



Government of the People's Republic of Bangladesh

**SUMMARY REPORT OF**  
**6 MAJOR REFORM COMMISSIONS**  
**2025**



Date 02/04/2023

মা, আমি মিছিলে যাচ্ছি। আমি নিজেকে আবু আর্টিশন্যু  
বৃক্ষতে পাবলাম না, সফি আকুজান, তোমার কথা অমান্য  
কেবে বেব হোলামা স্বার্থপথের অঙ্গে অন্তে বাস আকুজ  
পাবলাম না, আমাদুর ভাই বু আমাদুর ভিকিংয়ের প্রজন্মের  
জন্য কামনের কাপড় আহায় বেবি রাজপথে নেমে সংগ্রাম  
কেবে যাচ্ছি। অক্ষতে নিজেরে জীবন বিবর্জন দিচ্ছি। একটি  
প্রতিবন্ধি বিজ্ঞান, ৭ বছরের বাবু, ল্যান্ড মানুষ যদি সংগ্রাম  
বামতে পাবে, তাহলে আমি তেনে নেমে আলগে ঘ্যাতে, একটির  
ভা মুক্তে হৰেছি। আই মুক্তে ভয় কেবে স্বার্থপথের অঙ্গে দ্বারে  
গোম কা থেকে সংগ্রামে নেমে ঝুলি থেঁয়ে বীবের মণি মুক্তও  
অধিক ক্ষেত্র, যে অনেকের জন্য নিজের জীবনকে বিলিষ্য দ্বয়  
দ্বীপ প্রস্তুত মানুষ। আমি যদি হচ না ফিবি অবে কৰ্ষ না  
দ্বৈয়ে সর্বিত হয়ো, জীবনের প্রতিটি ঝুলেয় জন্য ঝকমা চাই।

Apetiz

আনাম



"Maa, I am going to the protest. I could no longer hold myself back. Sorry, Dad. I disobeyed you and left. I couldn't sit at home like a selfish person. My brothers are out on the streets, fighting for our future generations, with shrouds tied around their heads, sacrificing their lives without hesitation. If a disabled teenager, a 7-year-old child, or a physically challenged person can join the struggle, then why should I sit at home? One day, I will have to die anyway. So, instead of being a coward and staying at home fearing death, it is far greater to die like a hero, shot in the struggle. A true human is one who gives their life for others. If I do not return alive, do not grieve—be proud. I ask for forgiveness for every mistake in my life."

**Aanas**

## **DEDICATION**

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This report is dedicated to the brave souls  
who sacrificed their lives during the  
July-August mass uprising of '24, including  
July martyr Aanas, as well as the other July  
martyrs and the fearless July warriors.

\*The letter on the previous page is the final letter to the  
mother of Anas, a martyr who was killed during the  
July-August mass uprising of '24.

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## **FOREWORD FROM HONOURABLE CHIEF ADVISER**

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Through the July-August 2024 mass uprising of students and the people, the citizens of Bangladesh have brought an end to a fascist regime. This movement succeeded due to the emergence of an unprecedented national unity. One of the key objectives of this uprising was to establish a governance system in the country where the rights of all citizens would be ensured, no individual or group could play with the lives and resources of the people, the right to vote would never be looted again, and the country would be governed with the consent of its citizens. To create such a governance system, it is essential to reform the existing governance structure and state institutions.

The brave martyrs of the July 2024 uprising, as well as those who were injured, have entrusted us with the responsibility of carrying out these reforms through their sacrifices. To achieve this goal, 11 reform commissions have been formed. The members of these commissions are working tirelessly to provide specific recommendations for reform. The reports of these commissions are invaluable assets. These assets will be preserved in the history of Bangladesh. It is necessary to engage in discussion among all citizens of

the country to determine how much we can immediately adopt, when we can implement these, and how to move forward. To advance these discussions, the reports of the commissions formed in the first phase—on the constitution, electoral system, anti-corruption commission, judiciary, public administration, and police reforms—are being published.

The dream of those who sacrificed their lives in the July uprising was to build a new Bangladesh. As the first step in fulfilling this responsibility, these recommendations have been prepared. A new Bangladesh will emerge through the implementation of these recommendations. Now, it is time to prepare an action plan and move forward with its implementation. I present these recommendations to the people of the country, hoping that the implementation process will be swift and smooth.

A handwritten signature in black ink, appearing to read "Muhammad Yunus".

**Professor Muhammad Yunus**

Chief Adviser  
Government of the People's Republic of Bangladesh

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# 01

Summary of recommendation of  
**the constitution  
reform commission**





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\* Members are not ranked according to seniority.

The Constitution Reform Commission has given utmost importance to seven main issues to establish an effective democracy, ensuring fundamental human rights and establishing accountability. They are as follows:

1. Proposal for "Equality, Human Dignity, Social Justice, Pluralism and Democracy" as the fundamental principles of the Constitution and the State reflecting the great ideals of the 1971 War of Independence and the aspirations of the people in the 2024 mass uprising
2. Establishing an institutional balance of powers
3. Curtailing the absolute power of the Prime Minister's office
4. Specific proposals for the structure of an election-time Interim Government
5. Decentralization of the Judiciary
6. Ensuring a strong local government system
7. Expansion of the scope of fundamental rights, and their constitutional protection and enforceability.

## PREAMBLE

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The Commission recommends the following Preamble for the Constitution:

We, the people of Bangladesh, in continuation of our long and historic struggle for the liberation of the people of this land, having gained independence through a people's war and having fought unitedly against dictatorship and fascism for establishing democracy;

By recalling with deepest respect the sacrifice of all martyrs, pledging the establishment in our State and society the high ideals of equality, human dignity and social justice that inspired our people in the war of independence in 1971 and the high ideals of democracy and non-discrimination that united us against the fascist regime in 2024;

In exercise of the sovereign rights of the people, adopting and enacting this Constitution for the people of Bangladesh by declaring the ideals of equality, human dignity, social justice, pluralism and democracy as the fundamental principles of this Constitution, which embodies the highest aspirations of the people, shall ensure inclusive and collective national development and shall protect the rights of the present and the future generations;

Solemnly declare that this Constitution shall unite all citizens in the spirit of mutual rights, responsibilities and accountability, guarantee the representation of the people in the governance of the Republic at all times, foster international peace and cooperation and uphold the sovereignty of Bangladesh;

With people's consent, do hereby give to ourselves this Constitution as the Constitution of the People's Republic of Bangladesh.

## REPUBLIC

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1. The Commission recommends that the words “প্রজাতন্ত্র” and “গণপ্রজাতন্ত্রী বাংলাদেশ”, as used in the Bangla text of the Constitution, be replaced by the words “নাগরিকতন্ত্র” and “জনগণতন্ত্রী বাংলাদেশ” as and where applicable. However, the words “Republic” and “People's Republic of Bangladesh” shall be retained in the English version.
2. Language: The state language of the Republic shall be 'Bangla'. All languages spoken as a mother tongue in Bangladesh shall be recognized by the Constitution as the languages of the country.

3. Citizenship: The Commission recommends the deletion of the provision that ‘the people of Bangladesh shall be known as Bangalees as a nation’. It is recommended that the existing Article 6(2) be amended and replaced by the following: ‘The citizens of Bangladesh shall be known as “Bangladeshis” ’.
4. Offences concerning the Constitution and limitation on amendments of the Constitution: The Commission recommends the deletion of Articles 7A and 7B of the Constitution.
5. Fundamental Principles of the Constitution
  - 5.1 The Commission recommends that ‘equality’, ‘human dignity’, ‘social justice’, ‘pluralism’ and ‘democracy’ be included as fundamental principles of the Constitution.
  - 5.2 It is essential to include a provision in the Constitution that captures the pluralistic character of the society of Bangladesh. Therefore, the Commission recommends the inclusion of the following provision – ‘Bangladesh is a pluralistic, multi-ethnic, multi-religious, multi-lingual and multi-cultural country where the coexistence and dignity of all communities shall be ensured.’

### **Fundamental Principle of State Policy:**

The Commission recommends the deletion of secularism, socialism and nationalism as fundamental principles of the Constitution and the fundamental principles of State Policy, and accordingly recommends the deletion of Articles 8, 9, 10 and 12 of the Constitution.

## **FUNDAMENTAL RIGHTS AND FREEDOMS**

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1. The Commission has reviewed the articles related to rights in the current Constitution and has made several recommendations. It is recommended that a single charter, entitled 'Fundamental Rights and Freedoms', be set out in the Constitution by combining the rights in Parts II and III of the existing Constitution and that all of the rights be judicially enforceable. This will remove the existing disparity between economic, social, cultural rights on the one hand and civil and political rights on the other.
2. The inclusion of new rights has been suggested, including but not limited to the

rights to food, education, medical care, housing, access to the Internet, access to information, voting and participation in the governance of the state, protection of privacy, consumer protection, development and science and the rights of children and the future generations.

3. The Commission has suggested that some existing articles be reformed, such as expanding the limited list of prohibitions on discrimination, ensuring protection from extrajudicial killings and disappearances to protect the right to life, including the right to bail and abolishing the provisions related to preventive detention.
4. Instead of imposing separate limits for each fundamental right, it has been proposed that a general limitation clause be set out and a balancing and proportionality test be included in imposing limits, which will reduce the risk of rights being curtailed by the State.
5. It has been recommended that the rights (education, health, food, housing, etc.) that require significant resources and time to implement should be implemented on the basis of availability of resources, with a commitment for progressive realization. This approach will enhance government's accountability and ensure implementation of the rights in line with the availability of resources.

## **LEGISLATURE**

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The Commission recommends the establishment of a bicameral legislature, comprising a lower house (the National Assembly) and an upper house (the Senate). The terms of both houses shall be 4 (four) years.

### **Lower House**

1. The Lower House shall consist of members directly elected by majority vote. The Lower House shall consist of 400 (four hundred) seats. 300 (three hundred) members shall be directly elected from single territorial constituencies. Another 100 women members shall be elected in 100 (one hundred) designated constituencies from all districts of the country through direct election from among only women candidates.
2. Political parties shall nominate candidates from among the youth in at least 10% of the total seats in the Lower House.
3. The minimum age for contesting parliamentary elections shall be reduced to 21 years.

4. There shall be 2 (two) Deputy Speakers, one of whom shall be nominated by the opposition party.
5. A member of Parliament shall not hold more than one of the following offices at the same time: (a) Prime Minister, (b) Leader of the House, and (c) Head of a political party.
6. Except for votes on Money Bills, members of the Lower House shall have the liberty to vote against the political party that nominated them.
7. The Chairpersons of the Standing Committees of the legislature shall be nominated from among the opposition members.

## **Upper House**

1. The Upper House shall consist of a total of 105 (one hundred and five) members, of whom 100 members shall be elected in proportion to the total number of votes cast in the National Assembly elections. Political parties may nominate a maximum of 100 (one hundred) candidates for the election to the Upper House on the basis of Proportional Representation (PR) system. Out of these

100 (one hundred) candidates, at least 5 shall represent socially and economically backward communities in the manner prescribed by law. The President shall nominate candidates from among the citizens (who are not members of the legislature or of any political party) to fill the remaining 5 seats.

2. To be eligible for representation in the Upper House on the basis of Proportional Representation (PR) system, a political party must secure at least 1% of the votes cast in the National Assembly elections.
3. The Speaker of the Upper House shall be elected from among the members of the Upper House on the basis of a simple majority.
4. There shall be a Deputy Speaker of the Upper House who shall be elected from amongst the members of the Upper House except those representing the ruling party.

### Amendments to the Constitution

Any amendment to the Constitution shall require the approval of a two-thirds majority of both Houses. If the proposed amendment is passed by both Houses, it shall be submitted to

a referendum. The result of the referendum shall be determined by a simple majority.

## International Treaties

Any international treaty with implications for the national interest or the state security shall be ratified by a majority vote of both Houses of the Legislature.

## Impeachment

The President may be impeached for treason, grave misconduct, or violation of the Constitution. After the Lower House passes the impeachment motion, it shall proceed to the Upper House, where the impeachment process shall be completed following a hearing.

## **EXECUTIVE**

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1. The Commission recommends that the member who has the support of the majority of the members in the lower house of the Parliament shall form the government. The executive authority of the republic shall be exercised by the cabinet headed by the Prime Minister.
2. The commission is recommending certain specific responsibilities for the President. In all matters other than the specific functions or matters specified in the Constitution, the President shall act on the advice of the Prime Minister.
3. The Commission recommends the formation of a National Constitutional Council to ensure transparency and accountability in the State affairs and checks and balances amongst the State organs and institutions.

### **National Constitutional Council**

1. The National Constitutional Council (“NCC”) shall be a national institution consisting of representatives from each organ of the

State. The Members of NCC shall be:

- i. the President;
  - ii. the Prime Minister;
  - iii. the Leader of the Opposition;
  - iv. the Speaker of the Lower House;
  - v. the Speaker of the Upper House;
  - vi. the Chief Justice of Bangladesh;
  - vii. Opposition Party's nominated Deputy Speaker of the Lower House;
  - viii. Opposition Party's nominated Deputy Speaker of the Upper House; and
  - ix. one (1) member elected by a majority vote from amongst all the members of both Houses of Parliament, excluding the members of both Houses of the political parties represented by the Prime Minister and the Leader of the Opposition.
2. The voting in respect of (ix) above, shall be held within 7 (seven) working days from the date of formation of Parliament. For coalition government, members other than the political party represented by the Prime Minister, shall be eligible to vote.

