final reports, etc. are not included into the recommendations.

#### Sources of Corruption:

Although RHD in most of the cases follows the e-GP tendering system, but works in some cases are found implemented in defiance of the conditions of the tender by yielding to the pressure of the influential persons/contractors or in collusion of a group of engineers/officers, that lets them siphon off the public money in committing criminal breach of trust. In a bid to selection of contractors the syndication persists as a long practised norm. Complaints often go like allegedly bribing the different types of influential persons, consulting agents and government officials so as to grab the Contract. As a result, sometimes it becomes difficult for a contractor to execute the project in keeping strict compliance with the specification and design. Besides, in some cases the estimation and design of construction form another source of corruption. Over estimation of expenditures, corruption in multiple layers of tendering system like leaking out the information of tender, prompted with unethical gains employing supporting or agent contractor under guise of 'negotiation', recurrently modifying the constructions designs, using low quality materials of construction, not taking up the work according to tender conditions, in some cases pocketing the money through fake vouchers showing 'repairs' or 'restructuring', high ranking officers/ influential persons carrying out the contracted works on other's account or through their kith and kin, etc. The undesirable interventions by the influential persons and unethical gains by the Contractor and the engineers involved with the project implementation are identified as sources of corruption. The other sources of corruption relate to lease-out of toll bridges, earth works for road constructions, etc. In cases of road constructions, non-compliance with the standard of quality and exact scale of works cause corruption substantially. The factors bearing upon the sources of quantity-based corruption include disproportionate ratio amid the components used for road constructions, and even the thickness of the road made lesser than the specification provided in the tender. Moreover, non-completion of the project works within the given timeframe, and purposively getting the project cost and the project period increased, the scope of corruption also gets expanded. As news about constructions of sub-standard roads often surface the mass media, similar complaints pour into the Anti-Corruption Commission too. These issues are very





technical and significant in view of immediacy. If any complaint is lodged long after completion of the construction works, it becomes extremely difficult to conduct enquiry and explore out the persons responsible, and to prosecute them in the court. So if prior to occurrence of core corruption, the sources of such corruption could be sealed off, it may become easier to bridle the corruption. To resist such sorts of corruption, the following recommendations may be taken into account:

1. The concretes which are smaller pieces crushed out from stones or bricks, are the important ingredient for construction of roads. If roads, which are constructed without high quality concretes, cannot be expected to sustain longer. The pre-requisites to producing high quality concretes, are stones, over burnt bricks or bricks of grade no.1. On criteria of strength, the bricks are generally classified into four categories notably (1) over burnt brick (2) grade-1 brick (3) grade-2 brick and (4) grade-3 brick. To obtain the optimal Aggregate Crushing Value (ACV), use of stone or grade-1 brick is needed, but in some cases either giving in the pressure of the influential contractors or owing to utter negligence of duties by the engineers concerned or by going in cahoots with each other to embezzle the money, sub-grade bricks instead of over burnt or grade-1 bricks, are used in road constructions. In this regard ACV is not being ensured as per the specifications. Such corruption in road constructions must cease to occur. It is imperative to determine the ACV accurately, and the RHD's engineer-in-charge must certify to that effect. If subsequently any discrepancy of ACV is detected in the laboratory, the engineer/s concerned and the contracting firm shall be held liable and corruption case/s may be instituted against them. On account of such actions, the trend of using low-grade bricks or concretes is most likely to retard. Moreover, it also goes imperative to mandatorily determine the California Bearing Ratio (CBR) of the road-bed at the time of road constructions. In case of CBA, if any aberration is found, legal actions may be initiated as done alike for ACV. In course of implementing the GoB funded projects in road construction sector, at field level the sub-divisional engineer or assistant engineer or sub-assistant engineer in charges and the concerned engineers of the construction firm, sign up measurement books. Such books may keep records of the standards of ACV and CBR in addition to quantitative measures of the works. Apart from this, in order to hold up the quality standard, as described in the specification, other tests need to be accomplished and after getting certified the test results also need to be preserved. In respect to the foreign aided projects also, the measurement books containing similar information and the test reports must be preserved. Despite the conditionality for mandatory use of grade-1 bricks for road constructions, in many cases grade-2 and grade-3 bricks are used instead. The conditionality requires proper recording of ACV too. Infringing the conditions of the Tender, sub-grade sands are used in road construction works instead of high quality sands. To exert rigid monitoring over these sorts of works, few Monitoring Committees may be constituted comprising experts/professors from Bangladesh University of Engineering and Technology (BUET), representatives from civil society, constructions experts and engineers from RHD, who could earn repute of integrity. Only with qualitative and quantitative assessments of the constructions works, these Committees shall be reportable to the Chief Engineer or to the authority as designated by the government. The charter of specific duties for these Committees may be drawn up. As apart, the RHD may also form up their own monitoring committee. As aligned with the specific Terms of Reference (TOR), the Committee should submit report covering the qualitative and quantitative components of the works. No pay-off against the final bill of the Contractor, may be considered until the final report of the Monitoring Committee is received to its favor. In some cases, the concern to protect the engineers from pressure of the influential group, may be addressed positively.
2. Natural disasters like torrential rains and floods, and use of low quality materials in road constructions cause the roads erode faster. To get rid of this situation, decision may be promptly adopted to build up the roads with concretes/pebbles.



