



# Annual Report 2022

United Against Corruption



**Anti-Corruption Commission  
Bangladesh**

**United Against Corruption**

# **ANNUAL REPORT 2022**



**Anti-Corruption Commission, Bangladesh**

1 Segunbagicha, Dhaka



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**ANNUAL REPORT 2022**

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The Anti-Corruption Commission's 'Annual Report 2022' is submitted to the H.E. Hon'ble President of the People's Republic of Bangladesh in accordance with the Section 29(1) of the Anti-Corruption Commission Act, 2004.

## Bangabandhu's Anti-Corruption Statement

After returning to Bangladesh from Pakistan on 10 January 1972, Bangabandhu Sheikh Mujibur Rahman started the struggle to rebuild the war ravaged country. He was annoyed at the activities of dishonest and corrupt people. On 26 March 1975 at Suhrawardy Udyan he reiterated his stand against corruption and made the following remarks-

“

আজ কে দুর্নীতিবাজ? যে ফাঁকি দেয়, সে দুর্নীতিবাজ। যে ঘুষ খায়, সে দুর্নীতিবাজ, যে স্মাগলিং করে, সে দুর্নীতিবাজ। যে ব্ল্যাকমার্কেটিং করে, সে দুর্নীতিবাজ। যে হোর্ড করে, সে দুর্নীতিবাজ। যারা কর্তব্য পালন করে না, তারা দুর্নীতিবাজ। যারা বিবেকের বিরুদ্ধে কাজ করে, তারাও দুর্নীতিবাজ। যারা বিদেশের কাছে দেশকে বিক্রি করে, তারাও দুর্নীতিবাজ। এই দুর্নীতিবাজদের বিরুদ্ধে আমাদের সংগ্রাম শুরু করতে হবে।...”

”



**Father of the Nation Bangabandhu Sheikh Mujibur Rahman**





## Anti-Corruption Commission



**Mohammad Moinuddin Abdullah**  
Chairman



**Dr. Md. Mozammel Haque Khan**  
Commissioner



**Md. Jahurul Haque**  
Commissioner

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## Acronyms

ACC	Anti-Corruption Commission
ADB	Asian Development Bank
APG	Asia/Pacific Group On Money Laundering
BDT	Bangladeshi Taka
BFIU	Bangladesh Financial Intelligence Unit
BNCC	Bangladesh National Cadet Corps
CBI	Central Bureau of Investigation
CDMS	Criminal Database Management System
CID	Criminal Investigation Department
CPC	Corruption Prevention Committee
CTTC	Counter Terrorism and Transnational Crime
CTR	Cash Transaction Report
DoE	Department of Environment
DPP	Development Project Proposal
EOI	Expression of Interest
ETP	Effluent Treatment Plant
FIMA	Financial Management Academy
FATF	Financial Action Task Force
GDP	Gross Domestic Product
GIZ	Deutsche Gesellschaft Fur Internationale Zusammenarbeit (German Agency for International Co-operation)
HOPE	Head of Procuring Entity
ICRF	Investigative Committee of the Russian Federation
ICT	Information and Communication Technology
ILIS	Integrated Lawful Interception System
IPMS	Investigation and Prosecution Management System
INTERPOL	International Police
ITCILO	International Training Centre of the ILO
IU	Integrity Unit
LAN	Local Area Network
LT	Land Transfer
MLAR	Mutual Legal Assistance Request
MLAT	Mutual Legal Assistance Treaty
MOU	Memorandum of Understanding
NBR	National Board of Revenue
NTMC	National Telecommunication Monitoring Center
NIS	National Integrity Strategy
NRA	National Risk Assessment
OSINT	Open Source Intelligence
PAC	Provisional Acceptance Certificate
PDS	Personal Data Sheet
PKSF	Palli Karma-Sahayak Foundation
PWD	Public Works Department
ROR	Record of Rights
RTI	Right to Information
UAT	User Acceptance Test
UNCAC	United Nations Convention against Corruption
UNODC	United Nations Office on Drugs and Crime
UNDP	United Nations Development Programme



## Letter of Transmittal

20 March 2023

**His Excellency Md. Abdul Hamid**  
**Hon'ble President**  
**The People's Republic of Bangladesh**

**Your Excellency,**

We are delighted to present you the Annual Report of the Anti-Corruption Commission for 2022 in accordance with the Section 29 (1) of the Anti-Corruption Commission Act, 2004. We humbly request you to take necessary measures to place the report before the National Parliament of Bangladesh.

The report prepared for the year 2022 includes the background and introduction of the Commission, performance, internal and external accountability, recent achievement and future plan with detailed information on asset management. Some general information, statistics and analysis have been incorporated in the report for the sake of clarity and simplicity. If any misleading or incorrect information is inadvertently mentioned in the report, the necessary corrigenda will be published in due course.

We assure you that the Anti-Corruption Commission will continue to take all possible steps to curb and prevent corruption as well as flourish an anti-corruption culture among the people.

Sincerely,

**Mohammad Moinuddin Abdullah**  
**Chairman**  
**Anti-Corruption Commission**

**Dr. Md. Mozammel Haque Khan**  
**Commissioner**  
**Anti-Corruption Commission**

**Md. Jahurul Haque**  
**Commissioner**  
**Anti-Corruption Commission**



## Preface

Since its inception in 2004, the independent and impartial Anti-Corruption Commission has been publishing its Annual Report pursuant to the provisions of the section 29(1) of the Anti-Corruption Commission Act, 2004. When the world has started marching again after the global pandemic, the Anti-Corruption Commission, in continuation of the previous year, is publishing the Annual Report covering its performance of 2022 and highlighting its future plans.

Corruption is a formidable obstacle to building a golden Bangladesh free from discrimination and exploitation that the Father of the Nation Bangabandhu Sheikh Mujibur Rahman dreamed of. Therefore, various anti-corruption plans were chalked out at different times after independence; several laws have been enacted and independent commissions have been established. However, despite adoption of considerable measures for preventing corruption, its prevalence can hardly be doubted.

As a result of various development programmes implemented by the Government, Bangladesh has achieved noteworthy economic development with improvement in standard of living of the people. At the same time, the type and extent of corruption has also increased in particular sectors. We need to prevent corruption through boycotting people involved in this menace. Corruption is identified as an unethical act and an injustice to the mankind in all widely-practiced faiths. In Bangladesh, the majority of the people are religious by nature. As religion plays an over-arching role in our individual life and social dealings, it can be harnessed, if articulated properly, to reduce corruption to a great extent.

Due to advancement of information technology and widening of globalization, there has been a great change in the field of corruption; its type and nature are getting modified at a breakneck pace across the globe. With the increase of technological excellence in the service sector in our country, collusive practices have been rampant and widespread, often taking a predatory shape. Being no longer limited to the borders of any particular country, corruption has now become pervasive worldwide, assuming varied and complex dimensions elsewhere. As corrupt practices can be resorted to easily with the help of information technology, their prevention is faced with frequently-emerging new challenges.

The Anti-Corruption Commission is the only state institution created by law to combat and prevent corruption. Due to geographical and socio-economic realities of Bangladesh, the lenience for corruption has been deep-rooted in society since prehistoric times. Therefore, only remedial measures against this vice have little chance of bringing success. Hopefully, people's abhorrence, if inculcated properly, can reduce corruption to a reasonable level. Believing in this strategy, the Commission has been giving due importance to the task of prevention of corruption along with remedial actions. Accordingly, the commission has undertaken multifaceted activities to restrain this primordial transgression, involving people in various anti-corruption activities through Corruption Prevention Committees at district and upazila levels nationwide. In order to save the youth from being debased by negative influence of corruption, an initiative has been taken to enable them to gather hands-on experience of honesty. For this purpose, the Anti-Corruption Commission has formed Satata Sangho and Satata Store at various schools and colleges involving youth and civil society representatives.

The horrors of the ongoing war during the post-pandemic crisis have raised fears of a global economic recession from which Bangladesh can hardly isolate itself. The chaotic situation caused due to uncertainty and tension has heightened a premonition of corruption which, in Bangladesh, has emerged as a new challenge for the Anti-Corruption Commission. Although its responsibility has increased, the Commission being institutionally richer than ever before, is determined to tackle this situation adroitly as 14 new offices have been already opened and more than three hundred new officers and employees appointed in various positions including Assistant Director and Deputy Assistant Director. Employees of the Commission have been promoted to the posts of Assistant Director, Deputy Director, Director and Director General. State-of-the-art digital forensic laboratory has been set up to meet the new challenges of globalization and the fourth industrial revolution.



The present Commission looks forward to developing skilled manpower of its own so that they can deal with the complex nature of corruption that has emerged in the present times. Accordingly, ACC is promoting its officials to deserving positions and preparing them as skilled and competent staff through advanced training at home and abroad. It is expected that the country will soon reap the benefits of curbing corruption with the support of these officials.

The benefits of taking the above initiatives have already been reflected in different activities of the Anti-Corruption Commission. Since its establishment, the Commission has been taking legal measures to the best of its ability against offences scheduled to the ACC Act, 2004. It can be seen from the statistics that in 2022, the conviction rate in the trial of ACC cases before competent courts is almost 64% and in money laundering cases, almost 100%. At present, the ACC is enquiring about 3,500 corruption complaints. In addition, 2,910 cases are pending for trial in different courts within and outside Dhaka. It should be noted that in 2022, the Commission approved the enquiry into 901 complaints based on the petitions received from various sources. This year, the Commission approved the enquiry of 406 more cases and submission of 224 charge-sheets. Besides, more than 3,000 complaints have been forwarded to the concerned offices/departments for investigation or necessary action. In addition to enquiry and investigation activities, the Enforcement Unit of the ACC has conducted 456 operations on different corruption allegations. The Anti-Corruption Commission has operationalised a system of strict monitoring so that enquiry and investigation of corruption complaints do not get delayed unreasonably.

Strict instructions have been issued to officers concerned to complete enquiries and investigations in the shortest possible time and submit the accurate report to the Commission so that correct decisions can be taken at the earliest. In most cases of bribery and corruption, both the colluding parties gain benefits through underhand dealings causing loss only to the state and society. As a result, it is difficult to collect appropriate evidence of bribery and corruption in many cases.

Against this backdrop, the Commission emphasises, in conformity with Constitutional tenets, on widening its coverage in an effective way so that anyone attempting to amass “unearned incomes” is netted automatically. By making it difficult to enjoy illegally acquired wealth, ACC hopes to prevent corruption to a considerable extent. If the ACC succeeds in achieving its objectives, the Bengali nation will get a happy and prosperous corruption-free golden Bangladesh of our dreams. A big positive change can bring full cooperation of citizens at all levels of the State in ACC’s campaign against corruption.

The Anti-Corruption Commission is working relentlessly to develop a corruption-free nation. Bangladesh is moving at an unstoppable pace with the goal of becoming a high-income country by 2041. As an active partner in the implementation of that goal, the Anti-Corruption Commission is trying to accomplish its functions to the best of its abilities.

Finally, I sincerely thank all the officers and employees of the Commission who are diligently working to prevent and control corruption and all those involved in preparing the Annual Report. Every effort has been made to keep this document free from errors. However, if any inaccuracy or inconsistent information is found in this publication, I request all to bring it to the notice of the Director General (Administration) of the ACC.

**Mohammad Moinuddin Abdullah**  
Chairman  
Anti-Corruption Commission



# **CHAPTER ONE**

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

- 1.1 Introduction
- 1.2 Introducing the Anti-Corruption Commission
- 1.3 Functions of the Commission
- 1.4 Scheduled Offences of the Anti-Corruption Commission



## Anti-Corruption Commission: Background and Introduction

### 1.1. Introduction

Corruption is a global problem. Standing out as a major impediment to evolution of human civilizations, corruption sturdily obstructs the way to building a society free from disparity. In the countries having inadequate resources, the extent of corruption is markedly more pervasive. Being the foremost source of most of the offences, corruption hinders the combatting of other crimes as well.

Corruption is one of the primordial crimes; the offences relating to it may be termed as spin-offs of civilizations. Every scripture contains harsh provisions against corruption. Various forms of corrupt practices have been vividly elaborated at all times as traced in scholarly works of the Greek philosopher Plato or Kautilya's Arthashastra in ancient India. Over the times past, corruption has gradually changed its nature, form, severity and impact. The main reason for this transformation is acquisitions of individual ownerships over resources, and ever-growing disparity between human avarice and ability. Another key reason of corruption is unbounded greediness with fascination for worldly gratification and a pervasive tendency to ensure a secure future for succeeding generations. Hindering ethical upliftment of the nation, corruption retards economic development, poverty alleviation, development of infrastructures and so on. It transpires from the reports of different research institutes that corruption not only eats up the foundation of democracy, but also encourages terrorism. However, optimistically, almost every country of the world has put in place some legal frameworks to curb corruption. Countries becoming signatory to UN Convention against Corruption (UNCAC) are pledge-bound to combat corruption internationally.

The efforts to prevent corruption in Bangladesh, like other countries, date back to ancient time. The Penal Code enacted in this sub-continent in 1860 provides for punishment of certain acts defined as corruption. However, even before this Penal Code came into force, some forms of penal provisions had already been in existence in this country for dealing with similar offences. Hence, it may be held that the Penal Code, 1860 put in place a legal framework for trying offences relating to corruption. 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" came into force for curbing corrupt practices, the operation of which was assigned to Police Department. As the expected outcome was away from being obtained, a further enactment titled "The Anti-Corruption Act, 1957" was put into force to carry out anti-corruption activities for which a distinct government office called the Bureau of Anti-Corruption (BAC) was established. Though the BAC operated as a temporary office during its initial phase, it started functioning as a permanent department since 1967.

In 1971, Bangladesh emerged through a historic struggle for national liberation. Article 20(2) of the Constitution of Bangladesh adopted in 1972 stipulates, "The State shall endeavour to create conditions in which, as a general principle, persons shall not be able to enjoy unearned incomes". Thus the Constitution sets out a principle to build up a law-abiding society free from corruption. Accordingly, BAC remained actively functional in independent Bangladesh too. However, as desired outcomes were far beyond its reach, a fresh legislation called "The Anti-Corruption Commission Act" was passed in Parliament in 2004 upholding the aspiration of the people for a just society free from unearned incomes. Pursuant to the provisions of this Act, an independent Anti-Corruption Commission was established on 21 November 2004 in replacement of BAC. Being an independent and impartial statutory autonomous body, ACC is mandated to prevent corruption and corrupt practices in the country and to conduct investigation and enquiry of corruption and other specific offences.



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

### **1.2.1 Responsibilities and Mandates**

To conduct enquiry and investigation of corruption and other specified offences functioning as a prosecuting agency under the Anti-Corruption Commission Act, 2004 (Act V of 2004) for the purpose of prevention of corruption and corrupt practices in the country.

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

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

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

Relentlessly combat, control, suppress and prevent corruption.

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

- To prevent corruption through punitive actions;
- To curb corrupt practices by reviewing existing work procedures; and
- To suppress malfeasance through spreading education, promoting good practices and enhancing awareness.

The aforesaid strategic goals are backed up by four objectives:

- Developing an institutional framework;
- Framing operational procedures;
- Developing human resources and ensuring internal good governance; and
- Providing sound financial and technical (logistic) support.

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

- Completion rate or the percentage of cases completed against the number assigned in the year;
- Cycle time or time taken for an investigation in a case to be completed;
- Prosecution rate or the percentage of cases prosecuted against the number completed in a year; and
- Conviction rate or the percentage of cases convicted in court against the number prosecuted in a year.

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

The Anti-Corruption Commission is a statutory body made up of three Commissioners. Pursuant to provisions of the Anti-Corruption Commission Act, 2004, a five-member search committee is formed which is headed by a Judge of the Appellate Division of the Supreme Court. On this committee's recommendations, three full-time Commissioners are appointed by the Hon'ble President for a five-year tenure. On expiration of their respective tenures, the Commissioners cease to be eligible for re-appointment.

The Hon'ble President, from among the three Commissioners, appoints a Chairman who discharges his responsibilities as the Chief Executive of the Commission. All the meetings of the Commission are held at the place and time as determined by the Chairman. Meetings of the Commission are presided over by the Chairman or, in his absence, by a Commissioner nominated by him. Presence of two Commissioners including the Chairman forms the quorum of its meetings.

On ceasing to hold office, Commissioners are barred from holding any post of profit in the service of the Republic. No Commissioner shall be removed from office except in like manner and on the like grounds as a Judge of the Supreme Court.



### 1.3 Functions of the Commission

#### 1.3.1 Functions

The Commission performs the functions as conferred upon it by the Anti-Corruption Commission Act, 2004. 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 Money Laundering Prevention Act, 2012;
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 decide on 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.

#### 1.3.2 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 Code of Criminal Procedure, 1898
4. The Prevention of Corruption Act, 1947
5. The Criminal Law (Amendment) Act, 1958
6. The Money Laundering Prevention Act, 2012

#### 1.3.3 The Commission's Special Powers for Enquiry/Investigation

1. Summoning the witnesses, ensuring their attendance and interrogation;
2. Search out and putting up any 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 the 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”.

#### **1.3.4 Commission's Fundamental Work**

The fundamental goal of the ACC is to operate relentless drives 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.

#### **1.4 Scheduled Offences of the Anti-Corruption Commission**

Anti-Corruption Commission works with the following scheduled offences-

##### **1.4.1 Offences under the Anti-Corruption Commission Act, 2004;**

- Section 19 (3) : Non-compliance of commission's order or impede the enquiry/investigation is punishable;
- Section 26 (2) : Submitting false declaration or non-submission of asset declaration form;
- Section 27 (1) : Possession of property disproportionate to known sources of income;
- Section 28 (C) : Knowingly giving false complaints of corruption against Public Servant.

##### **1.4.2 Offences under the Prevention of Corruption Act, 1947;**

##### **1.4.3 Offences under the Money Laundering Prevention Act, 2012;**

##### **1.4.4 The following offences of Penal Code 1860 (Act XLV of 1860);**

- Section 161 : Public servant taking gratification other than legal remuneration;
- Section 162 : Taking gratification, in order, by corrupt or illegal means, to influence public servant;
- Section 163 : Taking gratification, for exercise of personal influence with public servant;



- Section 164 : Punishment for abetment by public servant of offences defined in section 162 or 163;
- Section 165 : Public servant obtaining valuable thing, without consideration from person concerned in proceeding or business transacted by such public servant;
- Section 165(A) : Punishment for abetment of offences defined in sections 161 and 165;
- Section 165(B) : Certain abettors excepted;
- Section 166 : Public servant disobeying law, with intent to cause injury to any person;
- Section 167 : Public servant framing an incorrect document with intent to cause injury;
- Section 168 : Public servant unlawfully engaging in trade;
- Section 169 : Public servant unlawfully buying or bidding for property;
- Section 217 : Public servant disobeying direction of law with intent to save person from punishment or property from forfeiture;
- Section 218 : Public servant framing incorrect record or writing with intent to save person from punishment or property from forfeiture;
- Section 409 : Criminal breach of trust by public servant, or by banker, merchant or agent.

**1.4.5 The following offences if they are related to public property, or if Government employees, bank employees or employees of financial institutions commit the following offences-**

- Section 420 : Cheating and dishonestly inducing deliver of property;
- Section 467 : Forgery of valuable security, will, etc.;
- Section 468 : Forgery for purpose of cheating;
- Section 471 : Using as genuine a forged document;
- Section 477(A) : Falsification of accounts.

**1.4.6 Offences under section 109 (abetment), section 120B (conspiracy) and section 511A (attempt) of the Penal Code, 1860 committed in connection with any offence under sub-sections (a), (b) or (c) of this section.**

- Section 109 : Punishment of abetment if the act abetted is committed in consequence and where no express provision is made for its punishment;
- Section 120(B) : Punishment of criminal conspiracy;
- Section 511 : Punishment for attempting to commit offences punishable with imprisonment for life or imprisonment.