Even if the Parliament is dissolved, the existing NCC members will remain in office until the chief advisor of the interim government is sworn in.

The Members of NCC when Parliament is Dissolved shall be:

- i. the President;
  - ii. the Chief Advisor;
  - iii. the Chief Justice of Bangladesh; and
  - iv. two members of the Advisory Council nominated by the Chief Advisor.
3. NCC shall recommend the names of the following persons to the President for appointment:
    - i. Chief and other commissioners of the Election Commission;
    - ii. Chief and other commissioners of the Public Service Commission;
    - iii. Chief and other commissioners of the Anti-Corruption Commission;
    - iv. Chief and other commissioners of the Human Right Commission;
    - v. Chief and other commissioners of the Local Government Commission;
    - vi. the Attorney General;
    - vii. the Chiefs of Staffs of the Defence Services; and
    - viii. appointments to any other offices as may be prescribed by law.

## President

1. Term of office of the President shall be 4 (four) years. The President shall not serve more than

2. The President shall be elected by a majority vote of the Electoral College. The Electoral College shall be composed of the following: i. one vote for each member of both the houses of Parliament; ii. one vote collectively for each 'District Coordination Council' (Example: 64 votes if there are 64 'District Coordination Councils'); and iii. one vote collectively for each 'City Corporation Coordination Council'.
3. The President may be impeached for treason, grave misconduct, or violation of the Constitution. The impeachment process will commence in the lower house.

## Prime Minister

1. The Prime Minister will be nominated with the support of a majority of members of the lower house of the Parliament.
2. If the Prime Minister voluntarily resigns before the expiration of the term of the Parliament or loses a vote of confidence or for any other reason advises the President to dissolve the Parliament, then the President shall dissolve both Houses of the Parliament together only if it is clear to the President that no other member of the Lower House will receive majority support to form a government.
3. A person can serve as Prime Minister for a

maximum of two times. This provision shall apply equally to him whether he holds the office for two consecutive terms or in any other manner. While serving as a Prime Minister, he cannot hold the position of the head of any political party and the leader of the parliament.

## Interim Government

1. The Commission recommends the appointment of an election-time interim government after the end of the term of the Parliament or, if the Parliament is dissolved, until the next elected government is sworn in.
2. The head of the interim government shall be called the 'Chief Advisor'. The decision to appoint the Chief Advisor shall have to be finalized 15 (fifteen) days before the end of the term of Parliament or, if the Parliament is dissolved, within 15 days thereafter. The Chief Advisor shall discharge his responsibilities through an Advisory Council consisting of a maximum of 15 (fifteen) members.
3. The term of the interim government will be a maximum of 90 (ninety) days. If elections are held earlier, the term of the interim government will end as soon as the Prime Minister of the elected government is sworn in.

#### **4. Chief Advisor**

The Commission recommends that a person qualified to be a member of Parliament shall be appointed as the Chief Advisor of the Interim Government in the following manner:

- 4.1** An acceptable person from among the citizens other than the members of the NCC will be appointed as the Chief Advisor by the decision of at least 7 (seven) members out of the 9 (nine) members of the NCC.
- 4.2** If it is not possible to make a decision as per paragraph 4.1 above, a person from among all retired Chief Justices and retired judges of the Appellate Division shall be appointed as the Chief Advisor by the decision of at least 6 (six) members out of the 9 (nine) members of the NCC.
- 4.3** If it is not possible to make a decision as per paragraph 4.2 above, the President shall assume additional responsibility as the Chief Advisor by unanimous decision of all members of the NCC.
- 4.4** If the NCC is unable to reach a unanimous decision as per paragraph 4.3 above, the most recently retired Chief Justice of Bangladesh shall be the Chief Advisor.

- 4.5** If the last retired Chief Justice is not available or refuses to be the Chief Advisor as per paragraph 4.4 above, the Chief Justice who immediately preceded him/her shall be the Chief Advisor. Similarly, if he/she is not available or refuses to be the Chief Advisor, the next retired Chief Justice who is available in succession shall be the Chief Advisor.
- 4.6** If no retired Chief Justices are available or refuse to be the Chief Advisor as per paragraph 4.5 above, the last retired Judge of the Appellate Division shall be the Chief Advisor.
- 4.7** If the last retired judge of the Appellate Division is not available or refuses to be the Chief Advisor as per paragraph 4.6 above, then the judge of the Appellate Division who retired immediately before him/her shall be the Chief Advisor. Similarly, if he/she is not available or refuses to be the Chief Advisor, then the next retired judge of the Appellate Division who is available in succession shall be the Chief Advisor.

## Judiciary

### Supreme Court

1. The Commission proposes decentralising the High Court Division by establishing permanent seats of the High Court in all divisions of the country. The Appellate Division of the Supreme Court shall remain in the capital.
2. The Commission recommends the establishment of an independent Judicial Appointments Commission (JAC) to appoint Supreme Court judges. The JAC shall be composed of:
  - i. The Chief Justice (ex-officio Chair)
  - ii. Two next senior judges of the Appellate Division (ex-officio members)
  - iii. Two most senior judges of the High Court Division (ex-officio members)
  - iv. Attorney General
  - v. One citizen (to be nominated by the Upper House of the Parliament).
3. The Commission recommends that the eligibility criteria for Supreme Court judges must include honesty and integrity in addition to knowledge and skills.

4. The Commission recommends that a provision be inserted in the Constitution to institutionalise the appointment of the senior-most judge based on tenure from amongst the Appellate Division judges as the Chief Justice.
5. The Commission recommends the continuance of the Supreme Judicial Council. It is proposed that in addition to the President, the National Constitutional Council will have the authority to refer matters to the Supreme Judicial Council for inquiry and investigation.
6. The Commission recommends that the Judiciary be granted full financial autonomy.

## **| Subordinate Courts**

7. The Commission proposes to substitute the expression “subordinate courts” with “local courts”.
8. The Commission recommends that the appointment, posting, promotion, leave, and discipline of judicial officers of local courts shall vest in the Supreme Court. To this end, the Commission recommends the establishment of a Judicial Secretariat under

the authority of the Supreme Court. Financed by the consolidated fund, the Secretariat shall have full control over all administrative functions, budget and human resource management of the Supreme Court and the local courts.

## **LOCAL GOVERNMENT**

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1. The Commission recommends that all Local Government Institutions ("LGIs") shall have full functional autonomy in the financial management and execution of all functions prescribed by law. Local Government Institutions (LGIs) shall have full financial control and implementation authority over all development works at the local level, unless they are part of a national plan.
2. The Commission recommends that all government officials and employees who are directly engaged in the work of LGI will be subordinate to the LGI's public representatives. All government departments involved in the implementation of development projects under the jurisdiction of LGI will work under the guidance of the LGI's public representatives.

3. LGI will be able to raise funds locally. If the estimated funds are likely to be less than the LGI budget, the budget shall be sent to the Committee on Local Government of the Upper House of the Parliament. If the budget is approved by the Committee on Local Government of the Upper House of the Parliament, the Committee shall direct the Ministry concerned to allocate the deficit mentioned in the budget within 15 (fifteen) working days.
4. The Commission recommends the establishment of a 'District Coordination Council' in each District, which will act as a coordinating and joint working body for all LGIs within that District. Its members are shall be:
  - i. Elected Chairman and two vice-chairmen from each Upozilla Parishad;
  - ii. Mayor and Two Deputy Mayors from each Paurashava; and
  - iii. Elected Chairman from each Union Parishad. The City Corporations will have their own Coordination Councils.
5. The Commission recommends that all elections of LGIs shall be conducted by the the Election Commission.

6. The Commission recommends the creation of a Local Government Commission consisting of one Chief Local Government Commissioner and 4 Commissioners.

## **PERMANENT ATTORNEY SERVICES**

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The commission recommends the establishment of a permanent attorney service under the Constitution.

## **CONSTITUTIONAL COMMISSIONS**

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It is recommended that a new part in the Constitution be introduced on five constitutional commissions, with one chapter for each

commission. These commissions are:

- (i) the Human Rights Commission;
- (ii) the Election Commission;
- (iii) the Public Service Commission;
- (iv) the Local Government Commission; and
- (v) the Anti-Corruption Commission.

## MISCELLANEOUS

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1. The Commission recommends the deletion of Article 150(2) of the Constitution, and the removal of the 5th, 6th and 7th Schedules from the Constitution.
2. **Emergency Provisions**

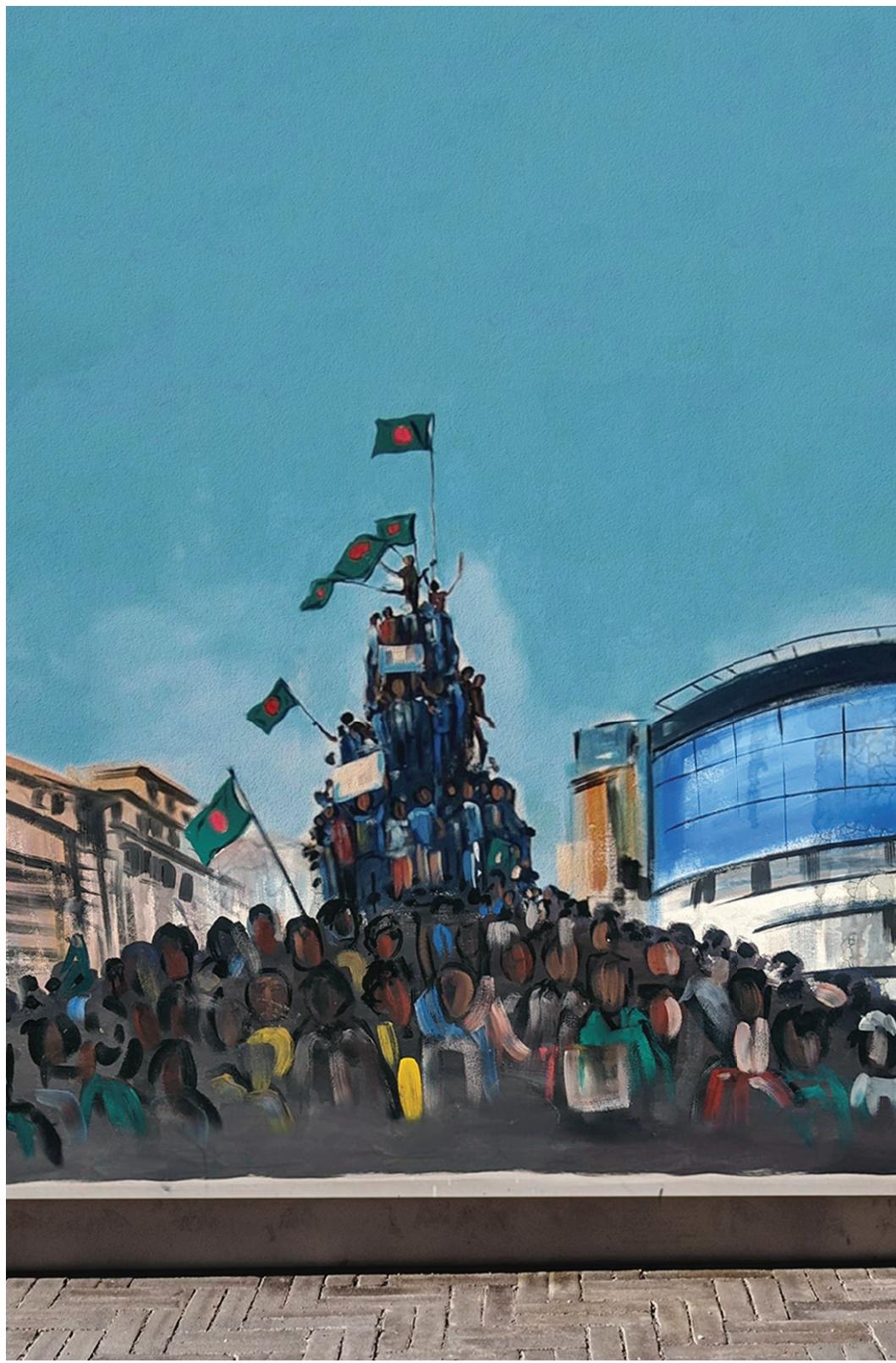
The Commission recommends that the President may declare a state of emergency only on the basis of a decision of the NCC. The Commission is of the view that the fundamental rights of citizens cannot be abrogated or suspended and that the right of access to the courts cannot be curtailed or suspended during a state of emergency. Therefore, the Commission recommends the deletion of Articles 141B and 141C.