3. The bitumen constitutes another important ingredient for construction of roads. The Eastern Refinery, a state organization, is mandated to import the bitumen officially. The primary responsibility to ensure the quality-standard of the bitumen lies with this organization. In some cases, however, the standard of quality seems at par, but compared with specifications the quantity of bitumen used in road constructions or in repair works, is found falling short of the required bench mark, and thus taking to corruption recurrently. Apart from this, the government by a notification has made it obligatory to use 60-70 grade bitumen while working on highways. Not with standing that 80-100 grade bitumen is found being used in the construction works where 60-70 grade bitumen is supposed to be used. In accordance with the specifications, 80-100 grade bitumen may be used only for Prime Coat and Tack Coat. In other bituminous works, use of 60-70 grade bitumen is required. Moreover, researches may be carried out or overseas experiences may be gathered to explore the possibility of enhancing the stability of such works through use of polymer bitumen. Saving only the specially technical necessity, the directive for using the 60-70 graded bitumen, must be complied with in all the bituminous works of the development projects. To ensure compliance with the set standard, the field engineers concerned must get all the bitumen tested while found stacked at the construction site to be used by the Contractor. The outcome of such quality testing must be preserved, and in some randomly selected cases re-testing shall be done. In such cases if any discrepancies transpire in respect to grade standards, cases under the Anti-Corruption Act may be filed against the Contractor and the engineers concerned for committing offences of criminal breach of trust and embezzlement of public money. If high quality bitumen could be put to use, the wears and tears of the roads are likely to be wrought in lesser scale. For the purpose, extensive monitoring may be carried out.
4. In most of the construction works across the country, the Executive Engineers at district level, invite all the tenders and implement the constructions in complying with the PPR. But in cases of the tenders involving very high value and pretty large scale, the tenders are invited through the Additional Chief Engineer or the Superintending Engineer of RHD. Generally the positions of the Additional Chief Engineer or the Superintending Engineer are meant for supervising and monitoring. The officials holding such positions should not be put directly to any implementing tasks, they should rather be engaged exclusively for supervising and monitoring. Through properly monitoring the actions/performances of the Executive Engineers, the ways as how to ensure the transparency and accountability of RHD can be made easier and wider.
5. Prior to starting the road construction, some earth works need to be done, and when the works are progressing, soils also need to be heaped up beside the road. Another source of corruption consists in such type of earth works. In most cases, while preparing the pre-work estimation, the quantity of existing soils is shown in lesser volume than the actual, and later fake bills are produced showing earth filling over there in larger quantity than the actual. After the construction works are concluded or if the rains start pouring down, it become extremely difficult to explore out the evidence of this deceitful misdeed. For this purpose, the ministry can apply the monitoring tools like inspection, auditing, reporting, etc. Moreover, the ministry in this regard may take assistance from the ACC. It is very imperative to execute monitoring when the constructions works are on progress. In case of earth works, the pre-work section and post-work section must be preserved. The earth works may be supervised by a social oversight committee to be formed including respectable local persons. If such supervisory committee cannot be formed instantly, it becomes difficult to unearth the irregularities too.
6. All the government procurements must be done in pursuit of e-GP system unless the government specially instructs otherwise. The CPTU shall properly monitor to scan over the errors and flaws if there occurs any, and shall also update the system regularly.





7. The projects are completed at costs inflated over the estimated costs done before commencement of the projects. In such cases without completing the projects by end of the given timeline, the period is extended on multiple pleas. This trend should be drastically discontinued.
8. Reliable experts endowed with highly technical knowledge and representatives from different engineering universities may be included to formulate the project estimation and evaluate the Technical and Financial Offers of the tender.
9. The responsibilities to formulate the project estimates and to implement the estimated works may be assigned to a couple of Units. The person or the team engaged for preparing the estimate should not be involved by anyway with the implementation works. Moreover, each estimate may be cross verified by a different and specialized agency well-equipped with technical know-how. During the implementation phase the RHD may put the Performance Audit System to operate, and after completion of the project a specialized firm may be employed to evaluate and ensure the quality standard of the project works.
10. After completion of the project/ construction/ restructuring/ repairs works, the implementing firm or the Contractor may be assigned with the responsibility to maintain those completed works on its own costs for a reasonable period of time.
11. It is felt much needed to ensure total application of e-GP tender system in RHD. In determining the pre-qualification and evaluating the previous eligibilities, the registration and a short list of the Contractors may be done, which need to disseminated to all concerned even through the website. The criteria for evaluating the tenders/quotations should be rationally well-formulated. The Head of Procuring Entity (HOPE) must guard against occurrence of any corruption or frauds in the approval process of e-GP and endorsement of recommendations.
12. To ensure transparency and accountability in procurements, constructions, repair and re-structuring works of the project, public hearings and "Social Auditing" in attendance with the stakeholders may be conducted. As apart, training for the Contractors may be organized on PPR and PPA.
13. Prior to making payment to the Contractor against the final bill, opinions may be sought from the Committee formed (for social auditing) with the concerned local citizens. The accounts offices may be instructed not to pay off on account of the final bill until the social auditing is concluded. One circular may be issued stating that if any payment is made before the social audit is completed, the Accounts Officer concerned will be held liable.
14. During the implementation phase of the project works, the top authority of RHD must ensure inspections/supervisions to be carried out at regular intervals. The supervision may be effected by forming zone-wise teams consisting of honest, efficient and experienced officials.
15. For the sake of promoting accountability and transparency in constructions, repairs and re-structuring works, the team which will prepare the estimate must not be engaged in implementation works. Again those who will be involved with implementation works, may, however, take the measurements of ongoing works, but the full and final measurement will be taken by the outsourced firm or by the team of expert engineers drawn from the engineering universities.
16. The overloading causes damages to the highways. The highways get worse with smashed up before completion of their "life times". So it warrants urgency to strictly regulate the overloading. Again, in many cases low quality works go off the sight on pleas of overloading.



So it is only after control of overloading, it may become easier to take actions against those found involved with low quality works. In this regard the "Motor Vehicles Axle Loads Control Policy 2012" must be enforced. Constructions of roads with concrete/pebbles may help prolong the sustainability of the highways.

17. Unscrupulous use of the project vehicles is another source of corruption in RHD. Any transport for any project should be procured only after determining strong rationale.
18. In case of any willful negligence in construction works, or any infringement of the policy perpetrated while employing the agent/contractor, stern legal actions must be initiated against them to set examples so that others get frightened to commit such misdeeds.
19. For toll collection the modern electronic system may be introduced so that the toll collecting operations may be watched in the monitor of the computer from distance. Once each of the toll bridges could be brought under digitalized networks, corruption could also be prevented.
20. Those engineers who cannot or utterly fail to, take over the works at par with the quantitative and qualitative standards, should no longer be attached to the implementation works. Only the qualified and courageous officers may be placed to that tasks instead. However, the transparency in placements and transfers of the engineers should also be ensured.
21. Steps need to be taken to complete the project works within the given time frame, and not to increase the project costs without strong rationale.

#### **8.3.1 Miscellaneous:**

Deaths as preys to road traffic accidents have become day to day phenomenon. Almost every day comes up with news of road accidents. The vehicles without any fitness like easy bikes, 'Nosimon', 'Korimon', power-driven rickshaw van. 'Votvoti', etc. occupy most of the road space. For the sake of protecting the roads and safety of life and properties, movements of such illegal & unworthy transports must need to be brought under control.

### **8.4 Chittagong Port Authority**

The port of Chittagong is the country's pivotal hub of imports and exports and life line of economy. In this sea port, corruption allegedly persists in multi-dimensional ways. It starts from issuing passes in jetty, procuring equipments, berth allocations, management of own funds, waiver of penal rents, leasing out the port land, etc. are reportedly infested with corruption. In order to address the sources of such corruption and also to redress them, actions upon the following recommendations may be considered.