# **CHAPTER TWO**

## **Institutional Capacity Building of the ACC**

- 2.1 Human Resource Management and Development
- 2.2 Some Notable Activities of the Administration Wing
- 2.3 Overview of the Projects Completed under the Anti-Corruption Commission
- 2.4 Activities of the Intelligence Unit of the Commission
- 2.5 Distribution of ACC's workforce at Head Office and Field Offices
- 2.6 Budget Management of the Commission
- 2.7 Steps Taken by the ACC to Prevent Internal Corruption
- 2.8 Enactment and Amendment of Laws, Rules and Policies
- 2.9 Oversight and Evaluation of Commission's Overall Performances
- 2.10 Providing Information as per the Right to Information Act, 2009



## Institutional Capacity Building of the ACC

### 2.1 Human Resource Management and Development

Through its Administration Wing, the Anti-Corruption Commission manages its human resource, executes expenditure according to the existing regulations, maintains accounts, and manages all types of physical assets, including infrastructures. An efficient, accountable, industrious and creative human resource is an imperative for preventing, combatting and suppressing corruption and widening integrity practices. Due to this reason, the Commission has undertaken multidimensional activities in human resource development to enhance institutional capacity as outlined in its five-year (2017-21) strategy.

The Commission's Administration Wing, by issuing several Office Orders, Circulars, and Office Memorandums, has reengineered the processes of many of its businesses including training and communication techniques for the purpose of strengthening transparency and accountability, ensuring effectiveness of enquiry, investigation and prevention and developing its overall institutional capacity to the highest level. In addition to the use of technology in modern administrative management, it is considered one of the administrative responsibilities to ensure transparency and accountability in the service delivery process of an independent organisation by applying various innovative and creative strategies. The Administration Wing of the ACC is implementing multidimensional activities for this purpose.

Notable among these activities are the promotion of officers and employees through examination in the light of specific syllabus, formulation of effective and accountable policies for immediate action against corruption, introduction of grading system in complaint management and application of various legal strategies in all types of enquiries and investigations including property related complaints.

The ACC Secretary directly supervises all the activities of this Wing headed by a Director General. All kinds of internal regulatory activities, including internal transparency, accountability, discipline and incentives of the employees of the Commission are carried out through this wing.

### 2.2 Some notable activities of the Administration Wing

#### 2.2.1 Information related to infrastructure development of the Commission

Apart from the head office of the Anti-Corruption Commission, there are eight divisional offices and 36 district offices. In line with organogram of the Commission, 14 more district offices were set up in 2022. In recent years, the Commission has set up its own office buildings at Rangamati, Noakhali, Jashore, Mymensingh, Kushtia and Habiganj. Besides, the Commission is in the process of setting up its own buildings at divisional and district levels in Sylhet, Khulna, Barishal, Rajshahi and Rangpur. Moreover, construction work of its state-of-the-art building for the head office is underway.

#### 2.2.2 Information related to logistic support

Logistic support is an important factor for accomplishing any work in short time in an expected way. In order to successfully implement the anti-corruption and prevention activities immediate drives, 10 new vehicles were procured in 2022 and provided to the newly established offices. As a result, these offices are now able to undertake their tasks in an easier way.

#### 2.2.3 Information technology development of the Anti-Corruption Commission

The Anti-Corruption Commission is establishing regular direct contact with the officials of the district and upazila administration, including district and divisional offices of the Commission, through video conferencing. The ACC's toll-free hot line (106) has introduced incoming international calls. Expatriates can easily convey their complaints directly by calling '+8809612106106'. Social media is also being used to receive complaints and inform the general public about the next steps. Complaints are received through the Commission's own verified Facebook page and other social media platforms.



A state-of-the-art digital forensic lab has been set up at the Commission's head office to retrieve information from digital devices for the sake of enquiry and investigation. Recruitment of human resources of the ACC, along with receiving applications and issuing admit cards after verification, is being done through Teletalk e-Recruitment service. Many activities are being disposed of through e-documents. The Commission launches tender notices on e-GP portal. The interrogation rooms have been brought under CCTV cameras to monitor the activities taking place inside round the clock.

### **2.3 Overview of the projects completed under the Anti-Corruption Commission**

From January, 2019 to June, 2019 three projects were implemented by the Anti-Corruption Commission which are as follows: (1) Construction of new building for Jashore combined district office (2) Constructions of office buildings at Noakhali and Habiganj (1<sup>st</sup> Amendment) and (3) Construction of office buildings at Rangamati, Kushtia and Mymensingh (1<sup>st</sup> Amendment).

Through these projects, two-storey buildings have been constructed at Jashore and Noakhali on 1.16 acres and 0.24 acres of land respectively and a three-storey one at Habiganj on 0.35 acres of land, a storey one as district office at Rangamati on 0.44 acres land and two more two-storey ones as district offices at Kushtia and Mymensingh each on 0.50 acres of land.

After implementing these three projects, ACC has its own office buildings at six districts. These infrastructural developments have created a congenial working environment for the employees ensuring a secured arrangement for keeping records.

#### **2.3.1 Institutional Capacity Building of Anti-Corruption Commission (2<sup>nd</sup> Amendment) Project:**

A Technical Assistance Project titled Institutional Capacity Building of Anti-Corruption Commission (2<sup>nd</sup> Amendment) has been undertaken to implement from April 2017 to June 2022. A web-based Investigation Prosecution Management System (IPMS) software has been developed for monitoring the progress of enquiries, investigations and trials. Two studies have been completed on "Assessing the Effectiveness of the Current Anti-Corruption Activities of the Anti-Corruption Commission" and "Effectively Determining the Obstacles to Enquiry and Investigation of Corruption Cases" under the assistance of the project.

#### **2.3.2 Overview of ongoing projects under the Anti-Corruption Commission**

##### **Strengthening Anti-Corruption Commission (1<sup>st</sup> Amendment) Project:**

A project titled Strengthening the Anti-Corruption Commission has been undertaken and its implementation period is from July, 2018 to December, 2023 . The estimated cost of the project is 445 million Taka. The overall progress of the project is about 57%. The main objectives of the project are - (a) to enhance the capacity of the Anti-Corruption Commission through professional development of the ACC employees (b) to reduce corruption in the public-private sector through the development of skills of Corruption Prevention Committee and Integrity Unit and (c) to facilitate and speed up ACC's office automation activities. The current status of the project is as follows:

- The ACC has set up its digital forensic lab. Training has been provided to 10 officers at home and six officers abroad for running the lab;
- Under the project, two microbuses, 150 desktop computers, 66 laptops, 200 scanners and 50 printers have been procured;
- Under the project, 40 officers have been trained abroad while 360 officers, 120 employees and 350 members of the Corruption Prevention Committees have received training at home;



- Educational materials (school bags made of jute, measuring scale, school notebook, geometry box, water pot, tiffin box, pen holder, umbrella, dust bin and purse) have been procured and distributed among students as part of preventive activities;
- For moral upliftment of meritorious students in the Integrity Unit, one male and one female student from 491 upazilas of the country have been awarded special recognition;
- Work is underway to set up a Local Area Network (LAN) in all the offices of the Commission;
- Procurement of Document Forensic System has been completed under the project;
- In order to expedite the Anti-Corruption and prevention activities, research will be conducted on the “Evaluation of the Effectiveness of Public Hearing” as prescribed by the Commission. The Evaluation Committee is evaluating research proposals to conduct the study;
- Specifications of computer software for automation and digital archives of the Commission have been prepared by individual consultants hired under the project. A committee headed by the Director General (ICT and Training) has been constituted to scrutinize and finalize the prepared specifications;
- For ensuring security of computer network equipment, IP cameras will be installed in all ACC offices.

### **2.3.3 Overview of possible projects under the Anti-Corruption Commission**

#### **Construction of Modern Office Buildings for Khulna, Rangpur, Rajshahi, Barishal and Sylhet Divisional Offices Project:**

A decision has been made to take up a project titled “Construction of Modern Buildings for Khulna, Rangpur, Rajshahi, Barishal and Sylhet Divisional Offices” proposed by the Anti-Corruption Commission. Feasibility study of the project has been completed. The implementation period is from January, 2023 to December, 2026. The primary purpose of the project is to ensure a better working environment for the ACC staff by constructing modern office buildings and strengthening the confidentiality and security of ACC’s activities.

### **2.4 Activities of the Intelligence Unit of the Commission**

One of the functions of this Unit is to gather confidential information about suspected persons besides regular enquiries and investigations. While discharging its responsibilities for preventing and controlling corruption effectively, the Unit follows the Anti-Corruption Commission Act, 2004. The officers of this Unit collect intelligence by themselves or by appointing sources with the approval of the Commission. In addition, intelligence drives are conducted to verify the information received from the complainants through ACC’s Complaints Centre Hotline (106), news reports of various print and electronic media, social media or any other organization. The Commission’s intelligence unit maintains liaison with other intelligence agencies in the country and updates its database through exchange of information.

### **2.5 Distribution of ACC’s work force at Head Office and Field Offices**

An organogram is approved by the Government composed of 2,146 employees in the Head Office, eight Divisional Offices, and 36 District Offices as per existing staffing structure of the Commission.



The list of human resource distribution across the Head Office, Divisional Offices and District Offices of the ACC is shown in the following Table.

**Human Resource Distribution**

Sl. No.	Designation	Head office		Divisional Office		District Office		Total	
		Existing	Vacant	Existing	Vacant	Existing	Vacant	Existing	Vacant
1	2	3	4	5	6	7	8	9	10
1	Chairman	1	-	-	-	-	-	1	-
2	Commissioner	2	-	-	-	-	-	2	-
3	Secretary	1	-	-	-	-	-	1	-
4	Director General	8	-	-	-	-	-	8	-
5	Director	24	5	8	-	-	-	32	5
6	System Analyst	1	1	-	-	-	-	1	1
7	Private Secretary (to Chairman & Commissioners)	3	-	-	-	-	-	3	-
8	Private Secretary (to Secretary of the Commission)	1	-	-	-	-	-	1	-
9	Deputy Director	82	65	3	5	36	1	121	70
10	Prosecutor	-	10	-	-	-	-	-	10
11	Maintenance Engineer	-	1	-	-	-	-	-	1
12	Assistant Maintenance Engineer	-	2	-	-	-	-	-	2
13	Programmer/Assistant System Analyst	1	1	-	-	-	-	1	1
14	Assistant Programmer	1	3	-	-	-	-	1	3
15	Assistant Director	84	131	6	2	98	10	188	143
16	Medical officer	1	-	-	-	-	-	1	-
17	Assistant Director (Information and Communication)/Public Relations Officer	1	1	-	-	-	-	1	1
18	Protocol Officer	-	1	-	-	-	-	-	1
19	Assistant Director (Electrical)	-	2	-	-	-	-	-	2
		<b>211</b>	<b>223</b>	<b>17</b>	<b>7</b>	<b>134</b>	<b>10</b>	<b>362</b>	<b>240</b>
20	Deputy Assistant Director	37	168	8	-	112	32	157	200
21	Court Inspector	2	8	-	-	7	29	9	37
22	Administrative Officer	1	1	-	-	-	-	1	1
23	Transport Officer	1	-	-	-	-	-	1	-
24	Accounts Officer	1	-	-	-	-	-	1	-
		<b>42</b>	<b>177</b>	<b>8</b>	<b>-</b>	<b>119</b>	<b>61</b>	<b>169</b>	<b>238</b>
25	Computer Operator	-	8	-	-	-	-	-	8



Sl. No.	Designation	Head office		Divisional Office		District Office		Total	
		Existing	Vacant	Existing	Vacant	Existing	Vacant	Existing	Vacant
1	2	3	4	5	6	7	8	9	10
26	Nurse	1	-	-	-	-	-	1	-
27	Pharmacist	-	1	-	-	-	-	-	1
28	Chief Assistant	25	-	5	3	-	-	30	3
29	Assistant Inspector	4	1	-	-	57	15	61	16
30	Accountant	1	1	6	2	-	-	7	3
31	Stenographer-cum-Computer Operator	10	2	-	-	-	-	10	2
32	Librarian/Cataloguer	1	1	-	-	-	-	1	1
33	Steno-Typist-cum-Computer Operator	18	10	5	3	-	-	23	13
34	Upper Division Assistant /Assistant	38	11	8	-	30	6	76	17
35	Court Assistant (ASI)	37	-17	-	-	52	20	89	3
36	Cashier	1	1	-	-	-	-	1	1
37	Data Entry/Control Operator	57	76	4	4	35	1	96	81
38	Receptionist- cum-Telephone Operator	2	-	-	-	-	-	2	-
39	Driver	35	42	8	-	36	36	79	78
40	Health Assistant	-	1	-	-	-	-	-	1
		<b>230</b>	<b>138</b>	<b>36</b>	<b>12</b>	<b>210</b>	<b>78</b>	<b>476</b>	<b>228</b>
41	Dispatch Rider	4	-	-	-	-	-	4	-
42	Constable	41	42	6	10	49	131	96	183
43	Driver/Constable*	-	2	-	-	-	-	-	2
44	Security Guard	13	3	4	4	-	-	17	7
45	Peon	1	-	-	-	-	-	1	-
46	Office Assistant	41	11	8	-	-	-	49	11
47	Transport Cleaner	-	4	-	-	-	-	-	4
48	Cleaner	-	11	-	8	-	36	-	55
49	Guard	-	4	-	-	-	-	-	4
		<b>100</b>	<b>77</b>	<b>18</b>	<b>22</b>	<b>49</b>	<b>167</b>	<b>167</b>	<b>266</b>
<b>Total</b>		<b>583</b>	<b>615</b>	<b>79</b>	<b>41</b>	<b>512</b>	<b>316</b>	<b>1174</b>	<b>972</b>

NB. Above mentioned star (\*) marks indicate supernumerary posts.



### Number of employees promoted in 2022

Name of the post	Number of promoted employees
Director General	03
Director	06
Deputy Director	08
Assistant Director	09
Deputy Assistant Director	12
Head Assistant	05
Stenographer-cum-Computer Operator	03
Accountant	01
Upper Division Assistant	38
Court Assistant (ASI)	47
<b>Total</b>	<b>132</b>

### Employees directly recruited in 2022

Assistant Director	114
Deputy Assistant Director	137
Court Inspector	08
Assistant Inspector	24
Driver	14
Constable	109
<b>Total</b>	<b>406</b>

#### **2.5.1 Measures taken to enhance the Capacity of the Employees of the Anti-Corruption Commission**

Although the country has made a laudable success in socio-economic development, prevalence of corruption, if not controlled, can mar these achievements. Corruption hinders the wheel of socio economic progress of any country in the world. Unscrupulous people often offshore illicit funds to evade their detection in Bangladesh. Many accused and suspects implicated in the Commission's case flee the country to escape trial. Interpol's cooperation is sometimes sought to bring them back and put to trial or made to serve the sentences, if any, while efforts are made to use other international legal cooperation strategies wherever available. As corruption has become a global problem, its investigation process is also being considered as part of international probing. Therefore, the Commission has emphasized domestic and foreign training in human resource management. In an age of globalization and information technology, a single institution can hardly control a global problem like corruption.

In view of this, the ACC signs memorandums of understanding (MoU) with the Anti-Corruption organizations in different countries for cooperation on various issues. MoUs have already been signed with the Anti-Corruption organizations of three countries, and are in the process of being signed with several other countries. In this context, the Commission participates in several regional and international meetings, seminars, conferences, and so on to strengthen the fight against corruption and boost the development of good practices. In these meetings and seminars, the Commission, in collaboration with various international organizations, has expressed its firm commitment to bring money launderers and fugitives back to the country and bring them to justice.



## ACC's Participation in some regional and international programs in 2022

Sl. No.	Name of Training / Meeting/Seminar/Workshop	Duration	No. of Participants	Name of Associate Organization	Name of Country
1.	The Implementation Related Country Review of the United Nations Convention against Corruption (UNCAC) in Switzerland	17-21 October 2022	1	UNODC	Switzerland

### 2.6 Budget Management of the Commission

The Commission possesses sufficient institutional capacity to ensure transparency and accountability in its financial management. The Commission determines its annual demand for funds and seeks allocation from the Government. Accordingly, the Government extends financial support through budget allocations as demanded by the Commission. Once the budget is approved, the ACC requires no prior approval from the Government to disburse the allocation, except for pre-audit of the ACC accounts by the Comptroller and Auditor General (C&AG) of Bangladesh. The Finance and Accounts section of the Administration Wing oversees the financing and internal audit activities. Audits are done regularly. The allocation of funds (operational and development) for the Fiscal Year 2021-22 is shown in the table below.

Budget allocated for ACC in the FY 2021-2022 (In thousand Taka)						
Fiscal Year	Non-Development	Development	Total	Revenue	Capital	
2021-2022	12,35,979	1,28,200	13,64,179	11,39,305	2,24,874	
Economic classification of revenue and capital (including development) expenditure in the Fiscal Year 2021-2022 (in thousand taka)						
Management	Description			2021-2022		
Recurring	Economic Code and Head			Allocation	Expenditure	
	3111101 Basic Salary (Officer)			1,91,000	1,67,811	
	3111201 Basic Salary (Employee)			1,59,000	1,41,158	
	3311301-3111344 Allowances			3,51,845	2,95,766	
	3211 Use of goods and services			2,72,210	2,38,836	
	3258 Repairs			19,730	18,844	
Capital	4112 Capital Expenditure			1,22,774	1,21,424	
	(A) Subtotal			11,16,559	9,83,839	
	Special Activities					
Recurring	32 Use of goods and services			1,19,420	13,342	
Capital	4112 Capital Expenditure			0	0	
(B) Subtotal				1,19,420	13,342	
(C) Total management Activities (A)+(B)				12,35,979	9,97,181	
	Development activities					
	Administrative Expenses			26,100	9,354	
	Capital Expenditure			1,02,100	58,123	
	(D) Subtotal			1,28,200	67,477	
	Total (C+D)			13,64,179	10,64,658	



## 2.7 Steps taken by the ACC to prevent Internal Corruption

The employees of the Commission are being monitored round the clock through intelligence information and modern information technology. According to the Anti-Corruption Commission (Employees) Service Rules, 2008, the ACC employees will “serve the Commission with integrity, honesty and perseverance and will not abuse their power in anyway whatsoever”. The rules also stipulate, “an employee’s failure or reluctance to comply with the lawful orders and conduct of moral turpitude(taking bribes, getting involved in immoral or anti-social activities, and so on) shall be unacceptable; in such cases, imposition of the strictest punishment shall be ensured in the quickest possible time.”

The Commission firmly believes that its staff shall be honest and loyal with a high sense of moral integrity. Therefore, the Commission adopts various administrative and technical strategies and above all, carries out intelligence activities to ensure transparency and accountability in the work process of the employees. In this connection, both punishment and incentive are introduced to monitor the activities of the employees.

According to the Anti-Corruption Commission Rules, 2007, the Commission has specific procedures for enquiry and investigation of internal corruption. Rule19 (1) of these Rules provides for an Internal Corruption Prevention Committee to watch and monitor at all times whether any officer or employee of the Commission resorts to unfair means or abuses authority or harasses any person unlawfully or commits any offence while exercising powers under the ACC Act or Rules; in such cases, the Committee shall record complaints, hold enquiry and investigation, file cases, take departmental action or make recommendations, whichever is applicable. Having a number of complaints pending for disposal, this Committee—which is headed by the Chairman of the Commission—held a number of meetings in 2022.

### Departmental actions taken against the ACC employees in 2022

Description	Number
Brought forward from previous year	15
Number of complaints received in 2022	3
The total number of departmental cases in 2022	18
The number of cases disposed of/settled in 2022	5
Major Penalties	1
Minor Penalties	1
Settled by other means	3

1. Major penalties include removal/dismissal from service, compulsory retirement and reduction in rank or scale of pay.
2. Minor penalties include censure, withholding of promotion or stoppage of increment for a specified period.

## 2.8 Enactment and Amendment of Laws, Rules and Policies

In order to update the Anti-Corruption Commission (Employees) Service Rules, 2008 a revision process is undergoing . Moreover publication of ACC Manual (Part IV) is in the final stage for preserving the gazette, office orders, circulars which were issued by the ACC from time to time.



## 2.9 Oversight and Evaluation of Commission's Overall Performances

The other tools for intensive supervision of all the activities of the ACC involve conducting short term inspection, full inspection or to hold internal audit. Currently, the Commission carries out these activities through the human resource section. Inspections of every Wing of the Head Office, the Divisional Offices and the District Offices are carried out by this section. In these inspections various guidelines and instructions are provided to cover wide-ranging activities, including financial expenditures, administrative affairs and enquiries into complaints and investigations.

The Director Generals and Directors of the Head Office conduct the aforementioned inspections. In special cases, the two Commissioners carry out inspections of the Wings of the ACC's Head Office and other offices. The inspection section takes necessary action by regularly evaluating and reviewing the inspection reports.