# 02

Summary of recommendation of  
**the electoral system  
reforms commission**





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Electoral Reforms are the first steps towards enabling free, fair, credible elections, which are the means of gaining the consent of the people, a very fundamental feature of a democratic polity. Therefore, we, the members of the Electoral System Reform Commission, have undertaken our responsibility of proposing reforms of our electoral system with utmost seriousness and dedication. The following recommendations are not only based on extensive review of the relevant legal framework and deep analysis of all 12 previous elections of this country but is also reflective of people's wishes which has been obtained through extensive stakeholder consultations, surveys and direct public feedback. The recommendations also represent the extensive expertise and experiences of the Commission members in elections and electoral reforms. As we complete this task, we once again pay homage to the sacrifices of those who were injured and killed in the mass uprising in 2024. We would like to express our sincere thanks to all those who have helped in various ways in conducting the Commission's activities and in formulating our recommendations.

# **1. ELECTION COMMISSION**

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## **1.1 Formation of the Election Commission**

The Electoral System Reform Commission has drafted an Election Commission Law. The purpose of this proposed law is to ensure the appointment of qualified and reputable individuals as Chief Election Commissioners and other Commissioners in a transparent manner, based on political consensus and meaningful civil society participation. The law also defines the duties, powers, responsibilities, and the means of holding the Commissioners accountable (the draft is attached in annex 1 of the full report)

[Alternative Proposal: Appointments to all constitutional institutions, such as the Election Commission, to be made through the creation of a permanent National Constitutional Council (NCC). This will require constitutional amendment.]

## **1.2 Powers of the Election Commission**

- (a) The Commission to have, subject to inquiry, the authority to suspend or cancel elections and authorize re-elections when there are serious allegations of violation of electoral laws and rules.

- (b) The Commission to have the full responsibility for identifying and appointing the Secretary of the Election Commission.
- (c) A legal requirement to be put in place such that, during election period, any decision undertaken by any part of the executive branch of the government that could affect election will have to be explicitly vetted by the Election Commission.
- (d) A legal requirement to be put in effect such that before an election, if the Election Commission as a body unanimously comes to the conclusion that holding such election may risk undermining democratic principles (e.g., elections of 2014, 2018 and 2024), as enshrined in the very framework of the country's Constitution, then the Commission may, in writing and with clear justifications, request an opinion, sent through the Office of the President, of the Appellate Division of the Supreme Court regarding postponing the election for up to 90 days.

### **1.3 Responsibilities of the Election Commission**

- (a) Within 48 hours of the national election, and before publishing the results in the national Gazette, the Commission to issue a public declaration certifying the integrity, credibility and the acceptability of the said election.

- (b) If a contesting political party is aggrieved by the Commission's certification of an election to be free, fair and credible, it will have 48 hours to lodge a complaint with the National Constitutional Council (NCC) or the Appellate Division of the Supreme Court. The Council or the Court to settle the complaint within 7 working days.
- (c) The Commission to be made fully responsible for conducting local government elections.
- (d) The Commission to be responsible for voter education, awareness, and research activities, and will work with students and civil society organizations for these efforts.
- (e) The Commission to organize 'candidate forums' involving voter-candidate face-to-face events in each constituency to foster engagement between voters and candidates.
- (f) The Commission to be responsible for providing protection to candidates and their electoral and polling agents during election.
- (g) Subject to investigation, the Commission to have the authority to deregister political parties alleged to have been registered in 2023 by the Awal Commission under partisan influence.

## **1.4 Responsibility and Accountability of the Election Commission**

- (a) All legal, financial, and administrative matters of the Election Commission to be submitted to a multiparty Special Parliamentary Committee of the proposed Upper House (or, if not established, then the existing Parliament) rather than to government Ministries as is currently the case. The Special Parliamentary Committee to examine the appropriateness of the requests and send the request to the appropriate authorities for expeditious disposal.
- (b) Allegations of misconduct or states of incapacity against sitting members of the Election Commission to be brought by the President, under the provisions of Articles 118 and 96 of the Constitution, for investigation and recommendations for remedy by the Supreme Judicial Council.
- (c) Allegations of failure to meet constitutional responsibilities or violation of oath of office against members of the Election Commission, after they leave office, to be investigated by proposed Special Parliamentary Committee and report their findings to the President for necessary action, if any.

- (d) Section 90 of The Representation of the People Order, 1972 to be amended to remove the statute of limitation for filing cases related to electoral offences.

### **1.5 Appointment of Returning Officer/Assistant Returning Officer**

The Election Commission is to appoint as far as possible its own officers as Returning and Assistant Returning Officers.

### **1.6 Expenditure of the Election Commission**

Allowances for training, for law enforcement agencies, and for magistrates during elections, to be re-evaluated, re-adjusted and where necessary, abolished.

(Note: In 1973, the Election Commission's, i.e government's election-related expenditures, were approximately 3 crore taka. By 2024, this amount had escalated to 1,927 crore taka.)

### **1.7 Working Procedures of the Election Commission**

- (a) Excluding routine daily activities, all decisions related to appointments, promotions, and

transfers of officers and employees, to be taken either unanimously or through majority vote.

- (b) The Commission to jointly decide on all election-related activities and procedures.

## **1.7 Human Resources of the Election Commission**

- (a) An international audit firm to be hired to undertake a detailed organizational and human resource audit of the Election Commission's secretariat and its sub-national offices and recommend changes in their organogram and human resources plan. (Currently, the Election Commission employs more than 5,000 officers and staff.)
- (b) A separate Electoral Service for the officers and employees of the Election Commission to be introduced.

## **2. CARETAKER GOVERNMENT SYSTEM**

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- (a) Caretaker government tenure to be extended to four months, if necessary, to allow both local and parliamentary elections to be held within this period.
- (b) The caretaker government to be given powers to undertake such regulatory reforms and affect administrative changes that it deems necessary to ensure the conduct of free, fair, and credible elections.
- (c) Regulations to be put in effect for the permanent 'National Constitutional Council' to appoint the head of the caretaker government and 20 other advisors.
- (d) If the recommendation submitted by the Constitution Reform Commission of putting in place a National Constitutional Council is not agreed upon, an outline of the caretaker government to be formulated by forming a high-level committee comprising representatives of all political parties, experts, civil society and other important stakeholders of the society; the ruling political party will be responsible for getting it approved by the parliament and implementing it.

### **3. PRESIDENT AND PRIME MINISTER**

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#### **3.1 President**

- (a) A non-partisan, qualified, and reputable candidate to be elected as President.
- (b) The President to be elected by an electoral college comprising of members from both houses of the Parliament and all elected local government representatives.

#### **3.2 Prime Minister**

- (a) Prime Minister's tenure to be limited to a maximum of two terms (Constitutional amendment will be required).
- (b) The Prime Minister, after maximum two terms, to be disqualified from contesting in presidential election (Constitution amendment will be required).
- (c) Provisions to be made to prevent the same person from simultaneously holding positions of the party leader, the prime minister and the leader of the house.

## **4. ELECTION OF THE UPPER HOUSE OF PARLIAMENT**

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- (a) An Upper House of Parliament with 100 seats to be established and populated using the system of proportional representation (Constitutional amendment is required).
- (b) Of the total number of seats allocated to each political party in the Upper House, 50% of these to be elected from party members, while the remaining 50% to be elected from civil society, educators, philanthropists, workers, activists, cultural figures, and marginalized communities. Such an election to take place from an 'open list' to be submitted by all parties to be Election Commission in the pre-election period.
- (c) Of the party and non-party members combined, at least 30% to be women.
- (d) To get a share of the seats of the upper house, a political party will have to receive a minimum of the 3% of the votes of the lower house.
- (e) Minimum age for Upper House members to be 35 years and minimum educational qualification to be bachelor's degree.

- (f) Other qualifications and disqualifications for the members of the upper house to be like those of the Lower House.
- (g) A new law to be enacted to govern the salaries, allowances or other benefits and entitlements for the members of the upper house
- (h) As per article 78 (5) of the Constitution, a law to be enacted to determine the privileges of the parliamentary committees and their members.
- (i) The position of 'Deputy Speaker' to be given to the opposition.

## **5. DELIMITATION OF PARLIAMENTARY CONSTITUENCIES**

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- (a) Boundaries of all parliamentary constituencies to be redrawn, based on the proposed amendments of the law drafted by the Reform Commission, ensuring alignment with internationally recognized principles of boundary delimitation.

- (b) A special committee comprising relevant experts to be formed with the help of the Election Commission to redraw boundaries of parliamentary constituencies for the coming election.
- (c) A separate, independent boundary delimitation authority to be established in the future to manage delimitation of constituencies.

## **6. REGISTRATION OF POLITICAL PARTIES**

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- (a) To ease the registration of new political parties, the present requirement reduced to having party offices in only 10% of the districts and in 5% of upazila/police stations and the new party aspiring registration to have a minimum of only 5,000 initial members at the time of registration.
- (b) Each political party, to publish the list of their members on the website and updated at least once a year.
- (c) Those who are disqualified to be members of Parliament, under section12 of the RPO, will

be ineligible be a general member/committee member of any registered political party.

- (d) Each committee, from local to national, of political parties to be elected through secret ballots by the general members of the party.
- (e) For each constituency, party members to elect a panel of three candidates, from which the central Nomination Board of the party will nominates one candidate to contest from the relevant constituency.
- (f) Each party member to pay a minimum of BDT 100 as membership fee. In addition to membership fees, parties to be allowed to receive from well-wishers, through banking channels, up to one-time maximum donations of Tk. 50 lakh per person; all such donations to be included in the tax returns of the donor.
- (g) Political party funds to be spent transparently and audited accounts of parties to be made public and submitted to the Election Commission, which will have the authority to scrutinize such accounts and publish them in its website.
- (h) Registered political parties to be brought under the Right to Information Act, 2009.
- (i) Political parties to be prohibited from

having associated and affiliated bodies of students, teachers, and laborers in any name.

- (j) Political parties are to be prohibited from having foreign branches in the same or any other name.
- (k) A minimum of three years of party membership to be made mandatory for individuals to be eligible to receive party nominations in parliamentary elections.
- (l) Political Party registration to be renewed every five years.
- (m) Political parties that do not participate in two consecutive elections are not to be de-registered.

## **7. NATIONAL IDENTITY CARD AND VOTER LIST**

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### **7.1 National Identity Card Management**

- (a) National Identity Registration Act 2023, that transferred the responsibility of NID management to the Ministry of Home Affairs, to be immediately repealed.

- (b) National Identity Registration Act 2010 to be reinstated with necessary amendments to provide a legal foundation for a modern identity system, as recommended in the Electoral System Reform Commission. This will ensure that every citizen owns and has full control over their identity information.
- (c) The existing Standard Operating Procedures (SOPs) related to national identity cards to be reviewed to eliminate all forms of mismanagement, harassment, and irregularities, thereby making the process more citizen-friendly.
- (d) Necessary measures to be initiated immediately to provide updated photo-enabled NID smart cards to all citizens included in the voter list, so that these smart cards can be used for voter identification.
- (e) In light of widespread media reports alleging that sensitive identity information of millions of Bangladeshi citizens have been leaked and is being sold or distributed on various websites and messaging platforms, an independent investigation to be conducted immediately to thoroughly analyze the scope, underlying causes, impacts, and consequences of this critical data breach. Those responsible to be held accountable and punished in accordance with laws.

- (g) In addition to the ongoing activities of issuing National identity cards to Bangladeshi citizens aged 16 years or older, a future plan to be developed for an identity registration program for children aged 10 years or older.
- (h) To streamline all NID-related services nationwide and ensure uninterrupted operation, upgrades, maintenance, and security of the country's largest national database, the National Identity Registration Wing to be replaced in the future by an independent statutory commission named the "National Citizen Data Commission" This authority to oversee the registration of national identities of Bangladeshi citizen as well as the creation, maintenance and distribution of national identity cards. An international audit firm to be engaged to assess and recommend the organizational structure and manpower requirements of the proposed new authority.
- (i) In future the proposed National Citizen Data Commission to expand its scope of activities by bringing several existing services, such as Birth and Death Registration Information System (BDRIS) and Civil Registration and Vital Statistics (CRVS), under the proposed commission.
- (j) The entire existing NID system—including data centers, hardware, software/web

applications, databases, and credentials—to be transferred from the current vendor/department to the proposed National Citizen Data Commission. A comprehensive transition plan to be implemented for the proposed modern identity system.

## 7.2 Identity and Identity System

- (a) National identity card to be converted into a digital (virtual) version. This process to begin by converting existing NID cards into a standardized digital format using the Self-Sovereign Identity (SSI)-based system proposed in the Electoral Reform Commission's report. The first step in this direction must be to transform current NID system into an SSI-based identity system.
- (b) The next step in the proposed SSI-based identity system to design and develop it using a standardized SSI technology stack. At the same time, necessary trust framework, governance framework, legal framework, and application ecosystem to be established.
- (c) An SSI wallet for various smartphone platforms as part of the SSI-based identity system to be developed. The design and development of this wallet are to prioritize

security and privacy. Additionally, a solution to be developed for feature phones to accommodate users without smartphones in the future.

<sup>1</sup> These services are used for the registration of births, deaths, marriages, divorces and other vital events of every citizen in the country.