#### **8.4.1 Procurement**

##### **Sources of Corruption:**

In order for procuring equipments, which are used in port operational activities, a good quantity are shown to have been procured from the pre-fixed contractors through Limited Tendering Method (LTM). In some cases, as it often appears, the major equipment had been lying out of service for several years. Additionally, the alleged corruption may take place in case of procuring dredgers, vessels (tug & pilot) and other purchases.

As to prevent these forms of corruption, the following recommendations may be pondered:

1. Procurement of the equipments through LTM should be discouraged and the Open Tendering Method (OTM) instead may be preferentially followed to procure the parts and equipments. However, in considering the exigencies procurements may be done under strict monitoring in keeping compliance with the Public Procurement Act (PPA) and the Public Procurement Rules (PPR). Moreover, procurement of dredgers and vessels (tug & pilot) through e-tendering system should be made obligatory. Relevant experts may be included into the Technical Committee.

### **8.4.2 Exemption of Penal Rent**

#### **Sources of Corruption:**

The Chairman of the Port Authority is empowered to grant waiver of BDT 1000.00 in respect to Space Rent/Store penal Rent. The rates of penalty against a container measuring 20 feet are: full free for initial 4 days, US\$ 6.00 per day from 5th to 12th day, US\$ 12.00 per day from 13th to 20th day, US\$ 24.00 per day from 21st to 30th day. After expiry of 30 days, the container stands liable to be auctioned out. In such case huge amount of penalty is imposed. Such cases are dealt by the port authority with prior approval from the ministry. Corruption in cases of the like are considered as casual matter.

To avert such misdeeds and corruption, the following recommendations may be thought out:

1. In case of releasing the container goods, if, for any reasons, the penalty amount exceeds BDT 1000.00, approval from the ministry is required for review that involves very time-consuming process, and it causes harassments and corruption too. Given this situation, some syndicates intrigue to create circumstances leading to penalties, and conversely, make deals of business enticing for write-off. Resultantly, the costs of the imported merchandises increase manifold, which is also a key reason to cause gridlock of containers. In this view, one high powered Committee may be constituted led by the Chairman of Chittagong Port Authority (CPA) and the authority to write off the penalty may be vested with the CPA comprising representatives from experts of port-shipping sector.

### **8.4.3 Berth Allocation**

#### **Sources of Corruption:**

Usually berths for merchant vessels are allocated on the basis of the "First in First Out Method" (FIFO). This is done through holding berth meetings everyday with approval by the Chairman of the port authority. Allegations are often heard about various irregularities and corruption that point at such approvals. To get rid of alleged irregularities and corruption, the recommendations, as stated below, may be mulled over:

1. In cases of berth allocations the FIFO must be pursued and under no circumstances, breaking of the serial of vessels should not be allowed. Here, CPA requires strong governance in berth allocation of the vessels for smooth operation of port.

## **8.5 Land Port Authority**

Bangladesh Land Port Authority plays very significant role in facilitating the imports by land to become easier and more improved. Despite the government's diverse developmental efforts including use of modern technology, to improve the infrastructures of the land ports, cargo handling and storage facilities, the land ports could not yet achieve the desired successes owing to alleged irregularities and corruption.

The following are some recommendations aiming to redress the alleged corruption:

### **8.5.1 Cargos/Freights Management**

#### **Sources of Corruption:**

Generally observed that in collusion of contractors or of some other parties the cargoes are released without paying the duties, transporting the cargoes with no entries into the registers to evade taxes, favoritism in appointing the cargo handling contractors, pilferage in larger scales, a strong network to steal away the goods from the sheds or warehouses, complaints about alleged irregularities and corruption in freights management.

As preventive measures against corruptions, the following recommendations may be implemented:

1. Automation system may be set up on successive turns to operate in all land ports so as to step up dynamism and bring in transparency.
2. The Port Authorities should procure and operate its own equipments (Cranes, forklifts) to be used for cargo handling in the land ports.



3. With a view to thwarting the attempts to evade port tariff and dues, the weights of the lorries/trucks loaded with imported cargoes, and empty lorry/truck may be measured in the weighbridge Scale.
4. Setting up separate Monitoring Cell to monitor and supervise the overall security and operational activities (including International Passengers Terminal).
5. The gang of criminals around the port, should be identified, and legal actions against them should be initiated. Simultaneously, on identifying the nature and extent of involvements of those officials and employees who has collaboration with these gangs, departmental actions should be taken against them accordingly too.
6. If allegations about negligence of duties or corruption are received against any of the officials and the staff members working in the land ports, they must be brought under purview of law. In this purpose, one separate surveillance unit like Customs Intelligence Cell (CIC) may be set up and the monitoring may also be strengthened.
7. With a view to protecting the perishable imported/exportable goods against turning spoiled on way, the connecting roads of the land ports may be kept free from traffic congestions;
8. Intensive oversight may be exerted on how the cargoes are being handled to be put to warehouses.

## 8.6 Public Works Department

The Public Works Department (PWD) plays the vital role in building infrastructures across the country-Bangladesh. As per the allocation of business among the different Ministries and Divisions, PWD is mandated to construct buildings and other establishments under most of the ministries and their subordinate bodies. In one way this institution has built up a good image, but on the other way some of its officials and staff have tarnished the image of this institution.

### Sources of Corruption:

Many a complaints reaches the Anti-Corruption Commission, relating to corruption in different constructions and repairing works. The major hindrances to seamless performances by the PWD are- ignoring the interests of the Requiring Body (RB) while selecting the projects, over estimation of construction costs under the project, implementing the project with costs higher than the estimation, use of sub-graded components/ construction materials, irregularities in the tendering /bidding process, leaking of information about tenders, appointing supporting or agent contractors on pleas of negotiations, improper record keepings, unethical conducts of some dishonest officials, inadequate workforce and poor monitoring mechanisms.

With a view to resolving these problems, the following recommendations may be mulled over:

1. The PWD and the RB must rationalize the necessity and utility of the project during the selection process. After selection of the project, the drawings, designs and estimates may be prepared by PWD, but approval should be obtained from the RB as well.
2. Strong vigilance should be exerted to ensure that the project period is not extended irrationally. After execution of the Contract, the tender value, tenure and other contractual conditions must not be changed saving the specific provisions of PPR-2008. The penalty for Liquidated Damage must be imposed if any Contractor fails to complete the works right by cut-off time. In case no works are done for unjustified period, the Contractor concerned may be black listed.
3. In estimation phase, and evaluating the financial and technical offers, the (GoB) RB/ representative of the ministry concerned, and in case of international bidding, one



representative from the Donor Agency, may be involved.