## 2.10 Providing information as per the Right to Information Act, 2009

In 2022, 95 respected citizens applied for information under the Right to Information Act, 2009. As of now information has been provided to 83 citizens. The remaining 12 applications are under process.

# **CHAPTER THREE**

## **Regulatory Measures to Curb Corruption**

- 3.1 Introduction
- 3.2 Enquiry Functions
- 3.3 Investigation Functions
- 3.4 Prosecution

## Regulatory Measures to Curb Corruption

### 3.1 Introduction

The Anti-Corruption Commission(ACC), as an independent, self-regulatory and impartial body, enquires about the allegations of corruption and prosecutes the offenders. The ACC also implements various activities aimed at creating a sense of honesty and integrity in society. Despite the prevalence of COVID-19 in Bangladesh like the rest of the world, the Anti-Corruption Commission has been devotedly carrying out its responsibilities in compliance with proper health guidelines.

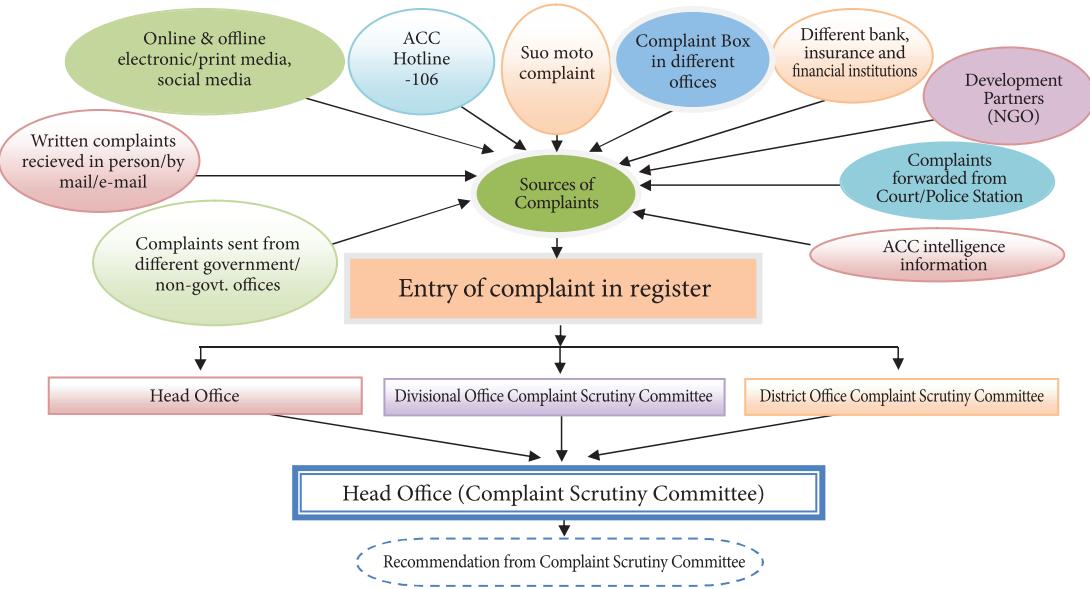
The Anti-Corruption Commission adopts various lawful actions against offences mentioned in the schedule of the ACC Act. The Commission takes steps based on allegations of corruption on its own initiative or based on a complaint filed by a victim or a person on his/her behalf. Such enquiry and investigation activities are considered as the law enforcing functions of the ACC.

The Commission, as a punitive measure against corruption, hands the offenders over to the courts of law in anticipation of appropriate punishment. In the enquiry of corruption, the Commission takes into account the *prima facie* value of the allegations, available documentary evidence following the Anti-Corruption Commission Act, 2004 and other relevant laws of the land.

#### 3.1.1 Receiving complaints of corruption

Any citizen of the country may submit a complaint of corruption as mentioned in the schedule of the Anti-Corruption Commission Act, 2004 directly to the Head Office of the Commission or to the Divisional or District Offices. Anyone may also send a complaint by email (chairman@acc.org.bd), by letter, or by calling the ACC hotline 106. The Commission takes legal actions against specific allegations of offences listed in the ACC Act, 2004. However, in case the subject matter of the complaints is beyond the jurisdiction of the Commission, the petitions are forwarded to the relevant ministry or department so that they can take necessary actions. If any government employee or banker is accused of demanding bribes for public service, the bribe seeker is arrested and brought under the law with adequate evidence.

**Flowchart of Complaint Management System**





### 3.1.2 Statistics of complaints received and post-scrutiny activities

Complaints received from different sources are scrutinized according to the Anti-Corruption Commission Rules, 2007. The Commission has a cell to support the ‘Scrutiny Committee’ in analyzing the merits of complaints for further enquiry. The ‘Scrutiny Committee’ objectively classifies the complaints received from different sources.

In the year 2022, a total of 19,338 complaints were received from various sections of society, governmental and non-governmental organisations, including mainstream media. Among the allegations, 901 obtained the specified marks to be selected for enquiry, while 3,152 complaints were forwarded to the relevant ministries or departments for necessary actions. The remaining 15,285 complaints were filed as unacceptable according to the set standard.

Table 1 contains the statistics regarding the complaints received in 2022, while Table 2 gives the comparative statistics of the complaints received in the consecutive years from 2018 to 2022.

**Table 1: Statistics of complaints received in 2022**

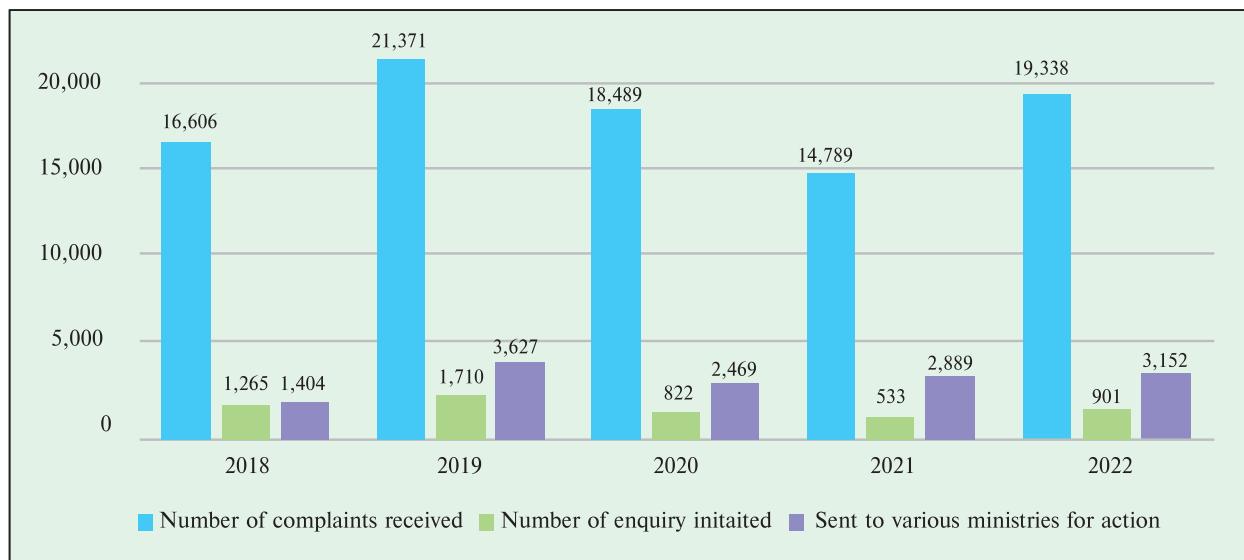
Sources of the complaint	Number of complaints	Total Number of complaints	Complaints accepted for enquiry	Unacceptable complaints	Sent to ministries for due action
Public (written directly to the head office)	11,796	19,338	901	15,285	3,152
Government Offices/Agencies	967				
Private Departments/Agencies	387				
Newspaper/TV report	1,354				
Divisional/District Offices of the Commission	1,547				
Hotline/Enforcement	580				
Others (including Facebook, Email)	2,707				

**Table 2: Comparative picture of complaints received by the Commission in the last five years**

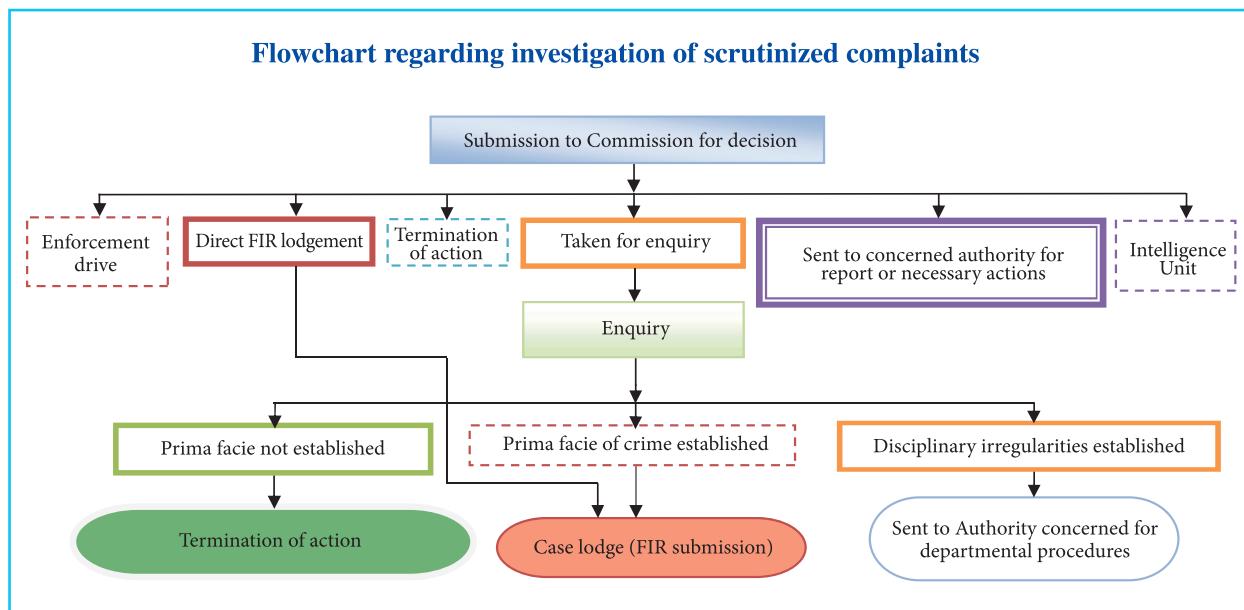
Year	Number of complaints received	Number of enquiry initiated	Sent to various ministries for action
2018	16,606	1,265	1,404
2019	21,371	1,710	3,627
2020	18,489	822	2,469
2021	14,789	533	2,889
2022	19,338	901	3,152

The statistics of complaints received and actions taken in the period over the last five years reveal that in 2022, a notable numbers of complaints were submitted to the Commission. At the same time, a good number of complaints were forwarded to relevant ministries or departments for necessary action or for sending reports to the ACC after departmental enquiry. However, the present Commission has taken special initiatives to monitor responses from the relevant ministries or departments in taking administrative actions against the allegations. Regular follow-up meetings with the relevant departments are organized to get feedback about the actions taken on the complaints sent to them.

**Graph1: Statistics of complaints and action Taken to the Commissionin 2018, 2019, 2020, 2021 and 2022**



### 3.2 Enquiry Functions





### **3.2.1 Legal basis of enquiry**

The Anti-Corruption Commission has the authority to conduct enquiries and investigations under sections 19 and 20 of the ACC Act. With this mandate, the ACC conducts enquiry and investigation through its four wings (Enquiry and Investigation-1, Enquiry and Investigation-2, Special Enquiry and Investigation and Money Laundering).

The two Enquiry and Investigation wings are responsible for supervising the field level enquiries and investigations conducted by eight Divisional Offices and 36 District Offices. The Special Enquiry and Investigation wing has the jurisdiction to enquire and investigate in specialized areas. The areas include institutional corruption, arrests of corrupt individuals through trap operation, large-scale financial corruption and other allegations.

Under the existing Money Laundering Prevention Act, 2012, it is the job of the Money Laundering wing to enquire and investigate money laundering offences and prosecute money launderers linked with one predicate offence, ‘bribery and corruption’. It is important to note that the investigations of the remaining 26 predicate offences related to money laundering are conducted by the National Board of Revenue (NBR), the Criminal Investigation Department (CID) and some other responsible agencies.

### **3.2.2 Statistics of new enquiries undertaken by the Commission**

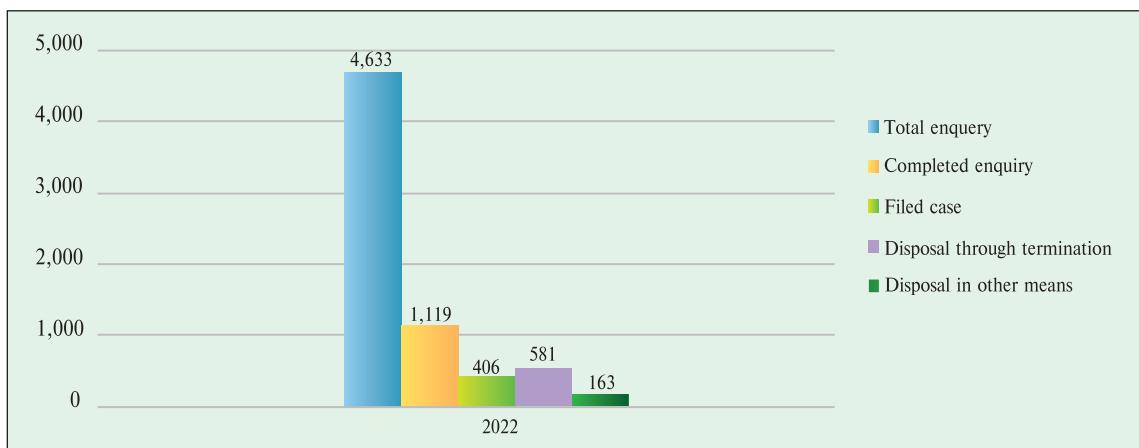
#### **Enquiries of 2022, including the accumulated enquiries from the previous years**

The Commission has taken special initiatives to complete all enquiries, including the previous years' accumulated ones on time. Such initiatives have increased the speed of enquiry activities. The data presented below shows that the total number of enquiries in the year 2022 stood at 4,633 including the pending enquiries from the previous years. The Commission completed 1,119 enquiries in 2022. Based on the completed enquiries, the Commission has filed 406 cases. The remaining enquiries have been disposed of by other means prescribed in the ACC Rules.

**Table 3: Statistics of the enquiry activities of the complaints of 2022**

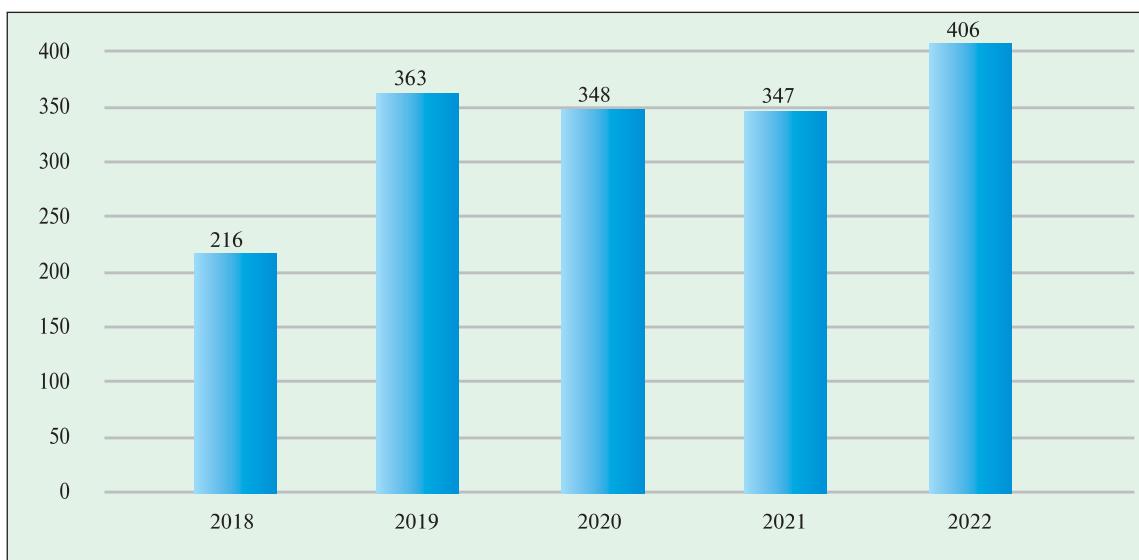
Unfinished enquiry of previous years	New enquiry	Total enquiry	Completed enquiry	Filed Case	Disposal through termination	Disposal in other means
3,706*	927*	4,633	1,119	406*	581	163

\* Multiple cases have been arisen from the same document

**Graph-2: A picture of the overall enquiry activities in 2022****Table 4: Statistics of the Commission's cases filed in 2018, 2019, 2020, 2021 and 2022**

Year	Number of cases filed in the year
2018	216
2019	363
2020	348
2021	347
2022	*406

\*Reviewing the statistics of cases filed by the Commission in the last five years, it is observed that in 2022, the Commission filed the highest number of cases. However, the number of cases in 2020 and 2021 was also remarkable considering the prevalence of the COVID-19 pandemic.

**Graph 3: Comparative picture of cases filed by the Commission in 2018, 2019, 2020, 2021 and 2022**



### 3.2.3 Asset enquiry information

As per the legal mandate, the Anti-Corruption Commission takes measures against those who possess assets from undisclosed sources. Statistics show that out of total 1,571 running enquiries in 2022, 531 enquiries were initiated in 2022, and the remaining 1,209 were from previous years. The Commission could complete 395 enquiries and could file 172 cases based on those enquiries.

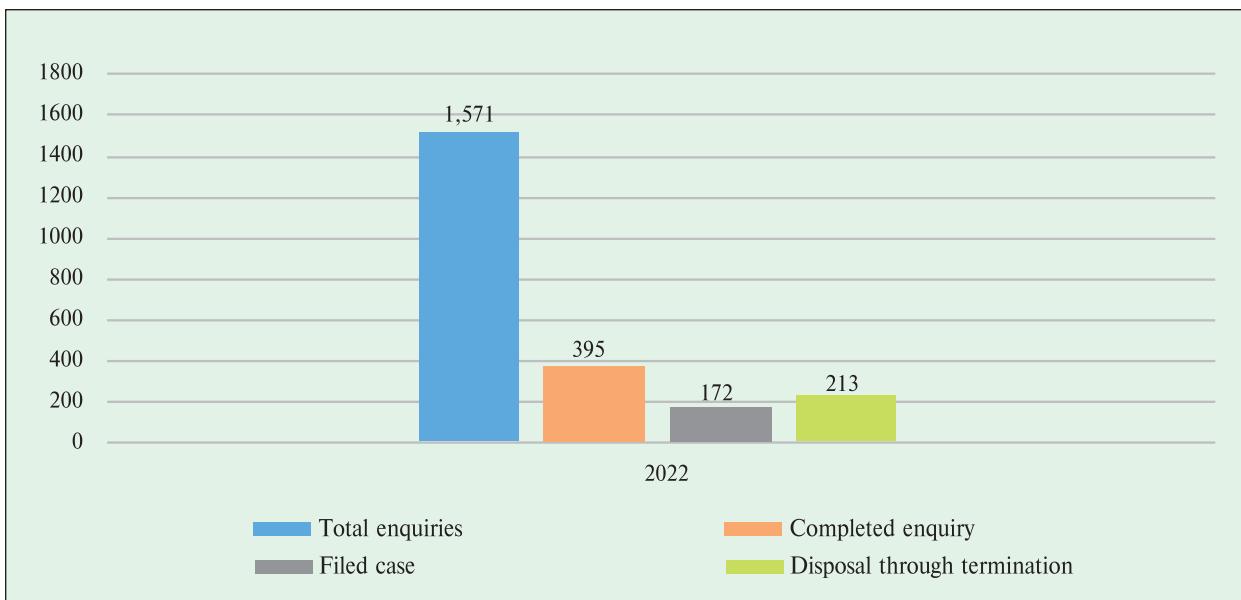
Statistics on asset enquiry and results are presented in Table 5 and Graph 4.