- (d) Security of the proposed system and its sub-components to be ensured, including the SSI wallet, by conducting a security audit through globally recognized security audit firms.
- (e) Once the SSI-based solution is ready, existing government and private online services to be transformed to fully leverage the system's security and privacy features. To facilitate this, an identity standardization framework based on international best practices to be established, ensuring interoperability both within the country and with other countries globally.
- (f) Proposed system to be rigorously tested after development, including testing each

complex and interconnected sub-component individually.

- (c) Appropriate personal data protection and privacy laws to be enacted alongside the implementation of the national identity system. These laws to serve as safeguards against identity or personal information-related personal or institutional misuse within the country.

### 7.3 Updating the Voter List

- (a) All discrepancies, including the "gender gap," to be eliminated through a door-to-door verification and updating process of the voter list.
- (b) The Voter List Act to be amended to include individuals who turn 18 before the announcement of the election schedule.

## **8. FAIR AND IMPARTIAL PARLIAMENTARY ELECTIONS**

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### **8.1   Eligibilities and Ineligibilities of Candidates**

- (a) Habitual defaulters of loans and bills to be made ineligible as candidates to run for Parliament. A loan defaulter must pay off all loans and interests completely at least six months prior to filing for nomination as candidate for Parliament. Requirements to be put in place to make anyone ineligible to remain as a member of Parliament if he or she becomes a loan defaulter after the election.
- (b) Persons declared fugitive by any court of law to be barred from becoming candidates.
- (c) Persons indicted in criminal cases on bail must attach certified copies of bail grant order by relevant court.
- (d) Executives of private organizations to contest Parliament elections only after three years of their retirement.
- (e) Individuals convicted of offense involving moral turpitude, as per Article 66 (2)(d) of the

Constitution, to be disqualified as candidate in parliamentary elections starting from the date of their conviction.

- (e) Individuals convicted under the International Criminal Tribunal (ICT) Act to be disqualified as candidate in parliamentary elections from the date of their conviction.
- (g) The ICT Act and the RPO to be amended to make those who committed crime against humanity disqualified to be members of Parliament.
- (h) Elected representatives of local government institutions to resign before standing for parliamentary elections.
- (i) In Parliament elections, 10% of nominations to be given to the youth, religious and ethnic minorities, and persons with disabilities.
- (j) Independent candidates need to submit the signatures of only 500 voters instead of 1% of all voters. Such voter consent may be provided through a single or joint affidavit.
- (k) The provision allowing candidates to run for election from more than one seats to be abolished.
- (l) If a court annuls the election of an individual for false information or concealment of

information in his/her affidavits, the individual to be disqualified from contesting in any future elections.

## 8.2 Nomination Papers

- (a) All candidates to be required to submit their nomination papers in person, except for those who are in legal custody.
- (b) The election schedule to be re-adjusted for allocating longer time period for scrutinizing affidavits, completing the appeal process and finalizing the candidature, and less time for campaigning to reduce candidates' election expenses.
- (c) The Election Commission's decision regarding candidacies to be absolute and final; and the court's intervention to be limited to only cases involving "quorum non juris" or "malice in law."
- (d) Candidates' nomination papers should include copies of their income tax returns for the past five years.

## 8.3 Affidavit

- (a) Information on assets held within and outside

the country to be added to the affidavit. Affidavits and income tax returns of the candidates to be circulated so that voters can take informed decisions regarding candidates.

- (b) Any misinformation or deliberate omission of information in the affidavits and tax returns to result in disqualification to be a candidate for Parliament or remain as a member of Parliament.
- (c) Political party Presidents, General Secretary, or persons of similar rank to submit a signed affidavit together with their candidates' nomination papers, clearly affirming that (i) there has been no 'nomination based financial transaction' (nomination trade) related to this particular candidate, and (ii) the proposed candidate has been selected by a panel of party representatives from the respective constituency.
- (d) The election of an individual may be annulled, if at any point the Election Commission, upon scrutiny of the submitted affidavit, finds evidence of information concealment or of misinformation.

#### **8.4 Election System**

- (a) The provisions for the use of Electronic Voting

Machines (EVM) in elections to be abolished.

- (b) For the purpose of elections, the defense forces to be included in the definition of law enforcement agencies.
- (c) Re-elections to be held in constituencies where less than 40% of the electorate have cast their vote.
- (d) To prevent uncontested candidates from winning elections and to encourage political parties to nominate competent candidates, a "no-vote" provision to be introduced in the ballots of parliamentary elections. Re-polling will take place in those constituencies where "no-vote" receive highest number of votes with the condition that no candidate from the annulled election may contest in the re-election.

## **8.5 Electoral Code of Conduct**

- (a) Banners, arches, and posters to be banned during campaigning. Instead, leaflets, voter-candidate face-to-face meetings and newspaper advertisements to be allowed. All parties be given equal opportunities for campaigning using public media.
- (b) Campaigning on social media to abide by the proposed social media code of conduct,

aligned with the provision of the Cyber Security Ordinance, 2024.

- (c) A code of conduct for political parties, similar to the 1990 Three-Alliance Framework, to be formulated.

## **8.6 Facilities for Members of Parliament (MP)**

- (a) Duty-free vehicles, residential plots, all types of protocols and allowances for MPs to be reviewed and re-determined.
- (b) A 'Member of Parliament Conduct Act' to be enacted, allowing MPs to submit annual asset statements and declare conflicts of interest.
- (c) High Court's judgment in Anwar Hossain vs. Bangladesh case, which eliminates MPs' role in local development to be strictly implemented. MPs to be barred from holding any advisory position in local government institutions.
- (d) Special protocols for MPs to be abolished.

## **8.7 The position of 'Deputy Speaker' to be given to the opposition.**

## **9. WOMEN'S PARTICIPATION IN PARLIAMENTARY ELECTIONS**

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- (a) The number of seats in the Parliament (lower house) to be increased by 100, making the total 400. A rotational system to be used, requiring 100 seats to be randomly select as reserved seats for women in the first term, another 100 seats to be reserved women in the second term, yet another 100 seats to be reserved for women in the third term, and the remaining 100 seats to be reserved for women in the fourth term. In this way, a woman, based on their competence, will get directly elected from each constituency within four terms and will enjoy the same right, authority and privileges like their male counterparts. This will allow competent women to develop their constituencies and get elected competing against women when their seats are no longer reserved, which will eliminate the future need for reserved seats for women.

## **10. POSTAL VOTING SYSTEM FOR EXPATRIATES**

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### **10.1 Postal Voting System for Expatriates**

- (a) An ICT-mediated postal voting system is proposed by the Electoral System Commission to ensure transparency for expatriates. Two potential solutions are suggested in the final report. Any one solution to be selected for implementation.
- (b) To implement the proposed ICT-mediated postal voting system, two mobile applications—"Voter App" and "Verifier App"—to be developed with appropriate functionalities. These applications to be developed for both Android and iOS platforms to ensure accessibility. Additionally, a backend system to be developed for the proposed system.
- (c) Security of the developed mobile applications and the system to be ensured such that the data can be securely transmitted and stored in the database. This to include an access control system and immutable audit trails to ensure database security.

- (d) The proposed system to undergo extensive testing before being used in national elections. A three-phase trial is recommended to identify and rectify any anomalies, ensuring the system's reliability.
- (e) Continuous security audits of the developed system to be conducted through one or more internationally recognized security audit firms. This will be essential to build trust in the system.
- (f) Training for all individuals involved in the process to be provided to ensure the efficient use of the new system.
- (g) The proposed ICT-mediated voting system to consider also the cases of voters residing in countries without any Bangladeshi consulate. A policy to be developed to designate a consulate as a focal point for such countries.
- (h) To reduce the logistical workload of consulate officials in distributing postal packages to expatriate voters, each postal package to be prepared in Bangladesh and then distributed to consulates. Consulate officials to then use the local postal service in their respective countries to deliver the packages to expatriate voters.
- (i) An effective timeline to be established to complete all activities related to the postal

voting, from registration to securely storing election-related ballots in treasury vaults, in all constituencies.

- (j) Although the proposed system is designed for expatriate voters, it may be adapted for domestic absentee voters with minimal modifications. However, concerns about the reliability of the postal service in the country pose a significant challenge. To address this, a reliable courier service capable of tracking postal packages to be used to deliver the packages to voters and later return them to the returning officers.

## 10.2 Postal Voting System for Expatriates

- (a) All Bangladeshi expatriates to be registered in the electoral roll and NID server as soon as possible. All biometric information and recent photographs to be updated during the registration process. Given that the current expatriate registration methods are time-consuming, effective strategies to optimize and accelerate the process to be identified and implemented. Since all Bangladeshi expatriates possess passports, information stored in the passport database to be utilized to expedite the registration.
- (b) If the next national election is to be held in December 2025, expatriates who can be

registered in the voter list and NID server by October 2025 to be given the opportunity to vote in the upcoming election through the proposed postal voting system.

<sup>2</sup> The system should initially be trialed in one country with around 50 to 100 expatriate voters. Later, it should be trialed in five to ten countries with 1,000 to 50,000 expatriate voters, and finally, it should be trialed in as many countries as possible with 20,000 or more expatriate voters.

## 11. ONLINE VOTING SYSTEM

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- (a) As the first step in implementing the proposed online voting system, a technical task force consisting of national and international experts in blockchain, security, cryptography, privacy-enhancing technologies, and online voting to be established. This task force to include relevant domain experts from the Election Commission and other government Ministries and agencies.
- (b) As its first responsibility, the proposed task force to design the architecture and protocols for an online voting system following international best practices in

software development, as well as to oversee the development of the system<sup>3</sup>.

- (c) Once developed, the system to be thoroughly tested to ensure its functionality, security, and usability.
- (d) The system to undergo continuous security audits by one or more internationally recognized security audit firms, essential in building trust in the system.
- (e) Trust in the developed system is to be further enhanced through publishing its source code. Public penetration testing may be conducted, and a bug bounty program may be launched to identify serious security and privacy vulnerabilities in the system.
- (f) To launch a secure online voting system, amendments to the country's legal framework to be undertaken based on an analysis of various existing legal frameworks.

<sup>3</sup> A joint project could be initiated involving multiple Bangladeshi universities, software vendors, and government agencies, which will help enhance technological capabilities within the country. If necessary, other countries with advanced online voting systems could be included as international partners in the project.

- (g) To gain public trust, continuous opportunities to be provided for the public to use the online voting system, thereby allowing people to accumulate positive experiences. A trial of the system to be conducted in a small-scale election initially, so that the public can gradually gain trust in the system. The success of these trials could serve as an ideal catalyst for widespread adoption.
- (h) While designing such a system, consideration to be given to voters who do not own smartphones. For this group, an alternative system to be created to allow them to vote online through other methods.

## 12. ELECTORAL OFFENSES

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- (a) The proposed Election Commission Act to have provisions to ensure that offenses or irregularities committed by the Election Commission to be brought to justice.
- (b) Representation of the People's Order, 1972 (Section 89) to be amended to allow preliminary investigations against government officials accused of committing or abetting electoral offenses (while the provision requiring Elections Commission's

permission to file cases per se may be retained).

- (c) The statute of limitation for filing cases under Sections 73 and 74 of the Representation of the People Order, 1972 to be abolished.
- (d) A time limit to be set for the disposal of electoral offense cases to expedite the length of adjudication and ensure timely justice.
- (e) A 'Special Inquiry Commission' to be formed to investigate accusation of election fraud in 2018.

## **13. ELECTORAL ADJUDICATION AND DISPUTE RESOLUTION**

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- (a) In each constituency during elections, a new body, the 'Electoral Enquiry and Adjudication Committee,' to be formed to both investigate and adjudicate complaints, replacing the existing 'Electoral Enquiry Committee'.
- (b) First-Class Judicial Magistrates (those that adjudicate electoral offenses through

summary trial only during 5 days – 2 days prior to and after elections and the election day) to be appointed as members of the Electoral Enquiry and Adjudication Committee to take cognizance of offenses for trial under Section 190 of the Criminal Procedure Code.

- (c) An 'Electoral Enquiry and Adjudication Supervisory Committee,' chaired by an Election Commissioner, to be established at the Election Commission to monitor activities of the Electoral Enquiry and Adjudication Committees.
- (d) While the Electoral Enquiry and Adjudication Supervisory Committee is to exercise authority for the purposes of coordination and accountability, the individual committees will remain independent in their judicial decision-making process.
- (e) A 'Parliamentary Election Tribunal' to be established at the district level to handle election dispute cases (election petitions) expeditiously, reducing pressure on the High Court Division. An appeal to the High Court to be available against the decisions of the tribunal.

## **14. ELECTION OBSERVATION**

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- (a) Stationary observation to be allowed to ensure observers may remain at the designated polling centers throughout election day; however time inside polling booths to be limited to allow voters their voting privacy.
- (b) Official permission to be granted to observer organizations for pre-election observation.
- (c) Fake and biased observers to be banned.
- (d) Appointment of individual observers to be allowed.
- (e) Election observation reports to be used to improve future elections.
- (f) The appointment and engagement process for international observers to be made clear; observers to be appointed at the discretion of the Election Commission, not the government.
- (g) Journalists with valid election commission-issued cards to be allowed to enter polling stations to document irregularities, and they be allowed to use motorcycles on election day.