4. The e-GP tender system must be put into operation. One Counter Technical Unit should be set up in the office of the Head of Procuring Entity (HOPE), consisting of engineers who are experienced in procurement matters and have attained higher degrees.
5. In course of records management, the e-filing system must be utilized. Estimating software and accounting software need to be introduced while preparing estimates or working on accounts respectively.
6. During post completion period of constructions or restructuring works, the responsibilities of maintenance for a reasonable span of time, may be lawfully entrusted with the implementing/ Contracting agencies. In order for ensuring the quality standard of the maintenance works, the service beneficiaries should be involved during the implementation stage. During the formulation phase of procurement plan for superior quarters/ colonies, public hearing may be organized.
7. To watch over the quality of works with intensive supervision, a two-tier monitoring system may be introduced. During the implementation phase of the project, each Additional Chief Engineer and the Superintendent Engineer must pay visit to each site at least once in every month, must report to the head of the department. In addition to the Monitoring Wing comprising the Additional Chief Engineer and the Superintendent Engineer, existing in the district office, one high-powered Monitoring Wing must be set up in the head office too. Separate Wing for the bigger ministries, and separate division for the ministries having lesser scale of public works, should be created. The Requiring Ministry/ Agency must be integrated with the monitoring process.
8. The Training Academy and Testing Laboratory of the PWD needs to be upgraded and modernized. For conducting quality testing of the construction materials, testing laboratory in every district should also be established. Moreover, Separate Plumbing Unit for constructing sustainable buildings, and Planning and Design Unit for electro-mechanical works may be founded.
9. Buildings ought to be erected in full compliance with the approved Master Plan on urban development. In construction of modern high-rise buildings the factors relating to environment friendly building activities, energy efficient technology, application of state-of-the-art technology, Sewerage Treatment Plant (STP), must be taken into the planning process. In this respect, specialized trainings may be arranged for the required capacity building.

## **8.7 Biman Bangladesh Airlines**

Biman is the national flag carrier entirely owned by the government of Bangladesh. Aiming to promote Biman Bangladesh Airlines to burgeon as a world class airlines in the arena of civil aviation, Biman as of a corporation was founded on October 27, 1972, The air travellers-particularly the wage-earners travellers have got enormous attraction to this national flag carrier. But in view of the global standard of international airlines, Biman has fallen back. As corruption have been persisting in Biman, the following recommendations are stated below:

### **8.7.1 Maintenance and Overhauling**

#### **Nature of Complaints:**

The highest nature of corruption takes place in the maintenance sector of Biman. Various types of equipment and machinery spares are procured under this sector. Moreover, aircrafts are dispatched to overseas countries for repairs. Irregularities and corruption of varying natures occur in the areas of procurements and international tenders. According to the options of the Directors of the Board and some officials, the contracting firms are appointed and contracts are awarded to cater to their own gains. Hundreds of crores of money are embezzled out through procurements of equipment and



machinery spares. The money is allegedly misappropriated in collusion with the contractors and manufacturing companies on purchases of low quality spares at very high prices. Moreover, the Biman aircrafts are sent off to the foreign companies for repairs on their own choice, and the bills are concocted with highly inflated figures, and the surplus amount is allegedly grabbed in style of 'Sharing'.

The following recommendations may be considered as solutions to these problems:

1. In the Board Meeting, the scenario of successive corruption may be presented on reviewing the records and precisely figuring out the lists of spares and equipment, considering when and at what prices procured, procured from which firms and how much amount paid off.
2. To bring the officials involved with corruption, under the purview of law, ensuring proper punitive measures against them.
3. To form an Experts Committee to review whether the rules are being properly complied with while procurements are carried out through international tenders.
4. Making the e-GP mandatory so as to bring transparency in course of tender mechanisms.

### **8.7.2 BFCC (Biman Flight Catering Centre) Sector**

#### **Sources of Corruption:**

BFCC incurs recurring losses worth colossal amount of money, which are attributable to regular supply of low quality foods to the flights and eventual refusal by a number of airlines to procure such food items from BFCC. The scenario of massive embezzlements may clearly appear if the records of why the foreign airlines companies do not procure foods from BFCC, and the bills/vouchers relating to allocated and expended amounts of money, are reviewed. But this endeavour is likely to encounter time-consuming processes.

The following are the recommendations to prevent corruption in BFCC:

1. To upgrade the quality of food by appointing a Chef of international standard;
2. To make sure that the allocated resources are efficiently utilized, the monitoring should be intensified in BFCC.
3. On critically reviewing the related issues, prompt measures must be undertaken to persuade other flight agencies so as to procure their on-flight foods from BFCC.

### **8.7.3 Marketing, Sales and Procurement**

#### **Sources of Corruption:**

All the procurements and purchases for Biman Bangladesh Airlines are carried out by this department. According to the choices of the officers, many goods and spares are procured/bought from various enterprises which are not pre-enlisted with this department. Goods and items are allegedly procured from and repairs are done by the firms which are not enlisted with Biman. In such cases excessively inflated bills are concocted and the excess amounts of money go on to be pocketed.

As remedial measures to these problems, the following recommendations may be taken into account:

1. In respect of procurements and maintenance, the PPR and international Policies must be followed.
2. A reliable specialist has to be inducted into the Purchase Committee, and comprised the neutral personalities from different organizations, the Purchase Committee needs to be structured out.

## **8.8 Health Sector**

According to the Constitution of the People's Republic of Bangladesh, one of the foremost





responsibilities of the State is to provide healthcare and other fundamental means of subsistence for the citizens. All the health related-matters and affairs including Medicare, are administered and operated through diverse institutions under the Ministry of Health and Family Welfare.

The talented physicians are engaged in discharging the core responsibilities in health sector. Prompted by dedication of service to humanity, most of the physicians relentlessly keep rendering health services, but as for few physicians, some unethical activities like negligence to perform the duties and rapacity for acquisition of illegal wealth through unearned income, are looked down as a major impediment to high quality health services for the people of the country. In addition, procurement of medical equipment, infrastructure development, recruitment of officers and staff members, transfer, placement, etc. are also causes of corruption. The Anti-Corruption Act, 2004 has conferred upon the Commission the legal responsibilities to combat and prevent corruption, and to promote best practices. In this context, some recommendations from the Commission, may be considered toward preventing corruption. However, the Commission, as in its usual course, is set to take legal actions when any specific allegation about corruption is received.