**Table 5: Statistics of asset enquiry activities in 2022**

Unfinished enquiry of previous years	New enquiry	Total enquiries	Completed enquiry	Filed case	Disposal through termination	Disposal in other means
1,209	362	1,571	395*	172	213	24

\* Multiple cases have been arisen from the same document

**Graph 4: Asset enquiry and results**



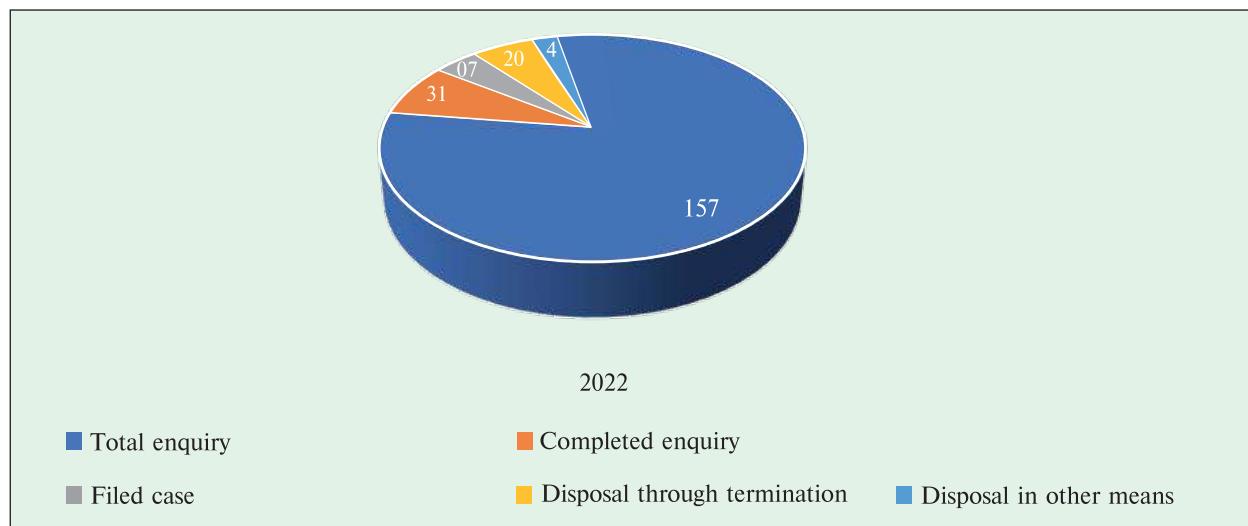
### 3.2.4 Money Laundering related enquiries

In 2022, out of 157 ongoing enquiries, the Commission could finish 31 enquiries. Of them seven complaints turned into litigation, 20 were disposed of as there were no substantive findings and four were disposed of through other lawful processes.

**Table 6: Statistics of the ACC's Money Laundering related enquiries in 2022**

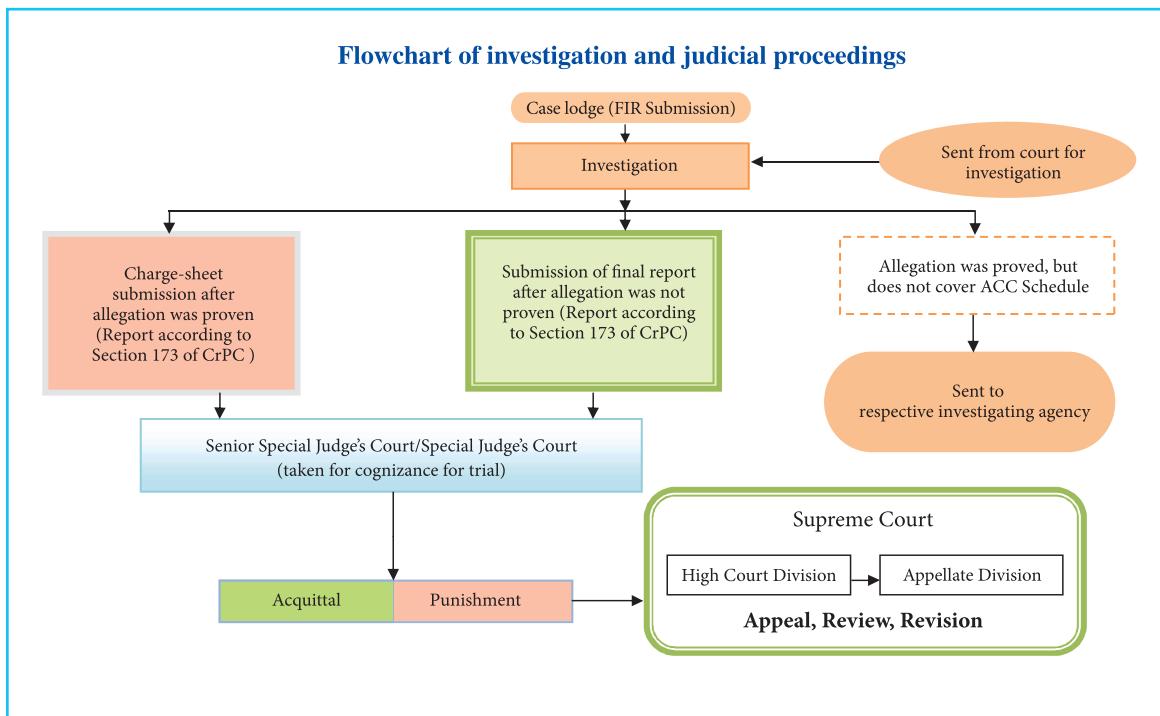
Unfinished enquiry of previous years	New enquiry	Total enquiries	Completed enquiry	Filed case	Disposal through termination	Disposal in other means
141	16	157	31	07	20	04

**Graph 5: A picture of the ACC's Money Laundering related enquiries in 2022**





### 3.3 Investigation Functions



#### 3.3.1 Legal basis of investigation

Investigating corruption-related offences is one of the leading legal functions of the Anti-Corruption Commission [Section 17 (a) of the ACC Act 2004]. The outcome of the investigation is the basis for prosecuting the people against whom FIRs were lodged. Sections 19 and 20 of the Anti-Corruption Commission Act have conferred special powers on the ACC in this regard. With this mandate, the ACC conducts investigations through its four Wings (Enquiry and Investigation-1, Enquiry and Investigation-2, Special enquiry and Investigation, and Money Laundering Wing).

The Enquiry and Investigation Wings investigate cases filed by the field-level officers. Several sections of Enquiry and Investigation Wings supervise the field-level investigation activities conducted by eight Divisional Offices and 36 District Offices. The Commission's Special Investigation wing and Money Laundering Wing deal with specialised cases requiring a comprehensive investigative mechanism.

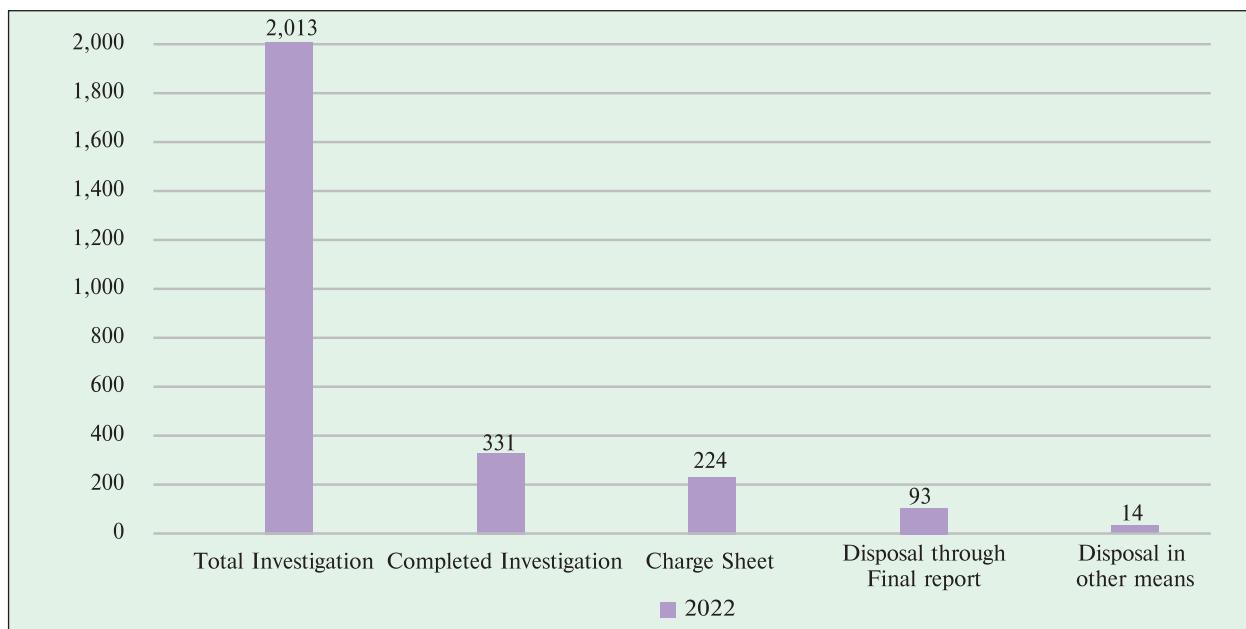
#### 3.3.2 Investigation activities of 2022 including pending investigations from the previous Years

The Anti-Corruption Commission has taken the necessary steps to complete each investigation within the stipulated time. The progress of investigations into the cases is closely monitored to achieve the Commission's target of the annual work plan. These steps have given impetus to the overall investigation activities.

Statistics reveal that the total number of investigations in 2022 was 1,997, including the pending investigations from the previous years. Among these, the Commission completed 331 investigations in 2022. Based on these investigations, the Commission approved the filing of charge-sheets in 224 cases. Of the remaining investigations, 93 Final Reports (FR) were approved by the Commission. 14 investigations have been disposed in other means.

**Table 7: Statistics of the investigation activities of the cases of 2022**

Pending Investigation of previous years	New Investigation	Total Investigation	Completed Investigation	Charge sheet	Disposal through Final Report	Disposal in other means
1,552	461	2,013	331	224	93	14

**Graph 6: Statistics of the overall investigation activities in 2022**

A comparative picture of Charge Sheet approval has been provided below based on the investigation activities presented in Table of the last year and data of 2018, 2019, 2020, 2021 and 2022.

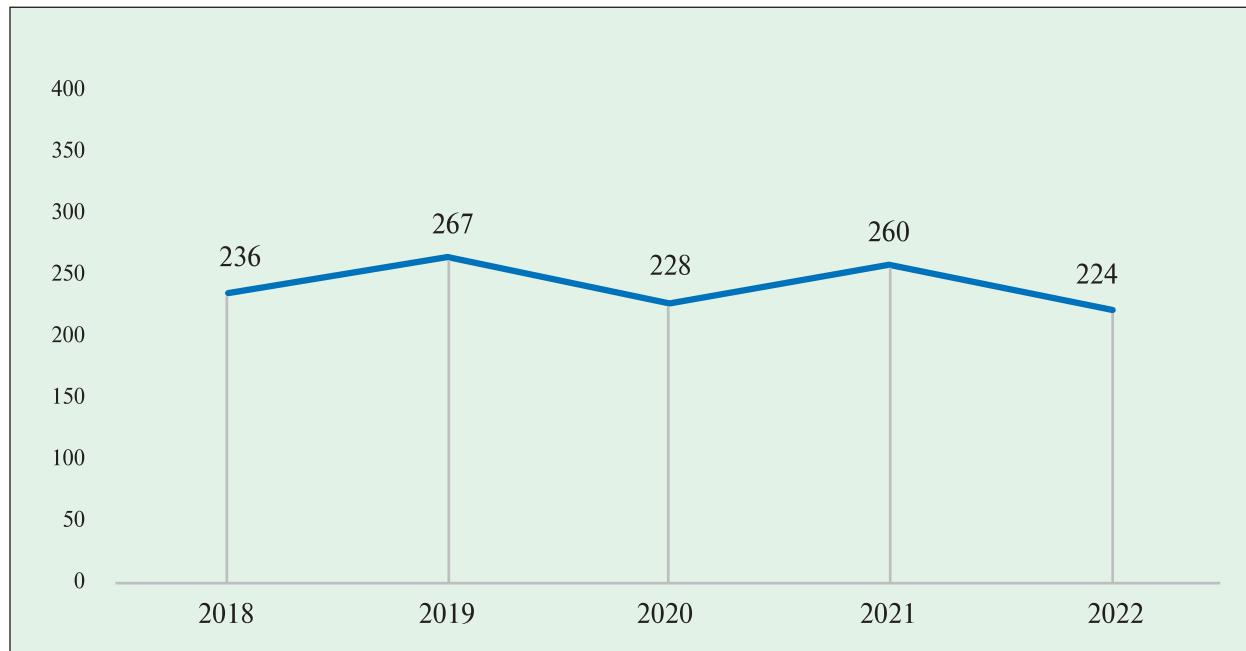
**Table 8: Comparative statistics of Charge Sheet approval of cases in 2018, 2019, 2020, 2021 and 2022**

Year	Charge Sheet approval
2018	236
2019	267
2020	228
2021	260
2022	224



The Commission, thus, conducts multidimensional activities, including training sessions for the officers to increase the quality of investigation.

**Graph 7: Comparative picture of charge-sheet approval in 2018, 2019, 2020, 2021 and 2022**



### 3.3.3 Investigation of illegal assets

It is the legal responsibility of the Anti-Corruption Commission to take action against those who acquire assets disproportionate to their known sources of income. Action is taken against those who acquire wealth through bribery, corruption or any other illegal means in accordance with Sections 26 and 27 of the ACC Act.

Of the total 575 asset-related investigations, 183 were started in 2022, and the remaining 392 were accumulated from the previous years. Out of the total 575 investigations, 91 were completed. The Commission approved 66 charge-sheets based on the completed investigations. In 2022, 15 Final Reports were submitted. The remaining one was sent to concerned agencies/offices for necessary action.

Table 9 provides a comprehensive overview of the ACC's activities in conducting asset investigations and their outcomes.

**Table 9: Statistics of asset investigations for 2022**

Pending investigation previous years	New investigation	Total investigation	Completed investigation	Submission of Charge sheet	Final report submitted	Disposal in other means
392	183	575	81	66	14	01



### 3.3.4 Investigation of money laundering

Under the existing money laundering law, the Anti-Corruption Commission can only investigate money laundering cases related to bribery and corruption. The investigation of money laundering cases related to the other 26 predicate offences is being conducted by different agencies, including NBR and CID. The Anti- Corruption Commission investigates money laundering cases meticulously.

**Table 10: Statistics of investigations on money laundering cases in 2022**

Pending investigation previous years	New investigation	Total investigation	Completed investigation	Submission of charge sheet	Final report submitted	Disposal in other means
44	34	78	09	04	01	04

### 3.3.5 Trap cases

The Commission conducts Trap Cases to end the culture of bribery and eradicate corruption. The Commission gives the approval to conduct trap operation to catch those service providing officials red-handed who seek bribes or gifts while delivering public services. If the information of demanding bribes by any government employee comes to ACC, the Commission takes necessary steps to catch them red-handed.

Table 11 shows the activities of the ACC in investigating the trap cases in 2022.

**Table 11: Investigation activities of trap cases in 2022**

Pending investigations of previous years	New investigation	Total investigation	Completed investigation	Submission of charge sheet	Final report submitted
02	02	04	02	02	-

Table 12 shows a comparative picture of the investigation activities of trap cases in 2018, 2019, 2020, 2021 and 2022.

**Table 12: Number of trap cases in 2018, 2019, 2020, 2021 and 2022**

Year	Number of trap cases per year
2018	15
2019	16
2020	18
2021	06
2022	04



### **3.4 Prosecution**

#### **3.4.1 The legal basis for prosecution**

One of the essential legal mandates of the ACC is to bring the perpetrators of scheduled offences under the ACC Act by producing objective investigation reports to the court. The Commission handles every case with equal importance. The Commission adheres to the Anti-Corruption Commission Act, 2004; Money Laundering Prevention Act, 2012; Penal Code, 1860. The Code of Criminal Procedure, 1898; Prevention of Corruption Act, 1947; The Criminal Law Amendment Act, 1958; The Evidence Act, 1872, and other relevant laws and regulations. According to section 17 (b) of the Anti-Corruption Commission Act, 2004, the Commission files cases and begins legal proceedings based on enquiry and investigation into scheduled offences.

#### **3.4.2 The Offences that the Commission is empowered to prosecute**

The Commission is mandated to prosecute the offences described in the Schedule to the Anti-Corruption Commission Act, 2004; The Prevention of Corruption Act of 1947; Money Laundering Prevention Act, 2012; Offences under Penal Code (section 161-169, 217, 218, 409) and any offence under sections 420, 467, 468, 471, 477(1) if they are related to public property. Moreover, offences committed by a government employee or a bank official or an employee of a financial institution in the course of official duties under sections 109, 120b, 511 of the Penal Code are also within the legal scope of the ACC.

Under Section 32(1) of the Anti-Corruption Commission Act, 2004, the Commission has full authority to file cases against these offences. Pursuant to Section 28(1) of the Anti-Corruption Commission Act, 2004, offences under this Act and its Schedule are tried only by a Special Judge. However, in the event of any conflict between the Criminal Law Amendment Act, 1958 and the ACC Act, the provisions of the Anti-Corruption Commission Act will be applicable [Section 28 (3) of the ACC Act]; the Criminal Law Amendment Act, 1958 will be applicable to appeals.

The Legal Wing of the Commission oversees legal matters and maintains up-to-date information on the Commission's cases. The lawyers appointed by the Commission under the direct supervision of this Wing deal with the cases of the Commission in the relevant courts. At present, the Commission appoints contract lawyers on a separate panel to handle corruption cases on behalf of the Commission in both the Special Judge's Court and the Supreme Court. The 120 member panel of lawyers is called 'public prosecutor' and serves in 13 Special Judge's Courts both within and outside Dhaka. 29 lawyers are working in Dhaka Division, 20 in Chittagong Division, 16 in Rajshahi Division, 13 in Rangpur Division, 19 in Khulna Division, eight in Barisal Division, seven in Sylhet Division and eight in Mymensingh Division. Among them, there are three female public prosecutors as well. Besides, 26 learned lawyers, including four female lawyers, handle cases on behalf of the ACC in the Higher Court.

#### **3.4.3 Conducting cases in the trial court**

The ACC acts as a prosecuting agency to bring corrupt people to justice and ensure punishment through trial. Following the directions of the Commission, the officers of the Legal Wing regularly communicate with the lawyers working on each case and ensure the presence of lawyers and witnesses in the court on the due date.

In 2022, total 346 cases were disposed of in the Special Judge's Court, of which 307 (about 88.72%) were filed by the Anti-Corruption Commission and the remaining 39 were received from the defunct Anti-Corruption Bureau. In the cases disposed of the accused were convicted in 211 of them. The conviction rate in the cases of the Commission is 64.17% and in the cases of the defunct Anti- Corruption Bureau, the rate is 35.90%.

**Table 13: Data of corruption cases in Special Judge's Courts in 2021 and 2022**

Description	2021			2022		
	ACC case	Defunct Bureau's case	Total	ACC case	Defunct Bureau's case	Total
Total number of cases	2,931	451	3,382	2914	412	3326
The number of under trial cases	2,697	249	2,946	2682	228	2910
Number of pending cases	234	202	436	232	187	419
Number of disposed cases	155	21	176	307	39	346
Number of convicted cases	111	10	121	197	14	211
Number of acquitted cases	44	11	55	110	15	125

**Table 14: Comparative statistics of convictions in cases file in 2018, 2019, 2020, 2021 and 2022**

Year	The rate of punishment in the case of the ACC	The rate of punishment in the case of the Defunct Bureau
2018	63%	50%
2019	63%	40%
2020	72%	48%
2021	60%	30%
2022	64.17%	35.90%

Reviewing the judgments of the Courts (Table 14), it is observed that, the conviction rate increased significantly in 2020 despite the COVID pandemic. This was encouraging for the ACC. Although the Commission is committed to ensuring 100% conviction in its cases, the conviction rate slightly decreased due to the deteriorating COVID crisis in 2021. In 2022 the conviction rate has increased again.

**Table 15: Corruption cases in Special Judge's Courts within and outside Dhaka in 2021 and 2022**

	Description	2021			2022		
		ACC case	Defunct Bureau case	Total	ACC case	Defunct Bureau case	Total
Dhaka	Disposed cases	69	14	83	125	05	130
	Number of convicted cases	54	08	62	99	02	101
Outside Dhaka	Disposed cases	86	07	93	182	34	216
	Number of convicted cases	57	02	59	98	12	110

In 2022, 130 corruption cases were settled. At the same time, the Special Judge's Courts outside Dhaka disposed of 216 cases. On the other hand, the number of defunct Anti-Corruption Bureau cases disposed of in and outside Dhaka was 39.