## **15. REPRESENTATIVE RECALL**

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### **15.1      Appointment of Returning Officer/Assistant Returning Officer**

## **16. ELECTION EXPENSES**

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- (a) Election expenditure to be capped at BDT 10 per voter per parliamentary constituency.
- (b) All election expenses to be processed through banking systems or financial technology platforms (e.g., Bikash, Rocket).
- (c) To maintain close oversight on election expenditures of candidates and political parties, the Election Commission to set up 'election expenditure monitoring committees' at the constituency levels.
- (d) Election expenditures filed by candidates and political parties to be subjected to auditing, the candidates' election to be annulled in case of discrepancies.
- (e) All election related expenses of the Election Commission to be a charge on the consolidated budget of the Republic.

## **17. REFERENDUM**

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**17.1      Provisions for Referendum to be included in the law.**

## **18. LOCAL GOVERNMENT ELECTIONS**

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- (a) A permanent 'Local Government Commission' to be formed.
- (b) Local government elections to be held before the national election.
- (c) The local government elections to be non-partisan and the relevant laws to be amended accordingly.
- (d) Mayors/Chairs and Councilors/Members of local government bodies to be elected directly, rather than indirectly; Councilors/Members to have a meaningful roles in decision-making within their respective local government bodies.
- (e) Women from reserved seats to be elected on a rotational system at all local government bodies.

- (f) School and college teachers receiving MPOs from the government are to refrain from joining any political party or contesting in local and national elections.
- (g) Information contained in affidavits to be made public so that voters are able to make informed decisions in polling booths.
- (h) Elections for the District Councils of Hill districts to be organized forth with.
- (i) Thirty percent of the national budget to be allocated to local government institutions.

# 03

Summary of recommendation of  
**the public administration  
reform commission**





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# **MEMBERS OF THE PUBLIC ADMINISTRATION REFORM COMMISSION**

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On October 3, 2024, the Government of the People's Republic of Bangladesh issued a notification through the Cabinet Division, forming the "Public Administration Reform Commission" under the leadership of Abdul Muyeed Chowdhury. The objective of the commission was to establish a citizen-centric, accountable, efficient, and impartial public administration system. Subsequently, on October 24, 2024, another notification was issued to expand the commission's membership. The commission was instructed to commence its activities from October 3, 2024, incorporating relevant opinions and submitting its report to the Honorable Chief Adviser of the Interim Government within 90 days. The deadline was later extended twice, ultimately setting January 31, 2025, as the final submission date.

## **METHODOLOGY AND DATA COLLECTION**

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To formulate its report, the commission followed multiple approaches for data collection, analysis, and recommendations. These included identifying key areas of public administration reform, reviewing past reform efforts in Bangladesh, analyzing recent public administration initiatives in South and Southeast

Asian countries, and distributing questionnaires to gather opinions from government officials, private sector representatives, civil society members, NGO personnel, and citizens at district and sub-district levels. Additionally, stakeholder discussions, interviews, case studies, and data analysis were conducted. The commission received valuable insights and recommendations from thousands of citizens, significantly contributing to the report's preparation. The chairman and members of the commission visited eight districts and five sub-districts, engaging with grassroots citizens and field-level government officials.

## **STAKEHOLDER CONSULTATIONS**

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The commission engaged with representatives of various civil service cadres, requesting their expectations and suggestions, which were provided both orally and in written form. Separate discussions were held to address healthcare sector concerns. Moreover, consultations took place with leaders of the Federation of Bangladesh Chambers of Commerce and Industry (FBCCI) regarding administrative reforms. Journalists regularly covering news at the Secretariat were also consulted. To gather

political perspectives, letters were sent to the presidents and general secretaries of 13 political parties, seeking their written recommendations. In response, the Bangladesh Nationalist Party (BNP), Jamaat-e-Islami, Amar Bangladesh Party, and National People's Party submitted their recommendations.

## REFORM OBJECTIVES

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As per the Cabinet Division's notification on October 3, 2024, the commission was tasked with preparing a report addressing public administration reforms to make it: a) Citizen-centric, b) Accountable, c) Efficient, d) Impartial.

A detailed review of these objectives indicated the need for further enhancements. In addition to making public administration citizen-centric, accountable, efficient, and impartial, it should also be effective and result-oriented. Achieving competent administration requires training, capacity-building, and the development of strategic leadership. Considering these factors, the commission expanded the objectives to include the following six key goals:

- a) Citizen-centric public administration

- b) Transparent and accountable administration
- c) Enhancement of administrative efficiency and capacity
- d) Impartial public administration
- e) Competent and result-oriented public service
- f) Effective public administration

## **REPORT STRUCTURE AND RECOMMENDATIONS**

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Since its inception, the commission has held as many as 49 meetings to draft its report and recommendations. The final report is divided into 17 chapters, comprising over 200 recommendations across 14 thematic areas. To facilitate implementation, the recommendations are categorized into short-term (6 months), medium-term (1 year), and long-term strategies.

**The key chapters of the report include:**

## **Chapter 1**

# **INTRODUCTION**

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In the introductory chapter background of the Public Administration Reform Commission, scope of work, report preparation methodology, stakeholder engagement, and report structure were discussed.

## **Chapter 2**

# **JUSTIFICATION FOR PUBLIC ADMINISTRATION REFORM IN BANGLADESH**

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The second chapter reviews the past reform efforts, recent experiences in South and Southeast Asian countries, public opinion on new reform initiatives, key challenges, and reform objectives.

# **Chapter 3**

# **VISION, PRINCIPLES, GOALS, AND LEADERSHIP IN PUBLIC ADMINISTRATION**

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In the third chapter, a framework outlining the vision, core principles, goals of public administration and leadership structure for public administration reform, the necessity of a permanent reform commission, and the introduction of digital methodologies for reform implementation were discussed. This structured approach ensures that public administration reforms in Bangladesh are comprehensive, inclusive, and effectively implemented. The following recommendations are made in this chapter:

## **3.1 Vision for Public Administration:**

"Establishing good governance at all levels of the Republic to ensure citizen-centric service delivery."

## **3.2 Core Principles of Public Administration:**

A people-friendly, ethical, impartial, transparent, accountable, efficient, and effective public administration.

### **3.3 Goals of Public Administration:**

"Ensuring the legal rights of the citizens of the Republic and providing them with the designated services."

### **3.4 Implementation Timeline for Recommendations:**

Recommendations are categorized into short-term (6 months), medium-term (1-2 years), and long-term phases.

### **3.5 Formation of a Permanent Public Administration Reform Commission:**

Since public administration reform is a continuous process, the establishment of an independent and permanent Public Administration Reform Commission is recommended to ensure sustainable reform implementation.

### **3.6 Role of the Cabinet Division and Public Administration Reform Commission:**

The Cabinet Division will develop a roadmap for implementing the public administration reform program, in alignment with the Constitution and relevant international regulations followed by Bangladesh.

### **3.7 Development of a Generic Roadmap:**

The Cabinet Division will formulate a generic

roadmap for public administration reforms. Ministries and Departments will then prepare their respective reform roadmaps based on this framework. These roadmaps will be submitted to the Permanent Public Administration Reform Commission through the Cabinet Division. The commission will review and finalize recommendations for government consideration. Ministries and Departments will issue necessary directives to district and sub-district offices for effective implementation.

### **3.8 Establishment of an Innovation Lab:**

To conduct research on innovative processes and policies in public administration, a specialized institution (such as BPATC, BIGM, or an equivalent organization) will be designated as an innovation lab.

### **3.9 Web Portal-Based Digital Platform:**

To make the performance management of all state institutions more citizen-centric and effective, procedural and regulatory aspects will be integrated into a web portal-based digital system. This portal will facilitate key performance tracking, monitoring, evaluation, and feedback mechanisms.

### **3.10 Development of Digital Infrastructure:**

A digital infrastructure framework will be

established from the Cabinet Division to district and sub-district levels, featuring:

- a) Centralized Data Management and Performance Monitoring System.
- b) Digital Platforms for Administrative Processes and Service Delivery.
- c) Integrated E-Governance System for Central and Local Government Operations.
- d) Cloud-Based Digital Services, Unified Communication, and Data Interoperability.

## **Chapter 4**

# **REFORMS FOR BEHAVIORAL CHANGE IN PUBLIC ADMINISTRATION**

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This chapter discusses the necessity of reforms focused on behavioral change in public administration, highlighting the importance of incorporating fundamental values into the Civil Service Code. The discussion includes:

- a) The need for a value-driven Civil Service Code
- b) The significance of fundamental values

- c) Experiences from other countries regarding civil service values and ethics
- d) The connection between the Code of Conduct for government officials and core public service values in Bangladesh
- e) A brief analysis of additional values relevant to government officials in the context of Bangladesh

These recommendations aim to transform the mindset and culture within public administration, ensuring a more ethical, responsible, and citizen-centric service delivery system. This section outlines recommendations for establishing ethical guidelines and behavioral reforms within public administration to ensure accountability, integrity, and professionalism. The following recommendations are made with the aims to establish a professional, ethical, and transparent public administration system:

#### **4.1 Revised Code of Conduct:**

Introduce an updated "Public Servants' Code of Conduct" with clear ethical and behavioral guidelines.

#### **4.2 Oath of Allegiance:**

Require newly appointed officials to sign an oath of allegiance, affirming loyalty, patriotism, integrity, duty, and accountability.

### **4.3 Ethics in Training Programs:**

Include etiquette, ethical behavior, and professionalism in government training programs.

### **4.4 Culture of Consultation:**

Promote a culture of seeking advice and feedback for better decision-making among public servants.

### **4.5 Ethics in Performance Evaluation:**

Integrate moral values, discipline, and professional conduct into employee performance assessments.

### **4.6 Accountability & Transparency:**

Establish specific guidelines to enhance accountability and transparency in governance.

### **4.7 Public Awareness Campaigns:**

Conduct campaigns to educate citizens on government accountability and transparency.

# **Chapter 5**

# **PUBLIC ADMINISTRATION FOR CITIZEN SERVICE IMPROVEMENT**

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The following recommendations are made with the objective of ensuring citizens' rights, enhancing citizen involvement in the decision-making process, securing citizens' right to information, and simplifying citizen services:

## **5.1 Digital Transformation and E-Service:**

To enhance the efficiency of public service systems, the government should adopt several initiatives, with a key strategy being the digital transformation of government services. The government may strengthen multiple e-government services, such as online tax filing, digital land records, and electronic birth registration, NID, and passport services. E-services can improve efficiency by reducing time and costs for public service delivery and increase accessibility for citizens in remote or underdeveloped areas. Furthermore, e-services can promote transparency and build trust between the government and citizens, while also being cost-effective and improving information management. To improve e-services,

strengthening the National E-Service System (NSS) and mobile applications could streamline bureaucratic processes.

### **5.2 Right to Information Act:**

To ensure that citizens can easily and freely access government service-related information, the Right to Information Act (2009) and the Official Secrets Act of 1923 should be reviewed and amended. This is aimed at improving citizens' access to information and services, with further recommendations in subsequent chapters.

### **5.3 One-Stop Service and FBCCI:**

Despite the longstanding discussion of a "One-Stop Service" for services like trade licenses, electricity connections, water lines, and environmental clearances, it has yet to be implemented effectively. Therefore, it is recommended that outsourcing the responsibility for processing "One-Stop Service" applications to district chambers affiliated with the FBCCI could streamline this process. Subsequently, relevant authorities should expedite the issuance of licenses based on existing policies and laws.

### **5.4 Passports as a Fundamental Right:**

Issuing passports to citizens should be a fundamental state responsibility. It is recommended that the police verification

there are objections regarding any citizen, verification can be conducted at the airport. Additionally, the list of criminal case defendants could be made available online for easier access.

### **5.5 Public Hearings:**

According to the Right to Information Act, it should be mandated that all government departments provide citizens with information and address their complaints through public hearings.

### **5.6 Formation of Citizen Committees:**

Just as there are parliamentary standing committees to oversee the activities of ministries, it is recommended that "District Citizen Committee" and "Upazila Citizen Committee" be formed at the district and sub-district levels, comprising citizens from various professions. These committees should include student representatives as well. The committees will meet every four months, discuss government services, and send their minutes to the District Commissioner's website and to the relevant departmental heads.

### **5.7 Involvement of Local NGOs and Social Organizations:**

It is recommended that local NGOs and social organizations be involved in public services, and

initiatives should be taken to enhance their capacity.

### **5.8 Delegation of Authority to Local Bodies:**

In almost every government service delivery case, it is recommended that approval from the Ministry or Department head should not be a condition for implementation. Instead, powers and responsibilities related to finances, administration, and operations may be delegated to the local government authorities such as divisions, districts, Upazilas, and local government institutions. This would enable service delivery at the local level without needing approval from higher authorities.

### **5.9 Establishment of Hotline Numbers in Service Departments:**

Service-providing departments or organizations should establish hotlines to receive complaints about delays or harassment in receiving services. These hotlines should be open 24/7 or during office hours. The relevant departments should maintain records of complaints and inform complainants about the actions taken regarding their grievances.