### **8.8.1 Irregularities-Corruption in Medical Treatments**

#### **Sources of Corruption**

During the office hours, a good number of physicians get engaged for private practices without attending their official work places. Some of them have illegally amassed wealth by way of earning commissions and so-called 'gifts' from different pharmaceutical companies and diagnostic centers. Aiming to avert these sorts of irregularities, corruption and disregard of official duties, the following recommendations may be taken into consideration-

1. The reports published in different mass media reveal that around 60% physicians abstain from attending their workplaces. Given this context, regular attendance in the workplaces may be ensured by introducing biometric system of attendance and strict monitoring.
2. Making it obligatory for all medical practitioners to write down only the generic names - not the brand names of the medicines, in their prescriptions.
3. Ensuring accommodations and other facilities for them so as to improve the work environments at union and Upazila levels, and those doctors may be put on priority to undergo in-country and foreign training.
4. The one year internship may be extended to two years, and during the extended one year they should mandatorily work in the hospitals at Upazila levels, which may create opportunity to ensure full-time medical services in the Upazilas. Moreover, they should not be allowed to go for higher studies until they gain experience of working at union and Upazila levels.
5. Time serving career planning for the physicians and rational transfer policy should be formulated. Moreover, promotions of these physicians may be processed by way of examinations to be conducted by the Public Service Commission.
6. The ACC often receives complaints that the 40% commission over the charges of multiple diagnostic tests on which the diagnostic reports are prepared, are paid to the Physicians who issued the prescriptions. This is a matter of grave concern. Given this context, the government may officially fix up the highest and the lowest rates of charges for each test, to be applied to all diagnostic centers.
7. In consultations with all the stakeholders, the rates of admission fees and the amount of monthly charge to the maximum and down to the minimum, may be fixed up for all the non-government medical colleges,.

### **8.8.2 Procurement of Medical Merchandises, Supplies and Repairs**

#### **Sources of Corruption**

As the matter about corruption in procuring medical merchandises for the hospitals, e.g. medicines, equipment, diets, etc. often come up in the mass media, similar complaints are also lodged with the ACC. Given the merit, the Commission also takes legal actions against some of the complaints of the like. But as way to sustainable solutions against these irregularities and corruption, the optimal utilization of technology and systemic improvement are needed.



In the given perspective, the following recommendations may be considered to prevent the existing irregularities and corruption:

1. All procurement should be done through e-GP system mandatorily. Experienced doctors, engineers and officers efficient in procurement operations may be included into the "Purchase Committee". Besides, in case of procuring the high-value equipment, the tender document should stipulate that the supply contractor shall have to be obliged to do the post-supply repairs up to a certain period of time. In other cases of repairs, the existing Public Procurement Act and Rules may be properly complied with. The updated information about medicines in upazilas and district hospitals, the list of equipment-in-use in the hospitals, rate of admission fees, price-chart of the charges for various diagnostic services may be exhibited in a conspicuous place accessible to the patients. As apart, regular drives may be launched to prevent sales of government medicines into the black markets.
2. The valuable public resources are set to erode by supplying the medical equipment to those government hospitals where no skilled manpower is available there to operate it. In such cases, no equipment should be provided to, without the requisition received from, the hospital concerned. To avert wastages of public money found in procuring unnecessary equipment, supply of equipment without official requisitions from the service-seeking organizations must be prohibited. In order to procure such equipment, a Medical Equipment Procurement Committee may be formed comprising the Health Officer concerned, the local administrative official and a local engineer.

### 8.8.3 Human Resource Management

#### Sources of Corruption

Complaints usually go like irregularities and corruption in cases of recruiting 3rd and 4th class employees for the hospitals, and of their transfers, promotions and placements. Even the Anti-Corruption Commission has also instituted few cases on charges of such offences.

1. For the sake of recruitment through transparent process, the administrative ministry should get to operate effective monitoring system. Given with specific policy, inter-hospital transfers may be done every after three years. By installing digital attendance system and regular monitoring, the punctual attendance of the officers and the staff should be ensured. Misbehaving with the patients and their relations should be treated as grievous misconduct and departmental actions may be initiated against the wrongdoers. Moreover, special programs may be drawn up to promote harmonious relations among the patients, doctors and staff members.

## 8.9 Income Tax Department

#### Sources of Corruption:

Income tax may be the largest source of government revenue for Bangladesh. But the ground reality is that Bangladesh is yet to reach the desired level of relative ratio between tax revenue and GDP. Alongside the corruption and irregularities, other factors that lie at the root, are the income tax law, incomprehensibility and complexities of rules and systems, and to add more, divergent measures including exemptions awarded in different sectors, lower and higher rates of taxes, surcharges, tax at the source, etc. It also includes lack of effective, transparent, coordinated and accountable inspections. Monitoring, modern audit and risk management-oriented administration, directing and management, etc. and not applying effective measures and systems toward resolving the grievances and disputes. Lack of inadequate, intra and inter-organizational information sharing, communication, coordination and cooperation, and so with the Customs and VAT departments and the institutions out of National Board of Revenue including RJSC, Bangladesh Bank, departments concerning government procurements, Office of the Comptroller General of Audit and Accounts, Land office ,



BRTA, Securities and Exchange Department. This problem creates opportunities to evade income taxes eventually leading to corruption. The dominance of informal economy in the national economy, and the culture of inadequate and poor accounts/records keeping throw a spanner in the efficient tax management.

The following are the recommendations that may be considered to prevent corruption associated with income tax:

1. Digitalization is needed for better management of records to expedite the actions for realization of income tax and make it free from corruption. To safeguard the income tax returns of the Taxpayers, an integrated Enterprise Resource Planning (ERP) software may be installed, and in harnessing the system, one real time sharing central database can be built up for all the taxpayers. The database can help each of the taxpayers get to know about or revise the information of their year-based income tax returns. Moreover, on receiving the income tax returns, these may be entered into the software system mentioning about total number of pages. Such practice can protect the income tax payers to a great extent, against falling victims to harassments, and can simultaneously reduce the scope of corruption as perpetrated by the income tax officials/staff in concealing the information. The optimal utilization of the recently installed Online Tax System may also be ensured.
2. Separate budget-targets may be set for realization of revenues through TDS (Tax Deducted at Source) and for other efforts-based taxes. One exclusive cell may be set up to closely supervise whether the interventions for TDS are progressing effectively.
3. Serious allegations are there against many income tax officials and staff members who are allegedly working as consultants for a good number of taxpaying persons/organizations. Effective measures may be adopted to put an end to their such engagements which go straight against the existing relevant law, rules and regulations. With that observation, proper development of human resources and promoting their accountability is the need of the time.
4. According to the Income Tax Ordinance, 1984, the higher officials are not empowered to select the records for assessment of tax or auditing- they have only been authorized to supervise. Despite this limitation, in abuse of their supervisory power, they allegedly harass some of the taxpayers by taking the income tax returns into their custody. The illegal process of approvals by the joint Tax Commissioners or Tax Commissioner may be retracted.
5. Digitalization of all the registers is needed to safeguard all the information about the taxpayers of Income Tax Department, information of tax realization, etc, which are lying entered into those registers. As apart, the tax department may be advised to verify the Challans by using the tool available in the website of the office of the Comptroller General of Audit and Accounts, to also verify the audited statements of accounts through the website of the Institute of the Chartered Accountants of Bangladesh (ICAB). Instructions may also be accorded to the Comptroller General of Audit and Accounts and ICAB to keep the information of Challans and audited statements of accounts ever updated.
6. The allegations received against the income tax officials and staff members may be entered into a register, which may be inspected/ monitored by the higher authority from time to time. Moreover, the copies of each of the allegations may be forwarded to the Chairman of NBR for his knowledge about the contents.
7. The benefits awarded to the possessors of undeclared investments and black money as described under Section/sub-Section 19(BBBBB) and 19(E) of the existing Income Tax Ordinance, 1984, should be discouraged. If this provision is not repealed, the popular trend to earn black money will be on increase. Apart from this, public awareness may be built by clarifying the ambiguous perception persisting among the taxpayers about illegal money and black money. Moreover, the provisions of the Income Tax Ordinance including Section/sub-Section 19(BBBBB) and 19(E), which help encourage commission of corruption,