### 3.4.4 Statistics of cases involving illegal assets

**Table 16: Statistics of asset cases in Special Judge's Court in 2021 and 2022**

Details	2021	2022
Number of disposed cases	30	47
Number of convicted cases	21	32
Number of acquitted cases	09	15

A review of these statistics shows that the conviction rate in cases related to illegal assets is about 68.08%.

**Table 17: Statistics of money laundering cases in Special Judge's Court in 2022**

Details	2022
Number of disposed cases	20
Number of convicted cases	19
Number of acquitted cases	01

Reviewing the statistics of Table 17, it is evident that in 2022, 95% of the money laundering cases ended in conviction. The ACC firmly believes that this success has been achieved after completing a thorough investigation into the money laundering cases and presenting it properly to the courts.

**Table 18: Statistics of trap cases in Special Judge's Court 2021 and 2022**

Description	2021	2022
Number of disposed cases	07	21
Number of convicted cases	03	15
Number of acquitted cases	04	06

In 2022, Number of disposed cases in the Special Judge's Court has increased. From the above Table, it is found that the accused were convicted in 71.4 % of the cases.

**Table 19: Information on convictions, fines and confiscations in 2022**

Conviction	(ACC-197+Defunct Bureau-14)=211	Total=346
Acquittal	(ACC-81+Defunct Bureau-13)=94	
Disposal in other means	(ACC-29+ Defunct Bureau-12)=41	
ACC	64.17 % (rate of conviction)	Total=60.98% (rate of conviction)
Defunct Bureau	35.90 % (rate of conviction)	
Fines	2632,41,43,783/- Tk.	
Confiscations	13,96,19,167/- Tk.	
Total cases	(ACC-2914+Defunct Bureau-412)=3326	

**Table-20: Comparative data of fines and confiscations in 2018, 2019, 2020 , 2021 and 2022**

<b>Year</b>	<b>Fine (Tk.)</b>	<b>Confiscation (Tk.)</b>
2018	139,94,76,991	13,34,47,252
2019	3497,06,84,759	436,88,95,374
2020	72,48,83,130	3,03,69,000
2021	75,18,35,317	10,20,86,928
2022	2632,41,43,783	13,96,19,167

### **Asset Management**

The Asset Management Unit of the Commission has started its activities in 2019 to manage these assets in the light of specific policies. The Unit does not manage the confiscated assets or frozen assets; it rather preserves information on those assets. However, if the Commission is appointed as the receiver of the attached/forfeited asset by the Court, the Asset Management Unit supervises and manages the asset on behalf of the Commission as per the Court order. ‘Criminal Asset Management Guidelines, 2020’ of ACC is followed regarding such cases.

**Table 21: ACC's achievement in asset management**

<b>Number of Order</b>	<b>Information on Attached Assets</b>		<b>Value of Frozen Assets</b>
36	Home	114.244 acres of land, price-44,69,14,453/- 27 houses, price-530,26,00,359/- 19flats, price-7,59,76,444/- 11vehicles,price-1,60,07800/- 04 Water Transport-1,77,59,100/- 01 plot, price not mentioned. 01 Shop, price not mentioned.	As per 1448 Bank A/C and 11 number of FDR the balance is Tk. 145,58,39,706/- and \$ 27954.21  5,05,61,770 number of Shares Total price-Tk. 79,21,35,460
	Abroad	Nil	Nil
	Total	Tk. 585,92,58,156 /- (Five hundred eighty five crore ninety two lac fifty eight thousand one hundred fifty six taka)	Tk. 224,79,75,166/- (Two hundred twenty four crore seventy-nine lac seventy-five thousand one hundred sixty six taka) and \$ 27,954.21( Twenty-seven thousand nine hundred fifty four USD)

Reviewing Table 21, it can be said that the Commission is chasing the money launderers home and abroad. The ACC is trying to fulfill its legal obligation to ensure that no one can enjoy unearned income.

#### **3.4.5. Conducting cases in the High Court**

The Commission has appointed 26 lawyers to conduct cases on behalf of the ACC in the Appellate Division and the High Court Division of the Bangladesh Supreme Court. A lawyer works in the Supreme Court cell to coordinate activities between the Commission and the Supreme Court.



Table 22 and 23 provide data on different activities of the ACC cases with the Supreme Court.

**Table 22: Statistics of Criminal/Writ/Appeal cases in the High Court Division of the Supreme Court**

Details	2022			Cases Settled	Stay from previous period	Case Stay	Total stay	Withdrawal of stay	Currently stayed cases
	Case from previous period	Number of cases filed	Total						
Number of Criminal Miscellaneous Cases	776	597	1373	580	103	41	144	49	95
Number of writ petitions	573	90	663	39	202	7	209	0	209
Number of Criminal Appeal Cases	777	240	1017	09	10	2	12	0	12
Number of Criminal Review Cases	366	229	595	82	35	24	59	0	59
<b>Total</b>	<b>2492</b>	<b>1156</b>	<b>3648</b>	<b>710</b>	<b>350</b>	<b>74</b>	<b>424</b>	<b>49</b>	<b>375</b>

**Table 23: Statistics of cases arising out of Criminal Appeals/Miscellaneous/Revision/Writ in the Appellate Division of the Supreme Court**

Details	2022			Currently stayed	Stay from previous period	Stay in 2022	Total stay	Withdrawal of stay	Currently stayed cases
	After the previous period	Number of cases filed in 2022	Total suspension order						
Number of Criminal Miscellaneous Cases	203	134	337	207	20	15	35	19	16
Number of writ petitions	121	14	135	126	26	2	28	0	28
Number of Criminal Appeal Cases	60	10	70	67	13	0	13	0	13
Number of Criminal Review Cases	60	25	85	82	01	0	01	0	01
<b>Total</b>	<b>444</b>	<b>183</b>	<b>627</b>	<b>485</b>	<b>60</b>	<b>17</b>	<b>77</b>	<b>19</b>	<b>58</b>

**Table 24: Comparative statistics of cases stayed in courts**

Name of the Court	Number of cases stayed
Trial Court (lower court)	419
High Court Division	375
Appellate Division	58

**Table 25: A comparative picture of the activities of the Anti-Corruption Commission in the last five years**

Activities	2018	2019	2020	2021	2022
The number of complaints accepted for enquiry	1,265	1,710	822	533	901
The number of cases filed by the Commission	216	363	348	347	406
Number of charge sheet approvals	136	267	228	260	224
Number of trap cases	15	16	18	06	04
Conviction rate	ACC case Bureau case	63% 50%	63% 40%	72% 48%	60% 30% 64.17% 35.90%
Fine (Taka)	139,94,76,991	3497,06,84,759	72,48,83,130	75,18,35,317	2632,41,43783
Confiscation (Taka)	13,34,47,252	436,88,95,374	3,03,69,000	10,20,86,928	13,96,19,167
Seized assets (Taka)	-	115,66,30,211	180,11,91,746	326,71,46,628	585,92,58,156
Frozen assets	-	118,59,65,876 Tk.	152,92,86,496 Tk.	1161,58,14,480 Tk.	224,79,75,166 Tk.
				23,74,920.22 (USD)	27,954.21(USD)
				72,41,057,05 (CAD)	
				61,49,718.22 (AUD)	
				586.75 (Pound)	
				1,01,729.36 (EUR)	
				24,000 (Pound)	

## **CHAPTER FOUR**

### **Enforcement Measures to Control Corruption**

- 4.1 Enforcement Operations
- 4.2 Enforcement Operation of the ACC at a glance



## Enforcement Measures to Control Corruption

### 4.1 Enforcement Operations

According to article 20(2) of the Constitution of the People's Republic of Bangladesh "The State shall endeavor to create conditions in which, as a general principle, persons shall not be able to enjoy unearned incomes". Zero tolerance of the state against corruption has been expressed through this article of the constitution. Legally, the Anti-Corruption Commission is responsible for the prevention of corruption and development of good practices in the country. With a view to preventing corruption and corrupt practices in the country, the main objective of the Anti-Corruption Commission Act-2004 is to enquire and investigate corruption and other specific offences. The functions of the Anti-Corruption Commission to implement this goal are described in Section 17(k) of the Anti-Corruption Commission Act, 2004. Anti-Corruption commission conducts enforcement operations under section 17(k) of the Act to take immediate action against the corruption along with enquiry, investigation and other functions described in the section.

Considering public interest, ACC Complaint Centre (106) is functioning as a reliable platform for common people to lodge their complaints. In order to institutionalise the activities of the Complaint Centre and make them visible, according to the intention of the Commission, the enforcement unit started its official journey on 23 January 2019 by appointing a total of 26 staff including one Deputy Director, two Assistant Directors and four Deputy Assistant Directors as in the approved manpower structure of the Anti-Corruption Commission.

Immediate action is taken in five modes including enforcement operations on receiving complaints of offences scheduled to the Anti-Corruption Commission Act. In addition to enforcement operation, letters are issued to various departments for taking administrative and other measures or holding enquiry while trap drives are conducted to prevent corruption. Apart from offences falling under the list scheduled to ACC Act, complaints are also received from the people concerning personal enmity, dowry demands, collection of fees in educational institutions beyond the rate approved by the Board, social factionalism, family disputes over land ownership, repression of women and so on. In compliance with the instructions of the Commission, only complaints of offenses falling clearly under the Schedule of the Anti-Corruption Commission Act are recorded. However, complaints of other nature not meeting these criteria but having public importance are forwarded to concerned authorities advising them over telephone to take prompt action.

Complaints are recorded on the basis of calls made to ACC Complaint Centre on hotline 106, information collected by the Intelligence Unit of the ACC, news-items published in the national or local press, information received directly over the ACC's e-mail or mobile or at its offices or news received from its Enforcement Unit. Later, the complaints are sent to ACC's scrutiny committee consisting of coordinating Director General (Administration), Director or Deputy Director (Intelligence Unit) and Deputy Director (Enforcement Unit). The committee categorises the complaints to following heads: (1) Enforcement raids (2) Trap cases (3) Letter to be sent for taking necessity steps (4) Telephonic suggestion to related departments (5) To be forwarded to ACC Complaint Cell and (6) Filing if no enforcement required.

For conducting operations, the Director General (Administration) obtains immediate approval of the Chairman on behalf of the Commission. The team submits a report to the Deputy Director (Enforcement) within 48 hours of conducting the raid. Considering the recommendations of the report submitted by the team, the enforcement unit, pursuant to rule 10(f) of the Anti-Corruption Commission Rules, 2007, either takes necessary measures to lodge a case at once, or obtains approval for investigation, or issues letters to concerned offices with appropriate recommendations or files the complaint. It has been made possible to prevent corruption to a large extent through immediate operations of this type. Appropriate measures have been taken to foil controversial recruitment, stop low-quality construction, terminate illegal gas connections, demolish illegal constructions besides rivers, canals and roads and protect the environment through the concerned authorities. Where applicable, assistance of expert persons is taken while conducting operations. As a result, the quality and transparency of these operations have increased.



## 4.2 Enforcement Operation of the ACC at a Glance

**Table-26: Enforcement Activities**

Complaints Received						Enforcement Operations					Post-Enforcement Operations							
Total phone call Received	Complaints recorded	Complaints Received from running Complaints Cell	Complaints from E-mail and social media	Complaints from print and electronic media	Total Complaints	Enforcement Operations conducted by ACC	Letters sent to various Department	Non-Scheduled complaints	Info. Enquiry	Trap Cases	Pending	Total Disposal	FIRs lodged	Enquiry pursuant to Commission's Decisions following Enforcement Operations	Letter sent for taking Administrative or other Measures	Filed	Decision of Commission on Report	
1	2	3	4	5	(2+3+4+5) 6	7	8	9	10	11	12	13 (7+8+9+10+11+12)	14	15	16	17	18 (14+15+16+17)	
Total	39,488	1,762	148	77	563	2,550	456	913	732	96	01	352	2,550	05	63	142	390	600

\*\* Calls received at ACC Complaints Centre : 39,488

\*\* Complaints recorded at ACC Complaints Centre-106 : 1,762

\*\* Complaints received from running Complaints Cell : 148

\*\* Complaints from E-mail and social media : 77

\*\* Complaints from print and electronic media : 563

These operations are conducted in almost every sector including local government and delivery of public services, land, health, education, transport, forest and environment, public utilities, engineering, agriculture, finance, and so on. On one hand, enforcement operations bring transparency in various offices; on the other, they play an effective role in preventing corruption. Armed police units of the commission are used centrally to deal with situations arising during the enforcement operations; besides, the Commission also obtains cooperation from local administrations at the district and upazila levels. In this case, the overall cooperation of the local administration including the police is quite commendable.

**Table-27: Actions taken after enforcement operation**

Sl. No	Subject	Total	Comment
1	Punitive Transfer/Dpartmental Proceeding	10 persons	
2	Dismissed	07 persons	
3	Issuing Show-cause notices	03 persons	
4	Fine	5,13,900 Tk.	Fine amounting to Tk. 5,13,900/- has been realised from convicting offenders on charges of using unauthorised electricity connection, illegal operation of brick kiln, extraction of sand, encroachment of government land and so on.
5	Imprisonment	13 persons	A total of 13 people have been sentenced to imprisonment for different terms who are employees of or middlemen operating illegally at Passport Offices, BRTA and Bangladesh Railway, illegal occupants of khas land or users of unauthorised gas connections.
6	Detection of government funds embezzled	1,12,41,487 Tk.	
7	Recovery of bribe money	96,000 Tk.	Via telephone instruction
8	Delivery of services at once	99 persons	Through telephonic instructions
9	Stopping road construction with low-quality construction materials	20 km (Approx)	



Sl.No	Subject	Total	Unit
10	Eviction of illegal structures	110	House
11	Recovery of government land	40 decimal	Illegally occupied government khas land worth 40 decimals has been recovered.
12	Terminating Illegally taken gas connection	69 unit	
13	Recovery of government rice	20 MT	
14	Getting deed writer's license revoked	1 person	
15	Prevention of irregularities in promotion	2 persons	Irregular promotion of two employees to the posts of Pharmacist and Accountant has been prevented at a hospital.
16	Stopping unauthorised toll collection	02	Illegal toll collection has been stopped at one bridge and one ferry ghat.
17	Preventing irregularities in tendering	Tk.9,25,355	
18	Stop recruitment corruption	11	
19	Detecting corruption in cash for work project	Tk.5,74,000	
20	Detecting embezzlement of funds for orphans	07	
21	Ensuring payment of insurance claims	01	
22	Detecting fake certificates in recruitment	02	
23	Detecting cases of forged deeds	02	
24	Unearthing corruption in payment of profit on savings certificates	Tk. 5,02,592	

The regular activities of the ACC Enforcement Unit such as raids, enquiries, sending of letters, trap operations, etc. are being appreciated by many as a result of publishing on the Commission's verified Facebook page ([www.facebook.com/acc.org.bd](http://www.facebook.com/acc.org.bd)), while many others are also requesting to conduct raids in their own department appreciating the activities of the Commission. The Enforcement Unit is constantly trying to improve its performance by taking constructive criticism into consideration.

Due to these operations, it appears that people at the root level are becoming aware of corruption. On the other hand, citizens are raising their voices about their rights, besides government officials are also becoming aware of their responsibilities. Above all, through these operations, it is possible to protect public interest and to rein on unlimited corruption.

## **CHAPTER FIVE**

### **Prevention of Corruption and Development of Good Practices**

- 5.1 Introduction
- 5.2 Inclusive Anti-Corruption Programme
- 5.3 Promotional Activities
- 5.4 National and International Partnerships



## Prevention of Corruption and Development of Good Practices

### 5.1 Introduction

The Anti-Corruption Commission Act, 2004 attaches the highest priority to taking measures to prevent corruption. Out of the 11 functions of the Commission mentioned in section 17 of the ACC Act, 2004, six are related to prevention of corruption. Eradicating corruption where it evolves is the foremost among the policies taken up by the Commission. Aiming at that end, the Commission makes realistic and multi-dimensional interventions. Accordingly, civil society has been integrated with efforts to prevent corruption. If citizens are sensitized about their rights, prevention of corruption is likely to be easier. Looking forward to that, the Commission has formed Corruption Prevention Committees (CPC) – being comprised of accomplished personalities of the society – in metropolitan cities at district, upazila and even at union levels. Members of these committees launch diverse programmes within their respective peripheries intending to awaken the society. Endeavouring to organise a corruption-preventing social movement at assigned levels, they remain vigilant against irregularities, harassments and purposive delays prevalent in various service-delivering sectors like education, health, land or power. The Anti-Corruption Commission in association with the CPCs and under supervision of local administration has formed Integrity Units (IU) drawing students from schools, colleges, madrasas and residential halls of various academic institutions and universities with the objective of instilling the values of integrity and dedication in the young generation. Respectable teachers concerned have been engaged in these IUs as advisors. The Commission is running programmes of this type targeting to launch concrete efforts against corruption and all forms of corrupt practices with a view to shaping an integrity-upholding future for the succeeding generations.

Article 7(1) of the Constitution of Bangladesh, achieved through a historic struggle for national liberation, states, “All powers in the Republic belong to the people...” The Commission’s firm conviction is that if people at all strata of the society, becoming conscious about their rights deriving from the State, can collectively raise resistance against corruption, those making unlawful gains by illicit means will be doomed to despair. Appreciating a common platform of men of integrity coming from all walks of life, the Commission welcomes the participation of common masses in its efforts made towards prevention of corruption. Without the direct assistance from the mass people, it is hardly possible to combat, control and prevent corruption.

### Legal basis for Research, Experimentation, Prevention and Public Awareness Activities

Article 20(2) of the Constitution of the People’s Republic of Bangladesh provides, “The State shall endeavour to create conditions in which, as a general principle, persons shall not be able to enjoy unearned incomes.” Receiving cooperation from all concerned, the Commission aims to seal off the ways of enjoying such unearned incomes by preventing corruption. The Commission may, as stipulated in section 17(f) of the ACC Act, 2004, “make research scheme for prevention of corruption and submit recommendations to the President for taking action on the basis of such research findings”. A further function of the Commission as stated in section 17(g) of the same Act is “to create feeling of honesty and integrity in order to prevent corruption” while section 17(k) allows the Commission “to perform such other functions as may be necessary for prevention of corruption.”

The overall task of obviating corruption is performed through the Prevention Wing of the Commission. International anti-corruption day and ACC’s founding anniversary are observed by this wing which also carries out functions relating to honesty stores, integrity units and CPCs that look forward to preventing corruption involving common people. In addition, this wing has formulated a constitution of and guidelines for CPCs and associate organisations based at metropolitan, district, upazila and union levels. These instruments are followed strictly while forming committees at different levels. While opening integrity stores at different academic institutions for inculcation of good practices, guidelines framed by the Commission for this purpose have been followed properly.



## 5.2 Inclusive Anti-Corruption Programme

### 5.2.1 Social Movement against Corruption

Prevention of corruption without social mobilization is next to impossible. Father of the Nation Bangabandhu Sheikh Mujibur Rahman – the greatest architect of our independence – called for a social movement to control corruption. The Commission intends to act as an ‘influencer’ in this process. That is why the Commission has continued its efforts to bring all stakeholders like civil society organisations, media, NGOs, government officials, political leaders, teachers, students, professionals and others on the same platform in its anti-corruption activities. The Commission is hopeful of achieving success in its mission to prevent corruption as it obtains unreserved cooperation from mass people. The Commission firmly believes that citizens have become more aware of corruption. It is observed that general people hate corruption and corrupt people from the core of their hearts.

### 5.2.2 Corruption Prevention Committee in Preventing Corruption

In order to conduct its preventive functions fully and effectively, the Commission has formed Corruption Prevention Committees (CPC) in all upazilas, districts and metropolitan cities. Being comprised of enlightened persons of the society, these committees implement various programmes for raising mass-awareness intending to support behavioural improvement and promote good practices. Pursuant to the revised charter and working guidelines of CPCs and their affiliated organizations of 2016, district and metropolitan CPCs consisting of not more than 13 members and upazila Anti-Corruption Committee consisting of not more than nine members have been formed, one-third of which are female. A chairman, two vice-chairmen, and a general secretary are nominated from among the committee members. Only adult citizens of Bangladeshi living in the locality concerned are eligible to be committee members – who are all selected by ACC to which they remain accountable through its divisional or -ombined district offices. Foreign nationals, elected public officials, public servants, active members of political parties, people declared to be of unsound mind by any competent court, loan defaulters or people convicted of criminal offences are considered ineligible for membership. CPCs consist of volunteers, teachers, valiant freedom fighters, religious leaders and retired government employees and people active in their respective fields enjoying a reputation for integrity. Incomes and expenditures of all activities of the CPCs are regulated in accordance with the directives issued by the finance and accounts section of the Commission. Accounts are maintained in the manner and proforma prescribed by this section. An audit subcommittee is formed consisting of any three members of the committee. The subcommittee submits audited reports to the committee on income and expenditure accounts in due course. Deputy Directors and officers above can inspect the accounts of the CPCs. All activities of the CPCs are conducted in line with the guidelines approved by the Commission.