### **5.10 Monitoring and Evaluation:**

The absence of effective monitoring and evaluation systems prevents the identification of

inefficiencies and limitations in public services. Therefore, to enhance the effectiveness of public service delivery, it is crucial to strengthen monitoring and evaluation systems.

### **5.11 Accessibility of Internet:**

Digital divide reduces the effectiveness of e-governance initiatives and creates barriers in public service delivery. The state must ensure that all citizens have access to affordable and reliable internet services.

### **5.12 Eradicating Corruption:**

Corruption in public service delivery, such as bribery, favoritism, and nepotism, hinders the process. Thus, it is essential to take comprehensive measures to eliminate corruption in the public service sector.

### **5.13 Politicization of Public Service:**

To ensure efficient and impartial public service delivery, it is necessary to avoid political bias and party affiliation in the decision-making processes related to public services.

# **Chapter 6**

# **INSTITUTIONAL AND STRUCTURAL REFORM FOR CITIZEN-CENTERED ADMINISTRATION**

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The chapter includes the proposal to reorganize the number of ministries, grouping them into clusters for better coordination and efficiency. The chapter also highlights the need to reorganize the staffing structures of various ministries and departments. Additionally, it recommends restructuring sector corporations to optimize performance. Strengthening policy and planning cells in ministries and enhancing implementation, monitoring, and evaluation mechanisms are also emphasized. The separation of audit and accounting departments, as well as the differentiation between policy and implementation functions within the Revenue Board, are suggested to improve accountability. Administrative decentralization is proposed to empower local authorities, along with the creation of new administrative divisions. Further, consolidating land offices and sub-registry offices under one authority is recommended to streamline operations, while decentralizing marriage registration processes is suggested for

greater accessibility and efficiency. These proposed reforms aim to create a more citizen-centered administration. The following recommendations are made in this chapter:

### **6.1 Reduction of Ministries:**

Currently, there are 43 ministries and 61 departments. The commission recommends reducing the ministries and reorganizing them into a total of 25 ministries and 40 departments.

### **6.2 Grouping Ministries into Five Categories:**

The commission recommends grouping all ministries into five categories based on their nature. The ministries/departments can be arranged into the following five categories:

- (1) Regulatory Administration;
- (2) Finance, Industry, and Commerce;
- (3) Physical Infrastructure and Communications;
- (4) Agriculture and Environment; (5) Human Resources and Social Development

### **6.3 Reforming the Organizational and Staff Structures of Ministries/Departments, Directorates, and Field Offices:**

Each ministry/department should review its organizational and staffing structure in consultation with the relevant stakeholders. The

proposals should be submitted to the Permanent Public Administration Reform Commission, which will review them and submit to the Prime Minister/Head of the government through the Cabinet Division for final approval.

#### **6.4 Strengthening Policy and Planning Units in Ministries:**

Each ministry/department currently has a planning wing. To enhance the effectiveness of policy and planning work, each ministry/department should establish a policy and planning branch/wing, staffed with skilled and expert personnel.

#### **6.5 Making Ministry Websites Dynamic:**

To ensure transparency in the implementation of various activities and projects under each ministry/department, detailed and updated information should be uploaded on the ministry/department's website, with an option for citizens to provide feedback.

#### **6.6 Abolishing the Ministry of Armed Forces and Establishing a Joint Chiefs of Staff Board and Secretariat:**

- (a) It is recommended that the Armed Forces Division under the Prime Minister's Office be abolished and its activities transferred to the Ministry of Defense.

- (b) A Joint Chiefs of Staff Board, consisting of the Army, Navy, and Air Force Chiefs, should be established for inter-service coordination. The Board's chair will rotate annually among the three service heads. Promotions in each service will occur through their respective promotion boards, but for the promotion to Brigadier General or higher positions, prior approval from the head of the government will be required.

## **6.7 Reorganization of the Internal Revenue Division:**

The role of the Secretary of the Internal Revenue Division and the Chairman of the Revenue Board should be separated. A dedicated Secretary will lead the Internal Revenue Division for revenue policy formulation, and the implementation will be handled by three departments:

- (1) Income Tax Department;
- (2) Customs and Excise Department; &
- (3) VAT Department.

The Internal Revenue Division should be strengthened with specialized personnel. Separate Director-General positions should be created for each department, and a workforce restructuring should take place.

## **6.8 Separating the ICT Division:**

The Information and Communication Technology Division should be separated from the Ministry of Posts, Telecommunications, and ICT and merged with the Ministry of Science and Technology.

## **6.9 Reorganization of Bangladesh Bureau of Statistics:**

To enhance the credibility and efficiency of the Bangladesh Bureau of Statistics, it is recommended that it be transformed into the "Bangladesh Statistics Commission," with an independent legal framework.

## **6.10 Merging Investment and Development Authorities:**

The Bangladesh Investment and Development Authority currently performs similar roles as the Bangladesh Export Processing Zones Authority (BEPZA), the Economic Zones Authority, and the Export Development Bureau. It is recommended that these organizations be merged into the Bangladesh Investment and Development Authority.

## **6.11 Formation of Two New Divisions:**

Considering geographical and communication convenience, there have been long-standing demands for the formation of new divisions in

Comilla and Faridpur. It is, therefore, recommended that these two new divisions be created.

## **6.12 Renaming District Commissioner and Upazila Executive Officer Positions:**

It is recommended that the titles "District Commissioner" and "Upazila Executive Officer" be changed to "Upazila Commissioner" and "District Magistrate & District Commissioner," respectively. The title of "Additional District Commissioner (Revenue)" can be changed to "Additional District Commissioner (Land Management)."

## **6.13 Granting the District Magistrate the Power to Accept Cases:**

It is recommended that the District Commissioner be given authority to accept CR cases of certain types. He can instruct local officials or respected individuals to mediate or investigate the complaints. If the complaint is deemed valid after preliminary investigation, the District Magistrate can instruct the police to file a case. This will allow citizens to file cases more easily. Moreover, minor disputes can be resolved outside the courts, reducing the case load on the judiciary. However, complainants can still approach the courts if the case is not resolved. Supreme Court advice may be sought for further action in this regard.

## **6.14 Establishing Magistrate Courts at the Upazila Level:**

Establishing civil and criminal Magistrate Courts at the Upazila level would greatly benefit the public. The necessary steps can be taken after consulting the Supreme Court.

## **6.15 Assigning an Upazila Security Officer:**

To improve law and order, an Assistant Superintendent of Police (ASP) should be appointed as the "Upazila Security Officer" for monitoring the work and overall law enforcement at the Upazila level. This would improve the accountability of local police stations.

## **6.16 Appointment of Separate Immigration Officers:**

Immigration procedures at airports are currently handled by police officers, whose behavior is not always passenger-friendly. In many countries, separate immigration officers are appointed instead of police officers. It is recommended that Bangladesh also appoint qualified immigration officers, with 20% of them coming from police on deputations. These officers can be trained both domestically and internationally.

## **6.17 Reforming Land Registration Offices:**

Land Registration Offices currently operate under

the Ministry of Law and Justice, while other land management offices fall under the Ministry of Land. The dual management system increases public inconvenience. It is recommended to transfer the land registration function entirely under the Ministry of Land.

### **6.18 Digitalization of Sub-Registry Offices:**

Currently, there is a lack of coordination between the Upazila Land Office and Sub-Registry Office. While the Land Office has introduced digital systems, the Sub-Registry Office has not. It is recommended that both offices be brought under the same ministry and the Sub-Registry Office should be digitalized to streamline land transaction processes.

### **6.19 Transfer of Marriage Registration Offices:**

The marriage registration offices should be placed under the jurisdiction of the District Commissioner. If there are any appeals, they can be resolved at the Divisional Commissioner level.

### **6.20 Introducing Provincial Governance System:**

- (a) Given the increasing population and the expanding scope of government services, the current administrative structure appears insufficient. To decentralize services and reduce the concentration of power in the

capital, it is proposed to divide the old four divisions into four provinces, thereby introducing a provincial governance system. This will reduce pressure on the central government and ease the burden on Dhaka.

- (b) Considering the population and service needs of Dhaka, it is recommended to establish a 'Capital City Government' or a 'Federal Government-controlled Metropolitan Government' like New Delhi. This would include an elected assembly and local government, with a governance area covering Dhaka city, Tongi, Keraniganj, Savar, and Narayanganj. However, Dhaka and Narayanganj Districts will retain their current Upazila setup.

## **6.21 Abolition of District Councils:**

There has been ongoing debate regarding the continuation of district councils. Since the District Council Chairman is not directly elected by citizens and most councils lack strong revenue sources, it is proposed to abolish the District Councils and transfer their assets to the relevant provincial governments.

## **6.22 Strengthening Municipalities:**

To empower local governments, municipalities should be made stronger. The Mayor should be elected by the Ward Members, as once elected, a

mayor tends to disregard the importance of the members.

### **6.23 Strengthening Upazila Councils:**

- (a) To further empower Upazila councils, it is proposed to abolish the post of Vice-Chairman.
- (b) To make the Upazila council more representative, one-third of the members from Union Councils can be rotated.
- (c) The Upazila Executive Officer should not be under the Upazila Council but should focus solely on legal and administrative matters such as law enforcement, land management, and mobile court operations. A Senior Assistant Secretary could be appointed as the Upazila Council Secretary.
- (d) To improve land management, a second-tier land management officer position could be created at the Upazila level.

### **6.24 Reforming Union Councils:**

The number of wards in Union Councils should be adjusted to 9-11 based on population. Each ward will have two members, one of whom should be a female. This will ensure 50% representation for women and ensure their influence in their areas. The Union Council Chairman should be elected by the members.

## **6.25 Delegating More Responsibilities to Union Councils:**

- (a) Union Councils could be given the responsibility for implementing informal and mosque-based education programs.
- (b) Union councils could set up committees under the leadership of the Union Chairman for agricultural and water-related matters. Health and other service-related committees could also be formed.
- (c) Strengthening village courts or arbitration systems could reduce disputes at the grassroots level.
- (d) Public consultations through town halls should be organized to form these committees and ensure public participation in their activities

## **Chapter 7**

### **DISCUSSES RATIONALE FOR STRUCTURAL AND PROCEDURAL REFORMS IN THE CIVIL SERVICE**

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The chapter proposes the reform of the Integrated Cadre Services, aiming to enhance the efficiency and responsiveness of the civil service to the needs of the public. It also suggests the

establishment of a "Superior Executive Service," which would ensure the appointment of qualified individuals to key administrative positions. Furthermore, the proposal includes the creation of multiple Public Service Commissions, each responsible for recruitment in specific sectors, thereby streamlining the hiring process. The introduction of multiple "Principal Secretary" positions is also recommended to strengthen leadership within government administration. Additionally, the chapter outlines measures to reduce the disparities between inter-cadre and cadre-non-cadre employees, promoting equality and fairness within the civil service. These reforms aim to improve the effectiveness of the civil service and enhance the government's service delivery mechanisms. The following recommendations are made in this chapter:

## **7.1 Restructuring of the Bangladesh Civil Service (BCS):**

- (a) The current "Cadre" system under the Bangladesh Civil Service (BCS) may be replaced with specialized designations, considering the nature of work and specific skill sets required for each service. It is proposed to divide the existing BCS cadres into the following 14 major services:
  1. Bangladesh Administrative Service
  2. Bangladesh Judicial Service
  3. Bangladesh Public Security Service

4. Bangladesh Foreign Service
5. Bangladesh Accounts Service
6. Bangladesh Audit Service
7. Bangladesh Revenue Service
8. Bangladesh Engineering Service
9. Bangladesh Education Service
10. Bangladesh Health Service
11. Bangladesh Agricultural Service
12. Bangladesh Information Service
13. Bangladesh Railway Service
14. Bangladesh Information and Communication Technology Service

## **7.2 Splitting the BCS (Accounts and Audit) Service into Two Services:**

It is proposed to divide the BCS (Accounts and Audit) Service into two distinct services: one being the "Bangladesh Accounts Service" and the other the "Bangladesh Audit Service."

## **7.3 Restructuring of LGED and Public Health Engineering Department:**

The Commission recommends merging the engineers working in these two departments into a unified Engineering Service. Seniority among the officers concerned will be determined based on their joining dates.

## **7.4 Merging the Three Sub-Cadres under BCS (General Information):**

There are three sub-cadres under BCS (General

Information) that have disparities in promotion opportunities. To eliminate these disparities, it is recommended to merge these three sub-cadres into one service with three distinct groups:

- a) Assistant Director/Information Officer/Research Officer
- b) Assistant Program Director
- c) Assistant News Controller

Promotion and postings for these roles can be based on the unified merit list.

## **7.5 Inclusion of ICT Officers into the Information Service:**

- (a) While there has been progress in digital systems and ICT in various government departments, Bangladesh is still lagging in comparison to the international community. Many ICT officers in the public sector have shown exceptional talent, with some even succeeding internationally. In this context, it is recommended to include ICT officers into the Information and Communication Technology Service.
- (b) The BCS (Information Engineering) Service should be included in the Information and Communication Technology Service.