may be considered to be discarded. Until these provisions are rescinded, instructions may be accorded to strictly comply with the Sections/sub-Sections 19(BBBBB)(3), 19(E)(3)(d) relating to legitimacy of sources of income.

8. Adverse public perception goes about the enquiries by the tax inspectors. Complaints come in against some officials and staff for submission of enquiry reports without holding any inspections or with very eye washing inspections. To meet the existing needs, more tax inspectors should be recruited, arrangements should be taken to cross-verify the reports of the tax inspectors, and these reports may also be authenticated by the Deputy Commissioners of Taxes concerned.
9. In case the taxpaying organizations get audited and the statement of audited accounts prepared by the CA firms, the audit reports of the auditing firms should also be reviewed and the monitoring of these firms may be strengthened. If any fraud or purposive lapses are detected out, it may be instantly reported to the ICAB.
10. Instructions may be accorded to devise out a well-defined systemic mechanisms to verify the opening capital or previous savings, and credibility of business income reportedly flowing out from non-existent business entities, as shown in the Universal Self-Assessment Return, and also to assess (if tax-free or low rated income is shown) the quantities of capital, land/water body/homestead with full descriptions about occupancy/ ownership.
11. In order to enhance the transparency and accountability, complaints and disputes must be redressed expeditiously, public hearing needs to be conducted together with the stakeholders, and a fairly rational policy on Transfer and Placement must be formulated.

## 8.10 Customs, Excise and VAT Department

### Sources of Corruption

As of general trend, nearly 90% of the imports and exports of the country, is operated through the Customs Houses. The following are the major irregularities and corruption that often take place in the Customs Houses, across the processes of dispatching out the cargoes for export and clearing up the imported goods:

1. Some of the major irregularities widely prevalent in the Customs Houses are: under-invoicing the merchandises set to be imported or already imported, or over invoicing, false declarations about the name of the cargo, description, HS Code, weight/quantity, standard of quality, etc., defrauding, making multiple 'Challan's (Receipt for payment or delivery) for the goods. As for invoices against import of assorted goods, weights/ quantities are shown lesser than the actual if the goods are subjected to higher duty, conversely, weights/quantities are shown more than the actual if the goods are subjected to lower duty. In charging against such under/over invoicing, the customs officials put up proposals with unusual assessment appraisalment, and eventually on taking bribes they release the goods on appraisalment of the invoiced values as declared earlier.
2. Scopes for corruption are created in cases of clearing the capital goods/ machineries imported in violation of the conditions as stipulated in the government's notifications/SROs regarding duty exemptions, and also in cases of clearing the goods imported in contravention of the import policy, the environment policy, and other laws, rules, policies. Bargains go on between customs officials and the importers, which eventually get settled allegedly on big deals.
3. Lack of reconciliation within time-lines as provided by the Customs Act, 1969, between the number of 'Challan' against the imported goods and those against goods cleared after customs formalities, or auctioned sale of the imports at very low price, or decaying of the goods in storehouses, eventually leading to on- bribery clearance of the held-up goods





evading duties.

4. As per the Customs Act, if the imported consignments are not cleared within given time-limits, the goods are liable to be disposed of on auctions, which in most cases the Customs House and the Port Authority do not accomplish properly or in time, and for such negligence of duties the officials concerned do not face any accountability, whatsoever.
- 5 Customs Asycuda World System is an international digital system operated in automated environment and developed for customs administrations and the trade community to comply with international standards when fulfilling import, export and transit related procedures. The Customs Houses could not yet put it into full operation, because all the required modules (valuation/risk management/auction/foreign trade, etc.) are yet to be developed. Hence, many of the actions and procedures of the customs department are carried out on non-transparent and manual systems, which are found mostly prone to corruption.
6. The Proforma Invoice, LC, Bill of Lading, Invoice and Packing List, which are critically important for import business, are mostly found not properly prepared (by importers/agencies), hence not complying with national and international rules. Particularly in the Proforma Invoice, the information about the name of the goods to be imported, description, unit/ quantity, quality standard, price, etc., are not properly furnished. Lapses of the like cause ambiguity and complications for Customs. Such circumstances are potential breeding grounds for corruption.
7. The multipurpose bonds (100% export-oriented bond/ leather sector bond/ import substitute bond/ diplomatic bond-ship stores bond etc.) are poorly managed. The key reasons are the relevant rules/policy and procedures not properly complied with, inter-organizational information not efficiently shared, no integrated digital system in place to operate, etc. which cause irregularities, harassment, tax evasion and corruption notably in cases of issuing/renewal of bond licenses, evaluation of eligibility, export-import into bond, Ex-Bond and so on.
8. The existing discrimination in tariff structure relative to similar or mutually competitive products, inefficient roles of the grievance/dispute resolving entities like Tribunals, High Court, Appellate Division or other bodies for appeals and alternative dispute resolution (ADR), are imputable to ever-increasing congestion of allegations, disputes and court cases paving the way for corruption.
9. Some other major problems relating to Customs are- inadequate institutional capacity (weighing/scanning machines, CC Camera, Fork-lift, integrated automation- not par with needs), lack of proper intra-Customs and inter-organizational (with VAT & Income Tax departments and other associate bodies) co-ordination, poor activities of Customs Intelligence, lack of intelligence information-based risk management, inertia in post-clearance auditing. Besides, in many cases official Awards for information providers about smuggling and grand tax evasion (for both Customs officers and law enforcers like BGB, Police, Coast Guard) are not based on consistence with relevant law, policy and equity. All these factors generate scopes for massive tax evasion and corruption.
10. In cases of transports, logistics and goods imported against privileged persons/institutions or under Temporary Import Rules or under duty-deferred arrangements for government development projects, lack of transparency and massive abuses are observed, and the required re-exporting process are also mismanaged. Moreover, owing to inefficiency, dishonesty, negligence and self-supremacy of many a Customs Officer, appraisements against the consignments legally imported, are also often purposively delayed while, interestingly enough, imports done on false Declaration are allegedly released faster.
11. The VAT law and the Rules have given a lot of errors and flaws (allowing innumerable exemptions/waivers, low bases of pricing and tariff values, poor and non-transparent

record-keeping), which are not tenable in the measure of international standard. The existing VAT system and related administrative structure is still traditional and set with tax types based on geographic areas. This system does not conform to the modern best practice based structure of VAT management that creates discrete management scopes for the Large and the Medium taxpayers.