**Table-28: Number of Corruption Prevention Committees (CPCs) at upazila, district and metropolitan levels in 2022**

Sl. No	Name of the Division	Metropolitan CPCs	District CPCs	Upazila CPCs	Total CPCs
1	Dhaka	08	13	74	95
2	Chattogram	01	10	93	104
3	Rajshahi	-	08	59	67
4	Khulna	-	10	50	60
5	Barishal	-	06	36	42
6	Sylhet	-	04	36	40
7	Rangpur	-	08	50	58
8	Mymensingh	--	03	33	36
<b>Total</b>		<b>09</b>	<b>62</b>	<b>431</b>	<b>502</b>



### 5.2.3 Integrity Units: Platform for Youths against Corruption

The new generation will lead the country in the days to come. It will be easier to curb corruption and corrupt practices if a generation is created which is endowed with integrity and ethical values. With that end in view, the Commission forms Integrity Units (IU) being comprised of secondary-level students. These organizations consist of students from different educational institutions and are meant to infuse into them a sense of honesty, morality and value-judgment. Future leadership of the country will emerge from today's young generation; as such, they are expected to unreservedly uphold integrity and honesty at all times being strictly adherent to values and tenets of the society. Understanding that corruption lays a negative impact on our perception and conduct undermining our past heritage of integrity and ethical values, the Commission intends to inspire the young generation with the precept that honesty is the best policy. With the purpose of generating the values of integrity, dedication and firmness of character among the young generation, arousing abhorrence against corrupt practices among them and, above all, integrating the students with mass-awareness raising activities, the Commission, with the initiatives of the CPCs, has formed Integrity Units in educational institutions like schools, colleges, madrasas, university halls and training institutions, with overall supervision of local administrations within their respective work areas. According to the guidelines of 2015, members of the Integrity Units shall be service givers on an absolutely voluntary basis, being free from the influence of political creeds and not getting involved with any activities in breach of law or against discipline. The executive committee of each Integrity Unit comprises 11 (eleven) students from the same educational institution and an advisory council consisting of 3 (three) to 5 (five) teachers. All the students of the same institution are the general members. The CPCs of metropolitan cities/districts/upazilas/unions, in consultation with the advisory council, nominate a president, a secretary and members of the executive committee from among the interested students. The Commission also implements many other varied programmes together with the members of the Integrity Units under supervision of the CPCs including human-chains, road marches, seminars, cultural functions, discussions, dramas, debates, cartoons, essay writing competitions and so on. Learning materials such as exercise books, rulers, geometry boxes and so on inscribed with quotable quotes promoting ethical values have been handed out to the members of the Integrity Units by the Commission.

**Table-29 : Statistics of division-wise Integrity Units**

Sl. No	Name of the Division	Number of Integrity Units
1	Dhaka	4,718
2	Chattogram	4,517
3	Rajshahi	4,068
4	Khulna	4,220
5	Barishal	2,825
6	Sylhet	1,247
7	Rangpur	4,185
8	Mymensingh	1,849
<b>Total</b>		<b>27,629</b>

### 5.2.4 'Honesty Store' in Promoting Good Practices in Daily Life

With a view to promoting the practice of integrity among students of young generation, particularly among those at secondary level, the Commission took an initiative in 2016 to open integrity stores meaning shops not guarded by shopkeepers where, along with educational materials, biscuits, chips, chocolate and other items of the like are on display for sale. An item-wise pricelist is shown in these shops where a box is placed into which the right amount of money may be inserted. Although sales people



are not present in these outlets, the students buy the products they need and pay the price in the cash box themselves. The Commission has not yet received any complaint of unfair means in the management of these stores. In this case, transparency and honesty emanated by the students appear to be hopeful to the Commission. Apart from these ones, some school authorities and local administration have also set up honesty stores in respective institutions on own initiative. The Commission believes that honesty is a matter of intensive practice in daily life. There is no substitute for practising honesty in building an immaculate society. Young people are fond of imitation. Once they have determined what is right or wrong in their minds, they will make no mistake in upholding as they walk the path of life.

**Table-30 : Statistics of division-based Honesty Stores**

Sl.No	Name of the Division	Number of Honesty Store
1	Dhaka	1,064
2	Chattogram	912
3	Rajshahi	549
4	Khulna	1,365
5	Barishal	437
6	Sylhet	474
7	Rangpur	730
8	Mymensingh	225
	<b>Total</b>	<b>5,756</b>

#### **5.2.5 Prevention activities implemented by the Commission**

The prevention wing of the Anti-Corruption Commission carries out various activities every year to combat corruption and develop anti-corruption awareness. Corruption Prevention Committees, Integrity Units and local administration are involved in these activities. Social awareness is raised by various anti-corruption programmes such as anti-corruption rallies, human-chains, road-marches, seminars, workshops, documentaries, cartoon exhibitions, debates or essay competitions arranged by CPCs at metropolitan, district and upazila levels along with local civil society, integrity units, professional organizations, NGOs and various socio-cultural organizations. As indicated through these programmes, people of different professions express solidarity with the on-going social movement against corruption. This is why the Commission always welcomes an inclusive approach that involves the general people in the fight against corruption. The activities of Corruption Prevention Committees and Integrity Unit are carried out on a voluntary basis.

Members of Corruption Prevention Committees and Integrity Units play vital roles in observing foundation anniversary of the Anti-Corruption Commission (21 November), International Anti-Corruption Day (9 December), in celebrating Independence Day and Victory Day. The Chairman, Commissioners and other staff of all levels of the Commission participate in these programmes. In order to encourage the inculcation of good practices among secondary-levels students across the country, materials like exercise books, scales, geometry boxes, pen-holders, tiffin-boxes, and water-pots — numbering 24,660 each, umbrellas and school bags — numbering 5,910 each, hand purses numbering 9,850 and dustbins numbering 2,475 have been distributed among them with texts such as, “I will do no bad deeds, I will tolerate no bad deeds”, “I will do good deeds , I will build the country with all,” “I will think about the country, I will follow the path of principle,” “I will speak the truth, I will stop injustice”, “I will abide by rules, I will be safe”, “Uphold patriotism, drive off corruption,” “None trusts a liar,” and “Don’t laugh at elders”.



**Table-31: Statistics of distribution of educational materials and other items among students for development of good practice in 2022.**

Sl. No.	Material Name	Number of Material
1	Khata/Exercise book	24,660
2	Scale/Rulers	24,660
3	Geometry Box	24,660
4	Umbrella	5,910
5	School bags and others	5,910
6	Pen holders	24,660
7	Tiffin Box	24,660
8	Water Pot	24,660
9	Hand Purse	9,850
10	Dustbin	2,475

### 5.3 Promotional Activities

The Commission persistently discloses and disseminates information against corruption so as to harness the social power to cause moral uplifting and promote good practices.

- **Message dissemination:** Anti-corruption messages have been disseminated through SMS on mobile phones in collaboration with Bangladesh Telecommunication Regulatory Commission (BTRC) at the initiative of Prevention Wing.
- **Distribution of posters and leaflets:** To prevent corruption and promote good practices, various posters have been distributed.
- **Slogans to promote good practices:** To promote good practices, exercise books, scales, geometry boxes, table clocks and umbrellas have been given out to students of secondary level nationwide with following slogans: “I will do no bad deeds, I will tolerate no bad deeds”, “I will do good deeds , I will build the country with all,” “I will think about the country, I will follow the path of principle,” “I will speak the truth, I will stop injustice”, “I will abide by rules, I will be safe”, “Uphold patriotism, drive off corruption,” “None trusts a liar,” and “Don’t laugh at elders.”
- **Documentary Broadcasting:** In order to create anti-corruption awareness in the country, short documentaries titled “Punishment”, “Victory of Truth”, “I will be better, I will keep better”, “Wrong”, and “Victory of honesty” have been aired on YouTube, various private television channels and Bangladesh Television. These documentaries are regularly disseminated through the District Information Office in every district and upazila, including Dhaka.
- **DUDOK Barta (ACC Magazine):** “DUDOK Barta” is a quarterly publication of the Anti-Corruption Commission. Through this publication, all kinds of activities of the Commission, such as recording of cases, filing of charge-sheets, judgments of cases in trial courts, enforcement operations against corruption, ACC related laws and regulations and public hearings of the previous month of the Commission are highlighted. ‘DUDOK Barta’ is circulated free of cost.

#### 5.3.1 Celebrating International Anti-Corruption Day

With a view to strengthening anti-corruption programmes, the United Nations declared 9 December as International Anti-Corruption Day in 2003. Since Bangladesh's signing of UNCAC in 2007, Anti-Corruption Commission has been observing this day officially. Accordingly, the Government had taken a proper initiative to observe the day on a regular basis designating it as a yearly event of 'B' category.



Like every year, in 2022, the Commission observed the International Anti-Corruption Day upholding the theme “Uniting the World against Corruption”. On this occasion, discussion meetings were held along with various events. The day’s programme started in the morning with rendition of national anthem and hoisting of national flag. Following this, anti-corruption human chains were formed on both the sides of the road from IEB to Shahbagh. Being led by ACC Chairman Mr Mohammad Moinuddin Abdullah, the chains were made by officers and staffs of the Commission’s head office and divisional office in Dhaka, ACC’s panel lawyers, members of the CPC of Dhaka metropolitan city, Girl Guides, Ansar & VDP, BNCC, various NGOs, office of the Divisional Commissioner of Dhaka, senior officials of DMP and Dhaka Range DIG office, Department of Narcotics Control, PKSF, NGO Affairs Bureau, staff members of district administration of Dhaka together with common people from all section. In addition, anti-corruption placards, banners and festoons were exhibited in colourful human chains of numerous people at eight different points of the capital city. Similarly, this day was celebrated in every district and upazila of the country. A discussion meeting was arranged at the National Theatre Auditorium of Bangladesh Shilpakala Academy, where hon’ble President of Bangladesh Md. Abdul Hamid spoke as the Chief Guest.

### **5.3.2 ACC Media Award**

With a view to encouraging investigative media reporting on corruption and creative reporting on prevention, the Anti-Corruption Commission has introduced “Dudak Media Award”. Every year six journalists are awarded in two categories. The Commission gives out these awards in compliance with the recommendations of the Jury Board composed of reputed journalists of the country. On the occasion of the International Anti-Corruption Day in 2022, “Dudak Media Award” was distributed among six journalists in two categories: electronic and online category and print media category.

### **5.3.3 Anti-Corruption Commission Model Debate Competition**

In 2022, a college-level anti-corruption model debate competition was held at Madaripur which was participated by a total of 288 students from 48 colleges. In this competition, Government Sheikh Hasina Academy & Women’s College became the champion while D.K. Ideal Syed Atahar Ali Academy & College became the runners up and Dr. Md. Mozammel Haque Khan College, Madaripur obtained the third position.

### **5.4 National and International Partnerships**

The commission believes in a participation and inclusive approach to curb and prevent corruption at national and international levels. Bangladesh is a signatory to the UN Convention against Corruption (UNCAC). The Commission has continued its efforts to build partnerships with national and international organizations as part of its inclusive approach in combating corruption following article 48 of the UNCAC. As a part of this inclusive approach, memorandums of understanding (MoU) were signed with the Anti-Corruption Commission of Bhutan and the Investigative Committee of the Russian Federation (ICRF) in 2017 and the Central Bureau of Investigation (CBI) of India in 2019. Recently, the MoU signed with the CBI has been renewed for the next 5 years in continuation of the previous one.

The MoUs have been identified as markers of co-operation in various areas, including initial investigation, detection, authentication and exchange of experience, best practices and anti-corruption education programmes. The Commission maintains close liaison with relevant organizations in about 22 countries, including Indonesia, China, the United States and Malaysia, to share and learn good practices.

National organizations such as Transparency International Bangladesh (TIB), Oxfam, Bangladesh Scouts and Bangladesh Girl Guides Association and Kite Bangladesh have signed MoUs with the Anti-Corruption Commission. The ACC jointly implements various anti-corruption programmes at the district and upazila levels across the country. Anti-Corruption Commission and Transparency International Bangladesh (TIB)



are implementing various programmes, including the celebration of International Anti-Corruption Day, information fair, public hearing, seminar, symposium and anti-corruption human chain based on cooperation in prevention of corruption. To continue the mutual cooperation in this field, the MoU signed between Transparency International Bangladesh (TIB) and ACC was renewed on 28 September of 2022. Apart from these ones, signing of MoUs is in progress with entities like Human Rights Commission, Rapid Action Battalion (RAB), Bangladesh Television (BTV), Department of Narcotics Control, Palli Karma Shahayak Foundation (PKSF), Election Commission, Information Commission, Department of Immigration and Passports and so on. Meanwhile, the Commission has continued exchanging good practices with other stakeholders.

The Anti-Corruption Commission undertakes various awareness-building programmes, such as debate competitions, cartoon competitions, essay competitions, seminars, symposiums, workshops; views exchange meetings, road-shows, human chains, and cultural programmes. Rover Scouts and Girl Guides Association members also take part in ACC's events. The Commission is encouraged as they actively participate in various programmes organised every year on the occasion of International Anti-Corruption Day on 9 December, founding anniversary of Anti-Corruption Commission and anti-corruption week.

The UN Convention against Corruption (UNCAC) emphasizes on arranging preventive measures to stop the occurrences of corruption, taking action under criminal laws and exploring fields of cooperation in the international arena. Formulation of a National Corruption Prevention Policy for each member State has been recommended in this Convention. Accordingly, the Government of Bangladesh adopted a National Integrity Strategy (NIS) in 2012 that aims at establishing good practices and preventing corruption in all areas of State and society.

Among the 10 State institutions mentioned in the NIS, Anti-Corruption Commission is “the most important organisation for a relentless fight against corruption and promotion of integrity.” The Commission’s NIS action plan implementation, reporting and co-ordination are accomplished by NIS and UNCAC Focal Point Desk of the Prevention Wing. ACC also arranges seminars with different stakeholders according to NIS action plan. The Director General of Prevention Wing functions as the NIS Focal Point by default.

# **CHAPTER SIX**

## **Public Hearing**

6.1 Public Hearing for Flourishing a Corruption-free and Accountable Administrative Mechanism



## Public Hearing

### 6.1 Public Hearing for Flourishing a Corruption-free and Accountable Administrative Mechanism

#### 6.1.1 Introduction

Public hearing is a unique way to enhance transparency and accountability in delivering services and running welfare programmes of the Government. It is an effective tool that establishes a direct communication between people seeking services from the Government and public servants responsible for delivering them. Public hearing is by nature a platform for holding tripartite meetings where service providing government officials and local public representatives face the aggrieved citizens or service seekers in presence of officials of the Anti-Corruption Commission. Most grievances, bottlenecks or outstanding issues are generally resolved during or immediately after the hearing session. In some cases, if the issues are not resolved at once, they are brought forward to follow-up sessions. Anti-Corruption Commission holds public hearings primarily at the grassroots level; as a result, even common people gain an easy access to a forum where they can voice out their concerns relating to services sought from the Government.

A thorough review of the grievances expressed by the service takers and the explanations given by the officials concerned indicates that the dissatisfaction in receiving government services is basically attributable to lack of awareness of the citizens, inefficiency of the officials, irregularities, mismanagement and in some cases, corruption and defiance to follow the given time-limits. Against this backdrop, public hearing programmes organized by ACC have been proved quite effective to identify the sources of corruption, hold open discussion on what to do to prevent exploitative manner prevailing at the concerned office, take immediate action leading to disposal or bring forward the issue to a follow-up hearing. This is how this process, while empowering the mass people to claim their rights due from the Government, expedites ACC's initiative against unscrupulous practices.

The Commission started off public hearings from Muktagachha in Mymensingh district way back in 2014; till writing this report, a total of 148 public hearing programmes have been arranged successfully. Nationwide in various districts a total of three public hearings were conducted by the Commission in 2022. At present, the costs of public hearings are borne from ACC's own fund; however, there is scope for receiving assistance from various development partners in this field.

#### 6.1.2 Objectives of Public Hearing

- Hearing directly from service-seeking people about their grievances and getting them addressed through the offices concerned;
- Improving the quality of services meant for the citizens in public offices as mentioned in Citizens' Charter;
- Developing a bridge between the local administration and the people whom it serves;
- Ensuring transparency and accountability in the functions of Government offices responsible for delivering services.
- Enhancing awareness among mass people about their rights as citizens and reminding service-providing employees of their responsibilities and duties;
- Increasing empathy between service seeking citizens and service providing officials;
- Identifying the causes of corruption, irregularities and delays at source and taking steps to remove them; and
- Adopting administrative and legal measures in appropriate cases.



### **6.1.3 Theoretical framework of Public Hearing**

One of the fundamental responsibilities of the State, as the Constitution of the People's Republic of Bangladesh stipulates, is to secure to the citizens "the provision of the basic necessities of life". Second, Article 13 of the United Nations Convention against Corruption (UNCAC) underpins the importance of "participation of individuals and groups outside the public sector, such as civil society, non-governmental organizations and community-based organizations, in the prevention of and the fight against corruption". Third, a pledge to deliver corruption-free public services to the citizens has been spelt out in the National Integrity Strategy as adopted by the Government in 2012. Fourth, one of the strategies of the 8<sup>th</sup> Five-Year Plan is ensuring improvement in governance of institutions which can be addressed through public hearings and other mechanisms of making an organisation accountable to society. Fifth, of the 17 Sustainable Development Goals adopted by the UN in 2015, the 16<sup>th</sup> one is to "build effective, accountable and inclusive institutions at all levels". Public hearings play a significant role in achieving this goal.

The theoretical underpinning of public hearing as an accountability method has been derived from 'The framework for service provision' as explained in the World Development Report-2004 of the World Bank. For establishing accountability in the system of delivering public services, this framework suggests (1) enabling the people "to monitor and discipline service providers", (2) "amplifying their voice in policymaking" and (3) "strengthening the incentives for providers". The importance of accountability to the citizens has always been highlighted through public hearings.

### **6.1.4 Legal Framework of Public Hearing**

- Article 20 (2) of the Constitution which affirms, "The State shall endeavour to create conditions in which, as a general principle, persons shall not be able to enjoy unearned incomes...";
- Article 21(2) of the Constitution that stipulates, "Every person in the service of the Republic has a duty to strive at all times to serve the people";
- National Integrity Strategy, 2012;
- Relevant sections of the Anti-Corruption Commission Act, 2004;
- Two Office Memorandums of Cabinet Division issued on 01 June 2014 and 05 June 2014 giving instructions on conducting public hearing sessions at all Government offices for preventing corruption and creating mass awareness;
- The Right to Information Act, 2009; and
- The Whistle Blowers Protection Act, 2011.

### **6.1.5 Conducting Public Hearing Functions**

Article 7(1) of the Constitution articulates that "All powers in the Republic belong to the people." As power derives from people's mandate, they have an inalienable right to receive public services without any harassment, irregularities, corruption and delays; the eradication of these vices is expedited through public hearings. In each public hearing session, the Chairman of the ACC himself or a Commissioner observes the proceedings and announces instant decisions to resolve the issues raised there. The Commission formulated a policy for public hearing in 2016. Currently public hearings are held on the basis of this policy.

Public hearing sessions are open to people of all classes including local elites, citizens seeking public services, officers and support staff of the offices concerned, media representatives, members of civil society organisations, legal practitioners, NGOs and other stakeholders. The officers of ACC's integrated district office concerned may, if necessary, invite the appropriate persons by letter or telephone to attend these sessions. In this regard, steps are taken in consultation with the honourable Members of Parliament, Mayor and Councillors of City Corporation or Pourashava, Chairman of Upazila Parishad, and other public representatives. Sometimes consultations are held with the local corruption prevention committee in making decisions or fixing the course of action to be followed to resolve outstanding issues, if any.