## **7.6 Formation of the "Bangladesh Forest and Environment Service:**

The officers in the BCS (Forest) Service currently

work under the Ministry of Forest and Environment. Given the increasing significance of climate change and environmental concerns, it is recommended to integrate the officers from the BCS (Forest) with those from the Environment Service into the "Bangladesh Forest and Environment Service" under the Bangladesh Agricultural Service.

### **7.7 Merging the BCS (Trade) with BCS (Customs and Excise):**

The BCS (Trade) Service, being a small service, is recommended for abolition and integration with the BCS (Customs and Excise) Service. As 80% of the WTO TFA provisions are implemented by the Customs Department, it is recommended that Trade Counselors in Bangladesh's diplomatic missions be appointed from the Customs Service. No new recruitment should be made into this service in the future.

### **7.8 Merging BCS (Food) and BCS (Cooperatives) with Bangladesh Administrative Service:**

It is proposed to merge the BCS (Food) and BCS (Cooperatives) with the Bangladesh Administrative Service. No new recruitment should be made for these two services in the future.

### **7.9 BCS (Postal) Service:**

Due to the ease of communication through the

internet, social media, and courier services, the importance of the BCS (Postal) has significantly decreased. The government should assess whether it is necessary to gradually phase out this service.

## **7.10 Restructuring the Public Service Commission:**

After the independence of Bangladesh, two Public Service Commissions were created: one for Cadre Services and the other for Non-Cadre Services. Later, they were merged. Considering the overall situation, the Commission recommends establishing three Public Service Commissions for recruitment in public services:

- a) Bangladesh Public Service Commission (General)
- b) Bangladesh Public Service Commission (Education)
- c) Bangladesh Public Service Commission (Health)

The members of each Commission will consist of 8 members, including the Chairman. The Commission will oversee recruitment and promotion examinations, with separate examinations for education and health services. Officials from education and health services will also be eligible to participate in executive service recruitment exams.

## **7.11 Merit-Based Recruitment in Public Administration:**

A merit-based recruitment policy should be developed to ensure that recruitment and promotion processes are not easily altered. A specific timeline should be established for the recruitment process, especially for BCS exams, which currently take too long. It is recommended that the BCS exam be completed within a year. The process may be revised to focus on a comprehensive written exam. The PSC's annual examination schedule could be as follows:

- a) Notification: Second week of January
- b) Preliminary Exam: First week of April
- c) Preliminary Exam Results: First week of May
- d) Main Written Exam: Second half of June  
(10 days)
- e) Main Written Exam Results: Second week of December
- f) Oral and Psychological Exam: First week of January to second week of February
- g) Results: Third week of April
- h) Health and Police Clearance: Third week of May
- i) Appointment Order Gazette Publication:  
Second week of June
- j) Joining at Ministry: July 1st
- k) Foundation Training at PTC: First week of August

## **7.12 Written Exam Syllabus:**

(a) The syllabus for the main written exam in Bangladesh Civil Services may include the following six mandatory subjects:

- i) Bengali Composition – 100 marks
- ii) English Composition – 100 marks
- iii) English Composition and Presie – 100 marks
- iv) Constitution, History, Tradition, and Culture of Bangladesh – 100 marks
- v) International and Current Affairs – 100 marks
- vi) General Science and Technology, Society and Environment, and Geography – 100 marks

(b) In addition to mandatory subjects, 6 elective subjects or papers (each worth 100 marks) can be included from fields like arts, social sciences, physical sciences, commerce, and law. However, no more than two subjects can be selected from a single field. To assess problem-solving skills and psychological qualities, the exam format should be updated. An integrity exam may be introduced for initial screening. A minimum of 60% marks is recommended to pass the written and oral exams. The final results should be published along with the detailed breakdown of marks to ensure transparency. If a candidate fails the exam three times consecutively, they will be prohibited from taking the exam again.

### **7.13 Formation of a "Superior Executive Service" (SES):**

- (a) A "Superior Executive Service" (SES) is recommended, consisting of the brightest and most capable officers from all services to fill positions from Deputy Secretary to Additional Secretary in the Secretariat. Since the civil service structure is pyramidal, not everyone can be promoted to top positions. It is suggested to provide an opportunity for the most capable individuals to ascend to higher positions through merit-based appointments, a practice followed in many countries.
- (b) Opportunities for merit-based promotion in higher positions should be provided by reducing the quota for the administrative service from 75% to 50%, allowing the remaining 50% positions to be open for other services.
- (c) The Public Service Commission will conduct competitive exams for the positions of Deputy Secretary, Joint Secretary, and Additional Secretary. The exam will give importance to talent and intellectual capacity, with at least 10 years of experience required for senior-scale officers from any service to apply.

### **7.14 Line Promotion for All Services:**

For officers of the Bangladesh Administrative

Service who do not appear for or fail the SES exam to join the SES, they will still be eligible for line promotions in their respective services, such as the Additional Deputy Commissioner, District Magistrate, District Commissioner, Additional Divisional Commissioner, Divisional Commissioner, and Chief Commissioner posts. However, they will not receive positions equivalent to the SES in those services. On the other hand, for those promoted to the District Commissioner position, whether from the SES or other services, their percentages will be determined in proportion to the eligible candidates of the relevant service. The following diagram illustrates this proposal:

### **Proposed Line Promotion for Various Services**

Grade	Bangladesh Administrative Service	Superior Executive Service	Other Services (e.g., Health, Education, Agriculture, etc.)
Special	Not Applicable	Cabinet Secretary	Not Applicable
Special	Chief Commissioner	Principal Secretary	Head of the Relevant Service (e.g., Chief of Health Services)
Grade-1	Divisional Commissioner	Secretary	Director General
Grade-2	Additional Divisional Commissioner	Additional Secretary	Additional Director General
Grade-3	District Magistrate & District Commissioner	Joint Secretary	Director
Grade-5	Additional District Commissioner	Deputy Secretary	Additional Director
Grade-6	Senior Assistant Commissioner / Upazila Commissioner	Senior Assistant Secretary	Upazila Head
Grade-9	Assistant Commissioner	Assistant Secretary	Assistant Director

All line positions for each service must be arranged as shown above. Officers of each service will be promoted through exams for these positions. However, they may also participate in the SES exam for the Deputy Secretary post. Those not promoted to Deputy Secretary will advance in their respective line positions. Even if field and agency officers are promoted to line positions, they will not be equivalent to SES officers but will receive the same salary benefits.

### **7.15 Transfer and Appointment for Senior Positions:**

The positions currently held by Secretary-level officers in various services will be considered as departmental or field-level positions. All senior positions across services will be deemed equivalent in rank. For these positions, the Ministry of Public Administration will handle transfers, appointments, and promotions.

### **7.16 Mandatory Special Training before Promotion:**

Before each promotion step, it will be mandatory for an officer to undergo specific training for each level. For example, before becoming a Deputy Secretary, foundation and departmental courses must be completed; for Joint Secretary advanced courses (such as ACAD), and for Additional Secretary, courses like "Advanced Public Administration" must be completed. The officer must successfully complete the required training based on assessments before promotion.

## **7.17 Appointment of Secretary by Cabinet Committee:**

- (a) A Cabinet Committee, under the leadership of a Minister, will select officers from Additional Secretaries to recommend the promotion of a secretary or Principal Secretary to the head of the government. The current Superior Selection Board may be abolished.
- (b) For officers who may be appointed as Secretary from Additional Secretaries, provisions will be made for higher training so they may be qualified for leadership at the international level.

## **7.18 Salary Benefits in Case of No Promotion:**

If an employee reaches the highest level of promotion in any position, but does not receive an increment, and is not penalized in any departmental case, they will be recommended for the next salary scale every two years.

## **7.19 Lateral Recruitment:**

The government may recruit special qualified individuals on contract as Joint Secretaries or heads of agencies in 5% of positions outside the Superior Executive Service. However, this recruitment will be based on public notifications and evaluations by the Public Service Commission. Moreover, these recruits must complete at least a three-month orientation course before being assigned duties.

## **7.20 Appointment of Principal Secretary:**

In the case of restructuring ministries, multiple divisions will be created within them, and a secretary working in those ministries will be appointed as Principal Secretary. It is recommended that the current Senior Secretary be appointed to this position. The current title "Senior Secretary" should be abolished. There will be no salary grade or scale for the Cabinet Secretary, and Principal Secretary positions. Their salaries and benefits will be determined by the government.

## **7.21 Ensuring Line Promotion in All Cadres:**

To resolve complaints of disparity among services, especially for those services without positions in grades 1-4, it is recommended that the necessary number of positions in grades 1-4 be created where applicable. Similarly, positions for promotions in various grades should be created in proportion to the demands of each service. Public Service Commission exams/assessments will be conducted for promotions to positions equivalent to grades 5 and 3.

## **7.22 Promotions Only Against Vacant Positions:**

It has been observed that promotions are often given to more positions than are vacant, creating complications. It is recommended that promotions

be given only for positions that are vacant.

### **7.23 Legislation for Field Administration:**

Bangladesh's field administration follows the traditions and regulations from the British India and Pakistan eras. However, while India and Pakistan have separate laws for field administration, Bangladesh does not. It is recommended that a specific law for field administration be enacted to address issues of coordination between various government departments

### **7.24 Non-Cadre Officers' Participation in SES Exam:**

Non-cadre officers with a minimum of 3.5 GPA in their undergraduate and master's degrees and at least 15 years of work experience should be allowed to participate in the Deputy Secretary promotion exam.

### **7.25 Recruitment of Officers on Deputation:**

It is recommended that no officer should be appointed on deputation in any organization if there are qualified officers available within that organization. Moreover, the commission believes that it is not appropriate to appoint officers from the military to civilian positions on deputation, although this condition will not apply to retired military officers.

## **7.26 Assigning Current Duties:**

If an officer is qualified for promotion in any position, they should be promoted without being assigned to current duties. However, if no eligible officer is available for promotion, a senior officer may be assigned current charges.

## **7.27 Transfer of Powers to Appoint Employees:**

Except for first-class officers, it is recommended that district heads of relevant departments should have the power to transfer employees at the Upazila level. Similarly, departmental heads should have the power to transfer departmental employees

## **7.28 Vehicle Purchase Loan for Government Officers:**

Currently, there is a provision for vehicle purchase loans for Deputy Secretaries at the Secretariat and a monthly allowance for vehicle maintenance. However, this provision is not available for officers from other services. It is recommended to cancel this provision to reduce inequity and save government expenditure.

## **7.29 Determining Salary Scales:**

The Ministry of Finance may increase the basic salary annually based on inflation and the cost of living, as analyzed through Bangladesh Bank's

provided index, but it should not exceed 5%. A permanent salary commission may be established for this purpose.

### **7.30 Permission for Retirement:**

It is recommended that government employees be allowed to retire with full benefits after 15 years of service. This will provide a pathway for officers opting for a career change.

### **7.31 Abolishing Mandatory Retirement after 25 Years of Service:**

It is recommended to abolish the provision under Public Service Act, 2018, section 45, which allows the government to mandate retirement after 25 years of service. This change will help ensure impartial public administration.

### **7.32 Officers on Special Duty (OSD):**

It is recommended that no officer/employee be placed on OSD without specific charges. If an officer is placed on OSD, a work plan should be created for them, with the possibility of temporary assignments to teaching or training positions.

### **7.33 Appointments in the Secretariat:**

Officers who have worked as Senior Assistant Secretaries for at least two years should be given

priority for postings at the Upazila level or equivalent positions.

### **7.34 Promotion to Senior Assistant Secretary:**

It is recommended that Assistant Commissioners who have worked in the field for at least four years be promoted to Senior Assistant Secretary through merit-based exams.

### **7.35 Drug Addiction Test as Part of Health Check:**

It is recommended that candidates be tested for drug addiction during their health check after the results of Public Service Commission exams.

7.36 Appointment of Women in Block Positions: It is recommended to give priority to women for appointment to block positions. Male employees at the Upazila level may be transferred to other Upazilas.

### **7.37 Recruitment to Second and Third-Class Positions:**

If a provincial government system is implemented, a Provincial Recruitment Commission may be established to recruit for second and third-class positions in the government.

### **7.38 Reluctance of Employees at the Upazila Level:**

There have been complaints regarding negligence

of duty and poor behavior towards citizens among second, third, and fourth-class employees at the field level. A monitoring committee should be formed under the leadership of the Upazila Executive Officer, consisting of the Officer in Charge of Police, Upazila Health Administrator, Upazila Education Officer, and Assistant Commissioner.

### **7.39 Career Planning in Public Administration:**

To transform public administration into an efficient and dynamic institution, it is recommended to restructure the career planning division with suitable officers and specialists.

## **Chapter 8**

# **REFORMS FOR TRANSPARENT AND ACCOUNTABLE PUBLIC ADMINISTRATION**

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The chapter discusses various aspects of reforms aimed at improving accountability, transparency, and governance in Bangladesh's public administration. Here are the key points and

recommendations summarized:

### **8.1 Strengthening the Office of the Comptroller and Auditor General (CAG):**

To ensure transparency in public administration, guarantee the independence of audits, separate auditing from the accounting department, and improve the quality of audits, it is also recommended that an Audit Act be enacted. Previous commissions have also recommended separating the existing accounting and auditing departments of the Republic. The current commission has reiterated this recommendation.