As preventive measures to corruption relating to customs, excise and VAT, the following recommendations may be taken into considerations:

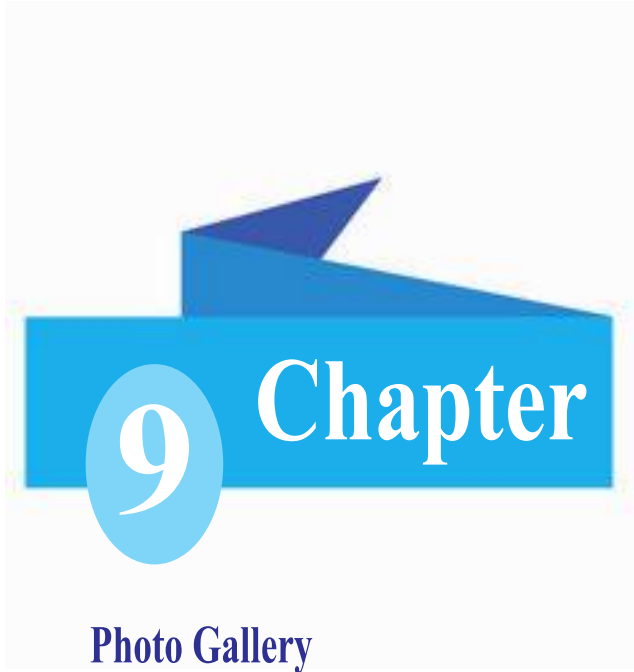
1. A Committee headed by Member (Customs) of NBR may be formed comprising officials experienced in customs affairs, and an experienced representative of FBCCI. In close association with all the Customs Houses, Stations Authorities, business enterprises and associations of C&F Agents, the Committee may identify those merchandises which are important as of high revenues or commercial goods with high rates of tariff, and against which trends for false or incomplete declarations are often observed. As such, this Committee may review and set aright the accurate information/ descriptions.
2. After settling on the required information (product name/ brand name, quality standard, unit, HS Code, etc.) /descriptions , those should be promptly disseminated to all chambers, Bangladesh Bank, foreign exchange branches of all commercial banks, Customs Houses & Stations, associations of C&F agents. This may help them ensure proper declarations as for the importer while receiving Proforma Invoice, for the concerned banks while opening LC or the executing contracts, for the suppliers/ exporters while making the packing lists, and for the C&F agents while preparing Bills of Entries, and so on.
3. Bangladesh Bank may feed the inputs of proper declarations into their LC related online system, and the NBR into their Asycuda World System so that all agencies/parties concerned may get informed and follow accordingly. Worth mentioning that the Asycuda system can receive or reject any "Declaration" by way of automated comparisons/verifications with the pre-entered inputs. For the purpose, at the entry and exit points of all ports attached to Customs Houses, Weigh Bridges (automated to weigh empty and loaded transports) and CC Cameras featured with high resolutions may be installed and connected with the Asycuda system. The Custom Officers may accordingly be trained up to read and analyze the data/images and secure the perfect output. Thus the malpractices of false declarations may be eliminated and corruption can also be averted.
4. Once the Responsive Declarations for importable/imported goods could be put into practice, implementation of the relevant provisions of WTO Valuation Rules will be easier. Meanwhile, the NBR may ensure developing and installing the valuation module into the Asycuda system, imparting training to the Customs Assessing Officers on WTO Valuation Agreement, and on compliances with the Rules thereof, and orienting the importers and the C&F agents to Responsive Declarations.
5. By applying the measures as suggested above, the trends of under or over invoicing may be eradicated, the existing notification about "Minimum Value" may be scrapped off, and proper legal actions should be taken up against the consignees of goods found less or more than the Declarations.
6. Customs-to Customs MoUs may be executed between Bangladesh Customs and the Customs authorities of those source countries of our imports, where the trends of false declarations against consignments of goods appear higher. In case of any dubious imports from those countries, such arrangements may help our Customs secure necessary information and assistance if wanted, for cross-verification.
7. The Customs Bonds management should be improved to make transparent, business friendly and conducive to larger collection of revenue. In holding consultations with all the parties concerned, but without undermining the effective control of the Customs, the bond





licenses may be issued, renewed and revoked. The current bond management mechanisms must be upgraded to a digitalized system to encompass and operate, on imports under bonded arrangement, bond license, bond audit, inter-organizational information sharing, coordination, SOP for bond transactions, etc.

8. The existing system of grievance and dispute redressing systems like the Appeal, Tribunals and ADR may be strengthened to turn out to be effective. Aiming to that direction, the functionalities of the Appeal and the Tribunal need to be integrated with the Asycuda system. The Customs Officers must promote their mind-set to positivity so as to make the ADR popular with the taxpayers.
9. The big tariff wall, raised against the importable goods, including customs duty, supplementary tax, VAT, advance VAT, advance Income Tax, etc. should be rationalized, because it largely induces the importers to take to "False Declaration". Moreover, the series of goods currently found included under the Duty structure ranging across through 0 %, 5%, 10% and 25%, need to be reviewed and rationalized as well.
10. Transparency and accountability ought to be valued and manifested in respect to selection/ nomination of recipients for Awards and utilization of Source Money. All the offices should abide by the same or mostly identical set of principles. As for transparency in making uses of the Source Money, each Unit needs to maintain a register, and such transactions should also be brought under the scan of a monitoring system.