### 6.1.6 Statistics of Public Hearings conducted from 2019 to 2022

Concerning delivery of public services, in 2022, the Commission conducted public hearing programmes at different Government offices located in Rangpur, Patuakhali and Chattogram. Through these hearings, the Commission received a total of 97 complaints from the citizens at grassroots level; among them, 61 were resolved, making a disposal rate of 63%. Year-wise statement of public hearings held during the last three years is given below.

**Table-32 : Number of Public Hearings conducted in 2020, 2021 and 2022**

Year	Number of Public Hearings/Follow-Up Public Hearings
2020	05
2021	01
2022	03

### 6.1.7 Consequences of Public Hearings

As stipulated in the Constitution, “Every person in the service of the Republic has a duty to strive at all times to serve the people”. Accordingly, the Anti-Corruption Commission conducts public hearings with a two-fold aim; first, to remind public servants of their constitutional obligation to serve the people and second, to transform every service-providing office into an accountable organization. Outstanding issues hampering delivery of services are getting resolved owing to public hearings and follow-up sessions that are held regularly. The Commission also takes legal actions on receiving credible complaints of corruption. If any incident of specific corruption is unearthed during public hearing, arrangement for investigation is done forthwith. In addition, reports are sent to higher authorities about the performances of Government officials with requests, if necessary, for taking administrative action. The sources and nature of irregularities and corruption are identified through public hearings; accordingly, recommendations are made to the Government for remedial actions. Public hearings are expected to play an effective role in removing irregularities, harassments or purposive delay prevalent in the mechanism of delivering public services.

# **CHAPTER SEVEN**

## **Training Programmes**

- 7.1 Introduction
- 7.2 Local Training
- 7.3 Foreign Training



## Training Programmes

### 7.1 Introduction

The Anti-Corruption Commission works continuously to achieve the goal of preventing and controlling corruption as well as developing good governance practices. To this end, skilled human resources are necessary. Training is a prerequisite for developing human resources of expected standard; it is an indispensable method to increase the knowledge and skills of staff members, which will result in their attitudinal change too. At the outset of 2019, the ACC started its Training Wing with the aim of developing its officials as skilled human resources. This wing organises focused and time-befitting specialised training programmes for employees of different grades and ranks at home and abroad throughout the year. In addition, the Commission makes arrangements for learning, training, promoting good practices and enhancing awareness pertaining to its existing procedures and practices that are under constant review.

Training enables the participating employees to share experiences, exchange knowledge and gain insights through hands-on activities. Augmenting their professionalism and productivity, training transforms them to skilled human resources. The ACC has drawn up a plan to build its own training institute, which will be a modern, self-sufficient establishment being in conformity with well-functioning similar ones in the country enjoying long-standing reputation. This institute, when it comes into operation, will reduce the requirement of sending ACC employees to training facilities of other organisations in the country or even overseas, saving both time and money. However, trainees from different countries are expected to come here as learners and researchers.

The nature of corruption constantly assumes different dimensions due to technological advancement. Income earned through corruption can be laundered in different ways anywhere in the world. Digital currencies like Bitcoins have been introduced in different countries. Corruption has now extended far beyond geographical boundaries. Against a backdrop of versatility and wideness of unscrupulous practices, the main target of the ACC officials is to conduct enquiry and investigation of corruption of modern era efficiently following due process so that the offenders, if detected, are compelled to face trial by a competent court. Keeping that in mind, the Anti-Corruption Commission is working to categorise the type, means and features of corruption prevalent in specific sectors. For this purpose, specialised trainings, apart from basic one on enquiry and investigation, are arranged on banking, finance, auditing, stock market, intelligence operation, cybercrime, digital frauds, procurement and so on. These training programmes are expected to enhance the professional knowledge and skills of the officers.

### 7.2 Local Training

Table-33 : Local Training Programmes in 2022

Sl.	Name of the Training	Duration	Number of Trainees	Organised by	Funded by
1	Training on Good Governance and Office Management	11.01.2022 to 13.01.2022	30	Anti-Corruption Commission	Anti-Corruption Commission
2	Training on the Policy Level Activities of e-GP System	17.01.2022	05	Ministry of Planning	Ministry of Planning
3	Training For the Officials of Digital Forensic Lab	20.01.2022 & 14.02.2022	10	Anti-Corruption Commission	ACC Strengthening Project
4	Training For the Officials of Digital Forensic Lab	13.02.2022 to 17.02.2022	10	Anti-Corruption Commission	ACC Strengthening Project
5	Short Procurement Training: Orientation of Anti-Corruption Commission Officials (O2) 1 Day Course	24.02.2022	30	Anti-Corruption Commission	ITCILO



Sl.	Name of the Training	Duration	Number of Trainees	Organised by	Funded by
6	Short Procurement Training: Orientation of Anti-Corruption Commission Officials (O2) 1 Day Course	27.02.2022	30	Anti-Corruption Commission	ITCILO
7	Training For the Officials of Digital Forensic Lab	13.03.2022 to 14.03.2022	10	Anti-Corruption Commission	ACC Strengthening Project
8	Training For the Officials of Digital Forensic Lab	20.03.2022 to 21.03.2022	10	Anti-Corruption Commission	ACC Strengthening Project
9	Short Procurement Training: Orientation of Anti-Corruption Commission Officials (O2) 1 Day Course	21.03.2022	30	Anti-Corruption Commission	ITCILO
10	Training For the Officials of Digital Forensic Lab	23.03.2022 to 24.03.2022	30	Anti-Corruption Commission	ACC Strengthening Project
11	Short Procurement Training: Orientation of Anti-Corruption Commission Officials (O2) 1 Day Course	24.03.2022	30	Anti-Corruption Commission	ITCILO
12	Short Procurement Training: Orientation of Anti-Corruption Commission Officials (O2) 1 Day Course	31.03.2022	30	Anti-Corruption Commission	ITCILO
13	Training on Financial Accounting Course (FAC)	17.04.2022 to 21.04.2022	30	Anti-Corruption Commission	Anti-Corruption Commission
14	Training For the Officials of Digital Forensic Lab	17.04.2022 to 19.04.2022	10	Anti-Corruption Commission	ACC Strengthening Project
15	Training on Capital Market Management	09.05.2022 to 11.05.2022	30	Bangladesh Securities and Exchange Commission	Anti-Corruption Commission
16	Workshop on “Protecting Public Integrity: Prosecuting and Investigating Complex Corruption Cases”.	19.05.2022 to 21.05.2022	30	U.S. Embassy, Dhaka	U.S. Embassy, Dhaka
17	58 <sup>th</sup> Senior security Course	17.05.2022 to 02.06.2022	10	National Security Intelligence	National Security Intelligence
18	Training on Capital Market Management	23.05.2022 to 25.05.2022	26	Bangladesh Securities and Exchange Commission	Bangladesh Securities and Exchange Commission
19	Training For the Officials of Digital Forensic Lab	25.05.2022	10	Anti- Corruption Commission	ACC Strengthening Project
20	Orientation Course for Newly Appointed Officers	22.05.2022 to 26.05.2022	135	BIAM Foundation, Dhaka	Anti-Corruption Commission



Sl.	Name of the Training	Duration	Number of Trainees	Organised by	Funded by
21	Training For the Officials of Digital Forensic Lab	29.05.2022 to 02.06.2022	10	Anti-Corruption Commission	ACC Strengthening Project
22	Training on Capital Market Management	07.06.2022 to 09.06.2022	28	Bangladesh Securities and Exchange Commission	Anti-Corruption Commission
23	Orientation Course for Newly Appointed Officers	12.06.2022 to 16.06.2022	115	BIAM Foundation, Dhaka	Anti-Corruption Commission
24	Training on NIS and Good Governance	22.06.2022	39	Anti-Corruption Commission	Anti-Corruption Commission
25	Training on Banking Procedure	26.06.2022 to 30.06.2022	25	Anti-Corruption Commission	ACC & Sonali Bank Ltd.
26	Audio & video Forensic (Voice Analysis & Biometric)	19.07.2022 to 20.07.2022	10	Dynamic Solutions	ACC Strengthening Project
27	Audio & video Forensic (Voice Analysis & Biometric)	11.08.2022	10	Dynamic Solutions	ACC Strengthening Project
28	Orientation Course for Newly Appointed Officers	21.08.2022 to 25.08.2022	24	Anti-Corruption Commission	Anti-Corruption Commission
29	1 <sup>st</sup> Foundation Course for Newly Appointed Officers	29.08.2022 to 27.10.2022	40	BIAM Foundation, Dhaka	Anti-Corruption Commission
30	Audio & video Forensic (Voice Analysis & Biometric)	21.08.2022 to 22.08.2022	10	Dynamic Solutions	ACC Strengthening Project
31	Audio & video Forensic (Voice Analysis & Biometric)	28.09.2022	10	Dynamic Solutions	ACC Strengthening Project
32	Training on NIS and Good Governance	29.09.2022	30	Anti-Corruption Commission	Anti-Corruption Commission
33	Special Training on Prosecution Management	23.10.2022 to 25.10.2022	29	Anti-Corruption Commission	ACC Strengthening Project
34	Special Training on Prosecution Management	01.11.2022 to 03.11.2022	28	Anti-Corruption Commission	ACC Strengthening Project
35	Special Training on Prosecution Management	08.11.2022 to 10.10.2022	30	Anti-Corruption Commission	ACC Strengthening Project
36	107 <sup>th</sup> Junior Security Course-2022	23.10.2022 to 03.11.2022	01	National Security Intelligence	National Security Intelligence
37	2 <sup>nd</sup> Foundation Course for Newly Appointed Officers	20.11.2022 to 18.01.2023	40	BIAM Foundation, Dhaka	Anti-Corruption Commission
38	Foundation Course for Newly Appointed Officers	20.11.2022 to 18.01.2023	70	RPATC, Dhaka	ACC Strengthening Project
39	Use of IPMS software	28.11.2022	12	Anti-Corruption Commission	ACC Strengthening Project
40	Training on NIS and Good Governance	29.12.2022	30	Anti-Corruption Commission	Anti-Corruption Commission



### 7.3 Foreign Training

**Table-34 : Foreign Training in 2022**

Sl.	Name of the Training	Duration	Number of Trainees	Organising Country	Funded by
1	Computer Forensic Tools (MAGNET Forensic)	23.01.2022 and 30.01.2022	3	USA	ACC Strengthening Project
2	DVR Recovery & Examiner	01.02.2022 to 08.02.2022	3	UAE	ACC Strengthening Project
3	Training on Mobile Forensic Tools	10.03.2022 to 25.03.2022	3	UAE	ACC Strengthening Project
4	Computer Forensic Tool	08.05.2022 to 20.05.2022	3	India	ACC Strengthening Project
5	Audio & Video Forensic	13.06.2022 to 23.06.2022	3	USA	ACC Strengthening Project
6	Professional Development Program on Effective Anti-Corruption Policy, Strategy & Practices	10.05.2022 to 20.05.2022	21	Thailand	Anti-Corruption Commission
7	Professional Development Program on Effective Anti-Corruption Policy, Strategy & Practices	23.05.2022 to 02.06.2022	20	Thailand	Anti-Corruption Commission



# **CHAPTER EIGHT**

## **Departmental Recommendations of the ACC Institutional Team**

- 8.1 Introduction
- 8.2 Causes of Irregularities and Lapses Besetting the Department of Environment
- 8.3 Sources of Corruption
- 8.4 Actions Taken by the Anti-Corruption Commission
- 8.5 Recommendations of the Institutional Team on Prevention of Corruption



## Departmental Recommendations of the ACC Institutional Team

### 8.1 Introduction

The Anti-Corruption Commission formed 25 separate entity-specific institutional teams for the purpose of identifying the sources of corruption that are created due to cumbersomeness of existing laws or regulations, lack of institutional capacity or shortage of manpower in various ministries, departments or agencies of the country. These teams are also expected to make recommendations on the steps to be taken, from a realistic point of view, to offset these causes. Accordingly, an institutional team consisting of a Deputy Director and an Assistant Director being under the leadership of a Director of the Commission was assigned the task of exploring the activities of the Department of Environment (DoE). Examining the laws and regulations pertaining to the business of the organisation, analysing its management procedures and measuring the extent of waste of public money under its current system, the team has formulated recommendations for removing limitations and obstacles and preventing corrupt practices prevailing there. Members of the team reviewed the information collected during their enquiry through discussions with retired and current officials of the DoE and its stakeholders. Besides, the team talked with service-seeking aggrieved individuals and reviewed the annual statements, audit reports and information published in various print media exposing irregularities and corruption of the DoE. Based on the overall review, the institutional team has identified the sources and areas of corruption of this department and put forward recommendations to the Commission specifying measures to be taken. The Commission has decided to send the report to Cabinet Division and the Ministries concerned for taking effective measures to address the irregularities and causes of failure, eradicate the sources of corruption and consider the ways forward shown in its conclusion.

### 8.2 Causes of Irregularities and Lapses Besetting the Department of Environment

According to a recent research report titled 'Governance Challenges and Pathways', illegal financial transactions occur through collusion at various stages of obtaining environmental clearances. Reportedly 66 percent of the industries surveyed engage in illegal financial transactions through collusion at different levels of this service. Information has been received about category-wise non-normative financial transactions that are rampantly made while obtaining an industry's environmental clearance. A TIB study reveals that 51 percent of the industries covered in the survey were operating with expired permits, 70% of which did not even apply for renewal till the time of data collection. The overall reasons behind the lack of quality in the work of the Department of Environment as revealed by the ACC enquiry team are as follows:

- Irregularities and corruption of some dishonest officers/employees of the Department of Environment;
- Reluctance of officials involved in ensuring the proper enforcement of existing laws and rules for the prevention of environmental pollution and the influence of powerful vested interests;
- Collusion of owners of polluting industries with dishonest officers/employees;
- Lack of accountability of officials;
- Industrial establishments operating with expired licenses and their reluctance to get them renewed;
- Insufficient use of modern technology and weak monitoring;
- Lack of professional competence in environmental protection;
- Lack of coordination among agencies concerned with environmental protection; and
- Lack of public participation.

### 8.3 Sources of Corruption

#### (1) Corruption in project implementation

In order to deal with the adverse effects of global climate change, the decision to implement various



environment-friendly national and international projects through the Department of Environment, a large amount of money was allocated by the Government in this sector. But irregularities were noticed in the implementation of these projects. It is learnt that an estimate of Tk. 400 crore was approved for 'Clean Air and Sustainable Environment Project'. But, allegations were raised of misappropriation in connivance with contractors by producing fake bill vouchers doing substandard work and even without doing any work at all in some cases. The actual extent of corruption may be revealed if physical verification is conducted in the project area. Relating to various technical assistance proposals including 'Bangladesh Environmental Institutional Strengthening Project', reports have surfaced revealing implementation practices that are inconsistent with established rules and procedures. Also, there are major complaints regarding coastal and wetland biodiversity management projects in Cox's Bazar and Hakaluki Haor. It is reported that major irregularities took place in appointing contractors for the Solid Waste Management Project focusing on reduce, reuse and recycle (3-Rs) in Dhaka and Chattogram cities. As estimated, around Tk. 22 crore has been approved for this project. Moreover, projects worth hundreds of crores of Taka have been undertaken to remove waste from various rivers including the Buriganga and to build disaster tolerant houses in different areas including Barishal and Khulna; however, no such works are visible in reality. An estimate of about Tk. 21 crore was made for the Karnaphuli Irrigation Scheme (Ichamati Unit) in Chattogram district, but it was not fully implemented. There are allegations of misappropriation in establishing permanent monitoring networks and mathematical model survey projects in coastal areas. There is also a suspicion that money amounting to taka in crores has been stolen in the name of 'Programmatic CDM' project implemented across the country. It is to be noted that an estimate of around Tk. 14 crore has been made for this project.

### **(2) Corruption in issuing licenses to brick kilns and environmental clearances to industries**

For conservation and development of environment and biodiversity, legal control has been established over brick manufacturing and brick kiln establishment. 'The Brick Manufacturing and Brick Kilns Establishment (Control) Act, 2013' and the 'Bangladesh Environment Conservation (Amendment) Act, 2010' provide for issuing brick kiln licenses and environmental clearances. However, taking advantage of the loopholes of these Acts, some self-seeking brick kiln owners maintain illegal brick kilns showing them as factories for producing concrete or compressed blocks; but under this pretext, mud cutting continues for making bricks from agricultural land, hills, ponds, pastures and fallow areas. On-site inspection shows that most of the brick kilns established across the country use firewood as fuel in violation of law. It has been found, during field visits made by the enquiry team, that the brick kilns operating in various districts of Bangladesh are set up in areas prohibited by law; however, licenses are issued to them, although inexplicably, by the appropriate authority. Showing this permission, unscrupulous brick-manufacturers are causing environmental damage of immeasurable extent. In this case, questions can be raised about the activities of or the actions taken by the vigilance committee responsible for exercising oversight. In many cases, the members on the vigilance committee deliberately omit to submit their report even after noticing these irregularities, presumably in the expectation of making personal gains. About some other brick kilns, there is a public perception that they are embezzling support money received from the Government by making false claim of adopting modern technology like chimney pattern, brick burning method and so on.

### **(3) Making unlawful gains while issuing environmental clearance and renewal**

It is observed that environmental clearances are taken by resorting to unfair means without fully complying with the conditions laid down by rules pertaining to this service. Most large companies do not have an Effluent Treatment Plant (ETP). As a result, our environment is facing disaster due to lack of waste treatment. Allegations have surfaced of underhand dealings involving insiders in connivance of whom environmental clearances are issued and renewed to various industrial factories in disregard of rules and conditions. It is learnt that all these clearances are granted and renewed sitting in the office room in exchange of financial benefits without making any physical verification or ascertaining whether the conditions of the clearances have been broken. Major irregularities and corruption are resorted to while issuing environmental clearances for setting up of various hotels and sawmills. Besides, there are reports that bribes of large amount of money are also exchanged in granting licenses or clearances in favour of various hospitals, clinics and pathology laboratories.



#### **(4) Refraining from taking follow-up action after serving notice of causing damage to environment**

There are complaints of refraining, in exchange of bribes, from taking follow-up actions against notices served for various activities causing damage to the environment

#### **(5) Pollution of the environment by industrial establishments of hidden economy**

A number of recent studies show that due to weakness of institutional capacity in middle-income countries like Bangladesh, a class of beneficiaries, taking undue advantages from a variety of sources, recklessly exhaust the country's natural resources to set up non-compliant industries which ultimately strengthen a hidden economy from which the Government or the common people derive no benefits at all. In reality, factories or establishments of this type make an uncontrollable use of the country's natural resources like trees, timber, gas, coal or soil. Set up and run illegally by cartels having vested interest in collusion with officials of the DoE and other agencies concerned, these installations cause collateral damage to our environment and biodiversity by emitting noxious substances and discharging untreated effluents. This sector, being out of the mainstream economy, is away from effective monitoring activities. Accordingly, the spread of clandestine enterprises, being an onslaught to the prospects of their forthright, compliant counterparts, enhances the release of toxic gases causing multi-pronged degradation to the environment and put the mainstream sector to a setback.

#### **(6) Other Factors**

Following are some other factors causing corruption at the Department of Environment:

- Administrative constraints;
- Lack of manpower with expertise in environment;
- Political influence;
- Influence of business and mill/factory owners;
- Lack of commitment at the top;
- Lack of soft skill training; and
- Lack of proper monitoring.

#### **8.4 Actions Taken by the Anti-Corruption Commission**

Based on the information received from various sources including the media, 02 (two) separate complaints of irregularities and corruption taking place at the DoE have been taken up by the ACC for deeper enquiry.

#### **8.5 Recommendations of the Institutional Team on Prevention of Corruption**

##### **8.5.1. Recommendations regarding clearance/licensing and monitoring of industrial establishments including brick kilns**

- (1) Making provision of obtaining licenses in establishing brick kilns of any type whatsoever and manufacturing bricks or blocks;
- (2) Issuing licenses and permits in strict compliance with the provisions of the relevant Acts or Rules, only after thorough verification by the inspection team;
- (3) Making it mandatory to install effluent treatment plant (ETP) of specific standard at various industries, hotels-motels and other large establishments prior to issuing environmental clearance; revoking permits and licenses given earlier if no ETP is found in operation; and
- (4) Strengthening monitoring activities on inspection committees.



### **8.5.2. Recommendations to combat corruption caused through project implementation**

- (1) Taking up and implementing suitable projects for protecting environment; placing international standard environmentalists in decision-making process and accepting their opinions and recommendations;
- (2) Applying PPR meticulously in project implementation;
- (3) Including neutral environmental experts in tender evaluation committee;
- (4) Ensuring proper implementation of DoE projects under constant on-site inspection of the officials responsible for that, in particular, when taking measurement is practically impossible on completion; and
- (5) Ensuring diligent implementation monitoring of projects incurring revenue expenditure with assistance from development partners.

### **8.5.3 Recommendations regarding proper enforcement of the Act**

- (1) Identifying and removing irregularities, criminal activities and corrupt practices besetting exercise of authority at the DoE so that pertinent Acts and Rules can be strictly enforced for protecting environment; and
- (2) Prosecuting individuals and organisations implicated in irregularities and criminal dealings, in addition to fining them.

### **8.5.4. General recommendations**

- (1) Meticulously implementing action plans made under National Integrity Strategy (NIS) in order to enhance transparency in DoE's functions both at its administrative level and at subordinate offices;
- (2) Ensuring proper use of modern environment-friendly technologies by undertaking adequate research activities to protect the environment; in addition, identifying the areas of environmental degradation and taking remedial measures;
- (3) Establishing coordination in the functions of the Ministries, Departments and Agencies engaged in protecting environment;
- (4) Identifying dishonest officers and employees of the DoE, bringing them under intense monitoring and ensuring proper punishment against wayward ones among them;
- (5) Forming high-power monitoring team to prevent setting up of industries in contravention of existing rules;
- (6) Stopping ways of making unlawful gains by ensuring the accountability of the officials of the DoE and other agencies responsible for protecting environment;
- (7) Engaging the country's expert circles in the movement to protect the environment; and
- (8) Putting emphasis on public hearings and awareness raising activities in order to increase people's participation.

The DoE may communicate with the Ministries concerned recommending incorporating environment-related topics in the curricula.



# **CHAPTER NINE**

## **The Future Work Plan of the Commission**

- 9.1 Work Plan of the Commission
- 9.2 Activities for Preventing Money Laundering
- 9.3 Digitization



## The Future Work Plan of the Commission

### 9.1 Work Plan of the Commission

The progress of Bangladesh in almost every indicator of socio-economic development is commendable. Bangladesh has earned noteworthy success in achieving economic growth despite various adversities. However, the persistent corruption of some unethical people puts the country's growth potentials at risk causing frustration among the masses. The citizens expect transparency and accountability in the affairs of the state. In this age of globalization, corruption is not just a problem of a particular country; it is a universal inconvenience. Like many other countries, Bangladesh faces new challenges in curbing, controlling and preventing corruption. The Anti-Corruption Commission conducts and implements multidimensional activities to prevent and control corruption. It has achieved success in many areas of governance and development by tackling various challenges in the socio-economic context. However, the Commission does not want to be complacent and is keen to move forward by identifying its limitations. To that end, pragmatic plans have been formulated to make the activities of different wings of the ACC more dynamic and visible. If these plans are implemented, the Commission's anti-corruption and prevention capacity will be enhanced, which will ultimately increase citizens' confidence in its functions.

### 9.2 Activities for Preventing Money Laundering

#### 9.2.1 Activities of the Money Laundering Wing

The Money Laundering Wing conducts enquiries and investigations into corruption-induced money laundering cases along with bank, non-bank financial institutions and insurance-related offences. It participates in the National Coordination Committee and Working Committee on Prevention of Money Laundering and implements decisions taken by these platforms. This wing has taken various initiatives with the Bangladesh Financial Intelligence Unit (BFIU) to prevent money laundering offences. It also holds quarterly meetings with the BFIU to share bilateral intelligence. The Money Laundering Wing freezes bank accounts of the accused if requested through the investigation officers. Alongside implementing the National Strategy adopted to prevent money laundering, this wing also handles the preparation, transmission, communication and coordination of Mutual Legal Assistance Requests (MLAR) to collect information and evidence from abroad and to freeze or confiscate illegal money or assets laundered overseas. The Money Laundering Wing participates in the meeting of the Task Force On Recovery of Laundered Assets chaired by the Attorney General of Bangladesh. National Risk Assessment (NRA) report to prevent money laundering and assess risk in Bangladesh is another essential task of this wing. Through this Wing, the ACC participates in the Mutual Evaluation Process of the Asia-Pacific Group (APG) on Money Laundering and attends the APG Annual Meeting. The Wing is also responsible for liaising, exchanging and coordinating with other law enforcement agencies (LEAs) within the country, including the Criminal Investigation Department(CID) of Bangladesh Police. The Money Laundering Wing is responsible for implementing the action items adopted by the National Coordination Committee as per Mutual Evaluation Recommendations.

#### 9.2.2 Actions taken by ACC to address existing limitations

- 1) A committee has been formed to make recommendations for adopting a plan for pro-active investigation.
- 2) A committee is constituted to review the existing organogram and formulate a new draft for setting up a unit and recruiting manpower for conducting surveillance, communication interception, undercover operations and so on.
- 3) A committee has been formed to review the existing organogram and prepare a new draft for setting up a unit and recruiting manpower for implementing the task force's decisions, conducting FATF and APG related activities, sending MLAR, communicating and coordinating with foreign agencies and recovering money laundered abroad.



- 4) A committee is constituted to review the existing organogram and prepare a new draft for setting up a separate desk in Money Laundering Wing for bringing dynamism to the functions of the Commission along with performing the work related to preparation of National Risk Assessment Report, implementation of decisions of National Coordination Committee and Working Committee on Prevention of Money Laundering, implementation of action items of National Strategy Paper, coordination with BFIU and implementation of bilateral decisions.
- 5) A proposal has been forwarded to the Government for entering into Mutual Legal Assistance Treaty with the agencies responsible for combating and preventing corruption in countries where money is laundered from Bangladesh for exchanging information/intelligence/evidence and enforcing asset freeze, attachment, confiscation and recovery.
- 6) Initiative has been taken by the Training and ICT Wing for conducting trainings and study tours on enquiry/investigation of money laundering, bank/non-bank financial institutions and insurance related offences, forensic accounting, digital forensics, surveillance and undercover operations.
- 7) A Focal Point officer has been appointed by the Ministry of Home Affairs (Security Services Division) on the request of the ACC to review the latest status of MLAR sent to various countries and take decisions on actions to be taken.
- 8) Post-based e-mail accounts of the Anti-Corruption Commission officials have been opened.
- 9) Joining the International Network (global network) is under consideration with a view to exchange information from agency to agency on corruption and money laundering.

### **9.2.3 ACC's initiative for recovering assets laundered and steps taken to address existing limitations**

#### **Activities to recover assets**

The Anti-Corruption Commission may investigate the offences relating to bribery and corruption under the Money Laundering Prevention Act, 2012 as they have been scheduled to the Anti-Corruption Commission Act, 2004. Various studies and analysis show that about 80% of the money laundered from Bangladesh is taken away through trade. The National Board of Revenue and the Criminal Investigation Department (CID) of Bangladesh Police have been entrusted with investigation of money laundering of this type. The ACC investigates the offences of laundering of money/assets earned only through bribery and corruption.

#### **Actions taken by ACC to address existing limitations**

- 1) The Government has been requested to take steps to include seven specific offences under the Money Laundering Prevention Act, 2012 in the schedule of the Anti-Corruption Commission Act, 2004 so that the ACC can play an effective role in preventing money laundering and recovering assets from abroad.
- 2) The Government has been requested to take necessary steps regarding signing of bilateral mutual legal assistance agreements with various countries for obtaining information/intelligence from abroad and collecting evidences.
- 3) A committee has been formed to review the existing organogram and formulate a new draft for bringing dynamism in the activities of the Commission and establishing a separate desk to speed up the recovery of assets from abroad.
- 4) Officers are given necessary training in the use of modern technology and international law.



### 9.3 Digitization

#### 9.3.1 Actions taken by the ICT Wing of the ACC, along with progress of actions taken and future plans made during the calendar year 2022

##### 1. Investigation and Prosecution Management System (IPMS) Software

An ADB-funded technical assistance project, aimed at strengthening the institutional capacity of the Anti-Corruption Commission was completed in June, 2022. Through this project, a web-based software (Investigation and Prosecution Management System - IPMS) has been developed for proper monitoring of all works relating to complaints, enquiry, investigation and case management. A server room with associated hardware has been set up for the software. Operational User Training and System Administration Training of the IPMS software have been completed. Feedbacks received during training on 31 August 2021 have been incorporated in the developed software. Preparations are completed for starting training for management level of the Commission. Complaint management, enquiry, investigation and prosecution activities of the Commission will soon begin with the developed IPMS software.

##### 2. Training at home and abroad on forensic tools of ACC's own Digital Forensic Lab

Under the 'Strengthening Anti-Corruption Commission' project, the ACC has set up its own digital forensic lab to easily obtain information from digital devices for the purpose of inquiry and investigation. Using the facilities of this lab, forensic tests can easily be done of devices like computer, mobile phones, DVR and so on. To learn how to effectively use this lab, a group of ACC officials have completed in-country training. Overseas training on five modules except one has been also completed. Currently overseas training on audio-video forensics is in progress. Standard Operating Procedure (SOP) has been prepared for starting the functions of the digital forensic lab. After the final overseas training, this lab will officially be made operational.

##### 3. Document Forensic System

Under the ACC Strengthening Project, document forensic system has been set up. In-country training of 10 officers on this system has been completed. Through the document forensic system, it will be possible to ascertain the genuineness of signatures, verify fake documents, examine fake passports, detect document fraud and check the correctness of the documents received as evidence.

##### 4. Using Open-Source Intelligence (OSINT)

Open-source intelligence (OSINT) is being used to obtain information on various complaints received by the Commission. Moreover, lawful interception system of National Telecommunication Monitoring Center is used to collect intelligence and information related to corruption and to hold enquiry of complaints or investigation of cases.

##### 5. Launch of e-Nothi in 14 newly created District Offices of the Commission

Use of e-Nothi has been ensured in administrative functions and important decision-making of the Commission. In continuation of that, 14 newly created District Offices have been brought under e-Nothi system.



## **6. Project for automation of the activities of all wings of the Commission**

Under the 'Strengthening of Anti-Corruption Commission' project, preparation of an IT automation software is in progress for its Administration and Human Resources, Prevention, Training and ICT Wings. Taken with the aim of fully automating ACC's overall operations as part of building a Digital Bangladesh, this software's important modules are: Automation of the Commission's administrative functions, database management of Corruption Prevention Committees and Integrity Units and IT (Software/Hardware) Support Service System. This Automation Software, when fully launched, will be integrated with the already functioning IPMS.

## **7. Setting up of IP Network (Local Area Network) in Commission Offices**

Installation of IP network in ACC Head Office, along with its eight Divisional and 36 District Offices, is currently at final stage. When completed, all these offices will be brought under a single network and cyber security will be strengthened.



## Conclusion



## Conclusion

Corruption is not only a problem for Bangladesh; it is a global phenomenon. Man has unlimited demand with limited capacity. Going beyond the limited ability man tries to meet his demand by illegal means and get entangled in corruption. Besides, the desire for accumulating resources is also a great cause for getting involved in corruption. As stipulated in Article 20(2) of the Constitution of the People's Republic of Bangladesh, "The State shall endeavour to create conditions in which, as a general principle, persons shall not be able to enjoy unearned incomes..." The Anti-corruption Commission, being the sole state institution, is mandated to implement this fundamental principle of state policy. Accordingly, the ACC undertakes its statutorily assigned functions upholding a policy of 'zero tolerance against corruption'.

The independent and impartial Anti-Corruption Commission was established on 21 November 2004 pursuant to the provisions of the Anti-Corruption Commission Act, 2004. Since establishment, the ACC has been conducting enquiry and investigation of corruption and other specific offences. The agency is taking legal action against scheduled offences to the best of its ability. Statistics show that in 2022 the rate of conviction in ACC cases tried by competent courts was 64 percent. However, the conviction rate in money laundering cases is almost 100 percent. Currently, about 3,500 corruption complaints are under enquiry in the ACC.

A total of 2,910 cases are pending for trial in respective courts within and outside Dhaka while 419 cases are under stay orders issued by the High Court Division. The Commission is trying to reduce this number gradually. It may be noted that in 2022, more than 19,000 complaints were received from various sources; out of which, 901 have been taken for enquiry while more than 3,000 have been forwarded to concerned agencies for investigation or necessary action. Besides, the ACC's enforcement unit conducted 456 operations on various corruption charges in 2022. Out of this number, 63 complaints have been approved by the Commission for further enquiry and five cases have been lodged. Enquiry and investigation of allegations of corruption is a complex and lengthy legal process. However, the Commission is strictly monitoring the progress of these activities to guard against unreasonable delay. Clear instructions have been given to the supervising officers and other ranks concerned so that they can complete the enquiry/investigation within the shortest possible time and submit flawless reports, benefiting from which, the Commission can take the right decision.

The Anti-Corruption Commission has taken several notable steps this year to make its activities more dynamic and visible. In this regard, the first thing to note is that 14 new offices as approved in the ACC organogram have been set up in different districts across the country. The issue of increasing the manpower of the ACC should be mentioned as well. Manpower is a very vital factor for enquiry and investigation of corruption. After a long gap, 406 employees have been directly appointed to various posts in the Commission; 132 employees have been promoted to various posts including Director General, Director, Deputy Director, Assistant Director and Deputy Assistant Director. Moreover, training is conducted continuously at home and abroad to enhance the capacity and efficiency of the employees. Those among the staff making commendable performance are given accolades including Integrity Award (Shuddhachar Puraskar in Bangla). Monitoring activities have been strengthened for timely submission of enquiry and investigation reports. Decisions are being taken on important issues in regular meetings of the Commission. In order to complete enquiry and investigation of technology-induced corruption flawlessly and at a fast pace, the Commission has set up its own server and a digital forensic lab equipped with the latest technology and launched IPMS software. In addition, the activities of the enforcement unit and the intelligence unit have been strengthened. It is expected that the use of information technology will accelerate the activities of combatting corruption. The Commission believes that these initiatives will play an important role in increasing the speed and efficiency of enquiry and investigation of corruption.



The Commission has also taken important steps to prevent money laundering. In the current era of globalization, the extent of corruption has crossed the borders of the country and assumed international dimension. Loan-defaulters and corrupt people are crippling the country's economy by smuggling their ill-gotten wealth abroad. Therefore, the ACC is acting diligently against and keeping a vigilant eye on these resource grabbers and money launderers. For this purpose, the ACC is to take smarter strategies against them and try to increase liaison at the international level. However, even though money laundering is committed through various means and processes, the ACC can enquire or investigate only a specific category of these cases. It is pertinent to mention that out of the 28 predicate offenses listed in the Money Laundering Prevention Act, 2012 (amended in 2015), only one (if money laundered is derived from "corruption and bribery") has been scheduled to the Anti-Corruption Commission Act, 2004. As a result, the ACC is not able to exercise its jurisdiction in detecting cases of laundering money derived by committing other predicate offences. Accordingly, the Cabinet Division has been requested to initiate a proposal for amending the Money Laundering Prevention Act, 2012 and the Prevention of Money Laundering Rules, 2019 so that the ACC can play a greater and more effective role in recovering laundered money derived, in particular, through (1) counterfeiting deeds and documents (2) fraud (3) forgery (4) smuggling of domestic and foreign currency (5) tax related offences (6) smuggling and offences relating to customs and excise and (7) offences relating to capital market. In response, the Cabinet Division has sent a letter requesting the Financial Institutions Division to take necessary action.

It is to be noted that money laundering cases are complex in nature as their evidences are to be collected from the countries to which money or asset is sent, through a mechanism called Mutual Legal Assistance Request (MLAR) which requires pertinent information. To that end, the ACC has requested the Cabinet Division to enter into Mutual Legal Assistance Treaties with countries like Canada, United States of America, United Kingdom, Singapore, Australia, Malaysia, United Arab Emirates, Thailand and so on. It is encouraging to note that in money laundering cases, the ACC stands out as the only agency having a record of bringing money back from abroad. Moreover, the conviction rate of money laundering cases is near about hundred percent which the ACC is trying to maintain to the best of its ability. Allowing no money launderer even to dream of living in peace, the ACC is determined to stop this pernicious culture of smuggling out wealth stolen from this country.

Besides these, the Anti-Corruption Commission has given importance to corruption prevention activities. Section 17 of the Anti-Corruption Commission Act, 2004 outlines 11 functions that the Commission may perform; six out of them are on activities aiming at prevention of corruption. Accordingly, the Commission is committed to foiling corruption at its origin by adopting deterring measures. For this, the Commission is conducting multi-dimensional and realistic activities. In order to fully and perfectly implement the corruption prevention programmes, the Commission has formed corruption prevention committees (CPCs) with enlightened people of the society in all the unions, upazilas, districts and cities across the country. Various public awareness programmes are implemented through these committees for developing behavioural standard and publicise good practices. At present, 431 CPCs are working at the upazila level, 62 at the district level and nine at the metropolitan city level. The Prevention Wing of the ACC implements various programmes nationwide on the occasion of the International Anti-Corruption Day on 9 December every year.

The ACC patronises anti-corruption platforms for youths called integrity units (Satata Sangha in Bangla) with the aim of creating a generation imbued with honesty and moral values. So far, a total of 27,629 such units have been formed with secondary-level students across the country. In order to develop honest habits among young generation, the Commission took an initiative in 2016 to open honesty stores (Satata Store in Bangla) at various schools and madrasas. These stores are not attended by shopkeepers; students buy the products of their choice from there and drop the price into a cashbox making no deviation. So far, a total of 5,756 such stores have been opened in the country. With a view to harnessing social power to strengthen ethical values and promote good practices, the ACC's Prevention Wing disseminates anti-corruption messages by distributing pamphlets, posters, leaflets, education materials



(such as books, rulers, geometry boxes, table-clocks) and umbrellas printed with morale-boosting phrases; anti-corruption documentary shows are also held as part of this campaign. For ensuring transparency of the Commission's activities, a quarterly magazine published in Bangla called "Dudok Barta" is circulated free of cost to all concerned. The Anti-Corruption Commission has launched an accolade titled "ACC Media Award" to encourage investigative and creative reporting on corruption and prevention of corruption. In 2022, a total of six journalists were given this award in two categories. This year steps have been taken to give awards also. Besides, a college-level anti-corruption model debate competition was organized at Madaripur in 2022 with the participation of 288 debaters from 48 colleges.

The Anti-Corruption Commission continues to build partnerships with national and international organizations pursuant to the provisions of Article 48 of the United Nations Convention against Corruption (UNCAC). Following this article, the ACC signed memorandums of understanding (MoUs) with the Bhutan Anti-Corruption Commission, the Investigative Committee of the Russian Federation (ICRF) in 2017 and with the Central Bureau of Investigation (CBI) of India in 2019. Initial identification, enquiry, proof of corruption, exchange of experience about corruption prevention, best practices, and anti-corruption education programmes have been marked as areas of mutual cooperation in these MoUs. The Commission continues to maintain close contact with the concerned agencies of about 22 countries including Indonesia, China, United States of America and Malaysia by signing MoUs for promoting best practices.

Apart from fighting corruption, it is equally important to prevent unscrupulous practices in the affairs of the state, particularly in delivery of public services, by making people aware of their rights and involving them in the task of stopping this menace. Bribery and corruption are rampant in present-day society because people are not vocal against these tendencies. The Commission believes in making our independence meaningful by freeing the country from corruption and enabling the people to enjoy the benefits of transparency and accountability. We cannot let our country lose her image in the world owing to misdeeds of some corrupt people and money launderers. That is why anyone attempting to amass unearned incomes must be brought to justice and dealt with exemplarily following due process of law. Along with this, to prevent them, it is necessary to create mass awareness through electronic and print media, public meetings, addresses made in religious gatherings and even sermons delivered to devotees attending Friday congregations in different mosques.

Corruption is a vexation not only for a particular country, it is rather a global concern. To solve this problem, we need to change our mindset as a whole. But this task is not very easy. The ACC always works with transparency and impartiality regardless of political affiliation of any offender. No individual identity or party connection or group membership matters to the Commission; actions are taken solely in consideration of the gravity and credibility of the complaint and acceptability of evidence. Along with ACC, people from all walks of life should come forward raising awareness against corruption.