## ফটো-গ্যালারি



মহামান্য রাষ্ট্রপতি মো. আবদুল হামিদ এর নিকট ২০১৬ সালের দুর্নীতি দমন কমিশনের বার্ষিক প্রতিবেদন তুলে দিচ্ছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ।



দুর্নীতি দমন কমিশনের অভিযোগ কেন্দ্রের হটলাইন ১০৬ এর উদ্বোধন করেন অর্থমন্ত্রী আবুল মাল আবদুল মুহিত, এমপি।



শ্রেষ্ঠ দুর্নীতি প্রতিরোধ কমিটির সদস্যদের মাঝে পুরস্কার বিতরণী অনুষ্ঠানে অর্থমন্ত্রী আবুল মাল আবদুল মুহিত, এমপি ও অন্যান্য অতিথিবৃন্দ।



‘দুদক মিডিয়া অ্যাওয়ার্ড’ প্রদান অনুষ্ঠানে পুরস্কার বিতরণ করছেন সংস্কৃতি মন্ত্রী আসাদুজ্জামান নূর, এমপি।



দুর্নীতি দমন কমিশনের ত্রয়োদশ প্রতিষ্ঠা বার্ষিকীর উদ্বোধন করছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ, এ সময় তাঁর সঙ্গে রয়েছেন দুদক কমিশনার ড. নাসিরউদ্দীন আহমেদ ও এ এফ এম আমিনুল ইসলামসহ কমিশনের উর্ধ্বতন কর্মকর্তাবৃন্দ।



দুর্নীতি দমন কমিশনের চেয়ারম্যান ইকবাল মাহমুদ, ইউএনডিপি'র কান্ট্রি ডিরেক্টর সুদীপ্ত মুখার্জী এর সঙ্গে মতবিনিময় করছেন।





কমিশনের প্রতিষ্ঠা বার্ষিকীর আলোচনা সভায় সভাপতির বক্তব্য রাখছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ।



বাংলাদেশের দুর্নীতি দমন কমিশন এবং ভুটানের দুর্নীতি দমন কমিশনের সমঝোতা স্মারক অনুষ্ঠান।



দুর্নীতিবিরোধী কার্টুন চিত্রের উদ্বোধন করছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ, কমিশনার ড. নাসিরউদ্দীন আহমেদ ও এ এফ এম আমিনুল ইসলাম।



‘সততা সংঘের’ সমাবেশে শপথবাক্য পাঠ করাচ্ছেন দুর্নীতি দমন কমিশনের চেয়ারম্যান ইকবাল মাহমুদ।



দুর্নীতিবিরোধী কার্টুন চিত্র দেখছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ, কমিশনার ড. নাসিরউদ্দীন আহমেদ ও এ এফ এম আমিনুল ইসলামসহ অন্যান্যরা।



দুর্নীতিবিরোধী কার্টুন চিত্র দেখছেন দর্শনার্থীগণ।



দুর্নীতিবিরোধী মানববন্ধনে দুদক চেয়ারম্যান, কমিশনারসহ সাধারণ জনগণ।



প্রতিযোগিতায় বিজয়ী ছাত্রদের মাঝে পুরস্কার বিতরণ করছেন অধ্যাপক ড. মুহম্মদ জাফর ইকবাল।



দুর্নীতিবিরোধী বিতর্ক, পোস্টার ও রচনা প্রতিযোগিতার পুরস্কার বিতরণী অনুষ্ঠানে প্রধান অতিথির বক্তব্য রাখছেন অধ্যাপক ড. মুহম্মদ জাফর ইকবাল।



দুর্নীতির বিরুদ্ধে মানববন্ধনে শিক্ষামন্ত্রী নুরুল ইসলাম নাহিদ, এমপি ও দুদক চেয়ারম্যান ইকবাল মাহমুদসহ অন্যরা।



দুর্নীতির বিরুদ্ধে সমন্বিত প্রয়াস শীর্ষক সেমিনারে মূল প্রবন্ধ উপস্থাপন করছেন জাতীয় শুদ্ধাচার কৌশল সহায়তা প্রকল্পের জাতীয় পরামর্শক মোঃ সফি-উল-আলম।



কোচিং বাণিজ্যের বিরুদ্ধে সিলেট জেলা দুর্নীতি প্রতিরোধ কমিটির মানববন্ধন।





দুর্নীতি দমন কমিশনের শুভেচ্ছাদূত বিশ্ব সেরা ক্রিকেট অলরাউন্ডার সাকিব আল হাসানকে শুভেচ্ছা স্মারক দিচ্ছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ।



আন্তর্জাতিক দুর্নীতিবিরোধী দিবসের মানববন্ধনে দুদক চেয়ারম্যান ইকবাল মাহমুদ ও কমিশনার এ এফ এম আমিনুল ইসলামসহ অন্যরা।



আন্তর্জাতিক দুর্নীতিবিরোধী দিবসের আলোচনা সভায় বক্তব্য রাখছেন অধ্যাপক ড. মুহম্মদ জাফর ইকবাল।



আন্তর্জাতিক দুর্নীতিবিরোধী দিবসের আলোচনা সভায় সভাপতির বক্তব্য রাখছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ।



দুদক অভিযোগ কেন্দ্র হটলাইন-১০৬ এ কর্মরত কর্মকর্তাগণ।



নিজ দপ্তরে এফবিআই প্রতিনিধির সঙ্গে মতবিনিময় করছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ।





দুনীতি দমন কমিশনের পাঁচ বছর মেয়াদি কর্মপরিকল্পনার চলমান কার্যক্রম বিষয়ে মতবিনিময় সভায় দুদক চেয়ারম্যান ইকবাল মাহমুদ, কমিশনার ড. নাসিরউদ্দীন আহমেদ, এ এফ এম আমিনুল ইসলামসহ অন্যান্য অতিথিবৃন্দ।



দুনীতি দমন কমিশনের রাসদামাটি সমন্বিত জেলা কার্যালয়ের ভবন নির্মাণ কাজের উদ্বোধন করছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ।



জার্মান উন্নয়ন সহযোগী সংস্থা জিআইজেড এর প্রতিনিধিদের সাথে মতবিনিময় করছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ এবং কমিশনার ড. নাসিরউদ্দীন আহমেদ।



দুনীতি দমন কমিশনের প্রতিষ্ঠাবার্ষিকীর আলোচনা সভায় বক্তব্য রাখছেন বাংলাদেশ ব্যাংকের সাবেক গভর্নর ড. মোহাম্মদ ফরাসউদ্দিন।



গণশুনানি উপলক্ষে র্যালির নেতৃত্ব দিচ্ছেন দুদক কমিশনার ড. নাসিরউদ্দীন আহমেদ।



শান্তির প্রতীক পায়রা উড়িয়ে দুনীতি দমন কমিশনের ত্রয়োদশ প্রতিষ্ঠা বার্ষিকীর উদ্বোধন করছেন দুদক চেয়ারম্যান ইকবাল মাহমুদ, এ সময় তাঁর সঙ্গে রয়েছেন দুদক কমিশনার ড. নাসির উদ্দীন আহমেদ ও এ এফ এম আমিনুল ইসলামসহ কমিশনের ঊর্ধ্বতন কর্মকর্তাবৃন্দ।