### **8.2 Separation of Audit and Accounts Cadre:**

An initiative can be taken to separate the officers and employees of all levels, as well as the Audit and Accounts departments, both administratively and based on job specification. This division would ensure that the audit and accounting functions are clearly distinct and operate independently from one another.

### **8.3 After the Separation of Audit and Accounts Department:**

After the separation of the Audit and Accounts departments, no officer or employee at any level will have the opportunity for appointment, transfer, or posting between the two departments. To ensure equality between the

separate Audit and Accounts department at various levels, the creation of some additional posts may be necessary. Additionally, non-cadre officers in the first and second grades, as well as employees at all levels in the third and fourth grades, can be permanently assigned to the Audit and Accounts departments based on the current staffing numbers. However, after the separation, there will be no opportunity for recruitment, transfer, or exchange between the Audit and Accounts departments.

#### **8.4 Submission of Accounts Reports:**

The proposed audit law can establish a fixed deadline for submitting audit and audited account reports each year, specifying a particular month for the submission. This will ensure timely reporting and accountability in the audit process.

#### **8.5 Independent Secretariat for C&AG:**

The proposed law should establish an independent secretariat for the Comptroller and Auditor General, freeing it from the administrative control of the Ministry of Finance. This will ensure greater autonomy and impartiality in the audit process, promoting transparency and efficiency.

#### **8.6 Auditing Local Govt. Institutions:**

Since local government institutions use public funds, it is proposed that the audit of their

activities should be carried out by the Audit Department. This will ensure transparency and accountability in the use of government resources by these institutions.

### **8.7 Coordination by Ministry of Finance:**

After the separation of the Audit and Accounts Departments, the CGA (Comptroller General of Accounts), CGDF (Comptroller General of Defense), and the Railway Accounts Department will remain under the Ministry of Finance. The Comptroller General of Accounts (CGA), on behalf of the Ministry of Finance, will be responsible for coordinating the accounts of the Civil, Defense, and Railway Departments and preparing the national financial accounts. This structure will ensure better coordination and management of financial records and reports.

**8.8 Financial Management Academy:** The Financial Management Academy (FIMA) will remain under the administrative control of the Auditor General. However, the training of officers and staff at all levels from the Accounts and Audit departments can continue as it currently does within FIMA.

### **8.9 Chairpersons of the Public Accounts Committee:**

The permanent committees related to various ministries in the National Parliament and the Public Accounts Committee may be made more

effective. Opposition MPs may be appointed as chairpersons of the PAC and other important committees.

### **8.10 Effectiveness of Standing Committees:**

To strengthen the effectiveness of Standing Committees of the parliament different logistic supports should be made e.g. office accommodation, transport, research personnel and support staff.

### **8.11 Monitoring of Budget Implementation & Reporting to Parliament:**

According to Public Finance and Budget Management Act 2009 Section (15) 4, it is mandatory for the Minister of Finance to prepare a quarterly report of government income and expenditure and submit it to the next parliament session. However, it has not been followed for long time. The commission recommends that the Ministry of Finance should prepare a quarterly report of government income and expenditure and submit it to the next parliament session as per the provision of the relevant law.

### **8.12 Strengthening of Institute of Public Finance:**

There was no research and training organization for providing training for a huge number of officials working in different ministries, divisions, directorates outside the Audit and Accounts

departments. Considering its importance, Institute of Public Finance was established. The commission recommends to establish a permanent campus and appoint qualified faculty for the institute.

### **8.13 Introduction of Performance-based Budget:**

The commission recommends Finance Division to prepare a time bound work plan for transforming traditional approach for assessment of budgetary performance in terms of expenditure and efficiency to a performance-based budgetary system.

### **8.14 Strengthening the Anti-Corruption Commission (ACC):**

The Anti-Corruption Commission (ACC) should be declared an autonomous institution, enabling it to formulate its own rules and regulations. The Commission may be granted full independence in the recruitment of its officers at all levels. This will empower the ACC to operate more effectively in combating corruption and ensure greater accountability within the system.

### **8.15 Strengthening the Bangladesh Information Commission:**

To make the Bangladesh Information Commission a more effective organization, the process of selecting its chairman and members should be

conducted through a selection committee. To ensure full independence of the Commission, a judge from the High Court Division of the Supreme Court (with no prior affiliations) may be appointed as the head of the Information Commission. The Commission's branch offices may be expanded up to the administrative division level. A provision should be made to allow citizens to appeal to the Divisional Information Commissioner, if they are unable to easily access information as required.

### **8.16 Establishment of the Office of Ombudsman:**

An Ombudsman may be appointed from among the judges of the Supreme Court or, in consultation with the Supreme Court, from a neutral individual of equivalent status. According to Article 77 of the Constitution, the appointment of an Ombudsman for the country should be made as quickly as possible. The Ombudsman Act of 1980 can be amended, and an ordinance issued to enable the appointment of the Ombudsman by the President.

### **8.17 Grivance Redress System (GRS):**

After the establishment of the Ombudsman (Nayapal) office, the responsibility for complaint resolution, monitoring, and implementation of all necessary activities in ministries and all government departments will be entrusted to the Ombudsman's office.

## **8.18 Implementation of a New Performance Management System in Government Offices:**

Each ministry, department, directorate, and other government institutions will align their 'Organizational Charter' or the structure of their operations and 'Table of Organization and Equipment' (TO&E) with their vision and mission. A clear description of responsibilities and duties for each position, regardless of rank or level, must be prepared and documented for every government office and institution. Each ministry and department should develop a performance process framework, known as SOP (Standard Operating Procedure). Before creating the SOP, the Cabinet Division should review the Secretariat's guidelines and rules, updating them as necessary.

## **8.19 Introduction of a New Performance Evaluation System for Government Employees:**

Instead of the current Annual Confidential Report (ACR), a new Annual Performance Review (APR) system should be implemented. At the beginning of the year, each officer will submit their annual work plan to the supervising officer. At the end of the year, senior officers will evaluate the employees' performance based on the submitted plan. This evaluation will be conducted through mutual discussions.

The performance of employees will be assessed in four categories: Unsatisfactory, Satisfactory, Good, and Excellent. Based on their performance, employees may receive financial benefits, training, and other opportunities. Similarly, the organization may receive budget increases or special privileges based on its annual performance.

However, if an employee receives unsatisfactory performance ratings for two consecutive years, his/her promotion may be halted, and if an organization receives unsatisfactory ratings for two consecutive years, it may face restrictions on purchasing office vehicles or furniture.

## **8.20 Annual Work Plan and Performance Evaluation for Government Offices/Organizations:**

The head of each organization will prepare an annual work plan and submit it to the higher authorities at the beginning of the year. The organization's performance evaluation can be carried out either internally or through external authorities. The current Annual Performance Agreement (APA) system may be maintained, but it can be strengthened by ensuring independent evaluation processes. Based on performance, there may be provisions for budget increases or special benefits for the organization. This system aims to enhance accountability and performance within government offices and organizations,

ensuring that resources are allocated effectively based on results.

## **8.21 Publication of Annual Report by Ministries/Departments and Offices:**

Each ministry and department will be required to publish an annual performance report, which should be made publicly available on their respective websites. This report may include sections on laws and regulations, financial statements, environmental pollution, health services, crime control, and other matters of national importance. The report will highlight key activities implemented in the previous year, achievements, financial income and expenditure, and special accomplishments. This initiative will promote transparency in governance and ensure accountability in the administration, allowing citizens and stakeholders to evaluate the performance of public institutions.

## **8.22 Open Data Policy:**

The Government of Bangladesh may consider adopting an open data policy as it will enhance transparency and accountability while helping to combat corruption. Reforms to the Right to Information (RTI) Act have been recommended in previous chapters. To ensure the free flow of information, the Official Secrets Act 1923, and the Evidence Act 1872 may be revised and updated accordingly. It is also essential to guarantee the

freedom and security of the press and media, ensuring their impartial, truth-seeking, objective, and responsible reporting. Journalists should be encouraged to publish investigative reports that contribute to public awareness and accountability.

### **8.23 Appointment of 'Administrative Ombudsman':**

To ensure transparency and accountability in administrative matters, an 'Administrative Ombudsman' can be appointed as soon as possible. Instead of waiting for a law to be passed in the National Parliament, the President may issue an ordinance for the appointment of the Administrative Ombudsman. This would allow for immediate action and the establishment of the required framework to enhance the efficiency and accountability of the administrative processes.

### **8.24 Process Reforms for Ensuring Accountability in Public Administration:**

- a) The annual budget of all government ministries and departments must be easily accessible and open to the public.
- b) Measures should be taken to ensure complete transparency and adherence to fair policies in the government procurement process.
- c) Government audit activities should be carried out regularly, and the audit department must be strengthened. Audit reports should be made available to the public.

- d) Regular public hearings should be conducted to assess citizen satisfaction with government services and to address any complaints. The same recommendation was made in the previous section.
- e) Efforts should be made to build and popularize an administrative culture that ensures transparency and accountability. It may be made mandatory for every government employee to submit an annual statement of their assets in accordance with the law. The submitted asset declarations may be made open for public viewing.
- f) Whistleblowers should be encouraged in uncovering unethical, illegal, and corrupt activities. They should be provided with protection through legislation and safeguarded from all forms of harassment.
- g) The administrative tribunal should be further strengthened by providing additional personnel and logistics.
- h) A separate prosecution department for criminal cases may be established. Another prosecution department for civil cases related to government assets and interests may be established.
- i) A separate tribunal may be established for land-related cases.

## **Chapter 9**

# **REFORMS TO ENSURE NEUTRALITY IN PUBLIC ADMINISTRATION**

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The chapter discusses the importance of a neutral civil service, the techniques used to politicize public administration, areas and challenges of politicization, and the cessation of intelligence reports regarding recruitment and promotion in public administration. The following recommendations are presented:

### **9.1 Establishment of an Independent Investigation Commission:**

It is recommended to establish an independent commission to investigate civil servants involved in election fraud, money laundering, corruption, and the 2024 July-August genocide, which have severely damaged the professionalism, image, and democratic processes of public administration. There is significant public support for this action.

### **9.2 Police Verification:**

It is recommended to abolish the practice of asking political affiliations during police

verification should take place before the announcement of written and oral exam results. After a candidate passes the BCS exam, only a police report on any criminal case against the individual will be requested before final appointment by the Ministry of Public Administration. Additionally, verification on matters such as passports, dual citizenship, or NGO board memberships should be abolished. Verification should be handled by the ministry where the candidate joins.

### **9.3 Voluntary Retirement after 15 Years of Service:**

It is recommended to amend Section 45 of the Civil Service Act, 2018, to remove the mandatory retirement rule after 25 years of service. However, it should be allowed for any civil servant to voluntarily retire after 15 years of service.

### **9.4 Political Activity Participation:**

It is recommended that civil servants should not participate in political rallies or protests organized by any political party. Associations under various services should refrain from using political affiliations to criticize government decisions or organize protests. If an individual feels discriminated against, they may file a complaint through the legal framework.

## **9.5 Ensuring Safety of Government Employees:**

The safety, dignity, and financial security of civil servants must be guaranteed to ensure that they can perform their duties impartially and honestly without fear of harassment. This can be added to the Civil Servants' Protection Act, 2018.

## **9.6 Appointment of Minister's Private Secretaries (PS) and Assistant Private Secretaries:**

It has been observed that many civil servants who served as Private Secretaries to ministers have been subjected to harassment or missed promotions in subsequent governments. To avoid such situations, it is suggested that the positions of Private Secretary and Assistant Private Secretary be filled by individuals from outside the civil service, as per the preference of the ministers.

## **9.7 Standard Operating Procedure (SOP) Clear Guidelines for Political Interference in Administrative Decisions:**

It is a regular matter for public administration to make decisions on legal and policy matters. Sometimes unethical and illegal political interference disturbs the decision making processes. It results injustice, prevent public interests and ultimately mistrust on public administration. To prevent political interference in

administrative decisions, clear boundaries should be set between the duties of civil servants and elected representatives. Ministries, departments, or offices should delineate responsibilities in accordance with legal frameworks and institutional policies specially Rules of Business and Standard Operating Procedure.

### **9.8 Policy Formulation and Implementation:**

Civil servants should prepare work plans and carry out tasks based on existing regulations, while elected representatives should ensure that public services meet the expectations of the people and the government. Legislative standing committees should oversee the formulation and implementation of necessary policies.

### **9.9 Scope of Responsibilities for Elected Representatives:**

Elected representatives should not interfere in the administrative tasks of civil servants. Any minister, member of parliament, or political figure who exerts undue pressure on civil servants for illegal actions must report this to the Cabinet Secretary. Written orders should be given for any changes in official decisions, and oral instructions should not be implemented.

### **9.10 Anti-Corruption Measures in Public Administration:**

- a) All government officials, ministers, deputy

- ministers, and members of parliament should submit an annual asset declaration to the relevant department, which should be made publicly available online.
- (b) Strengthening the existing National Integrity System (NIS) is essential.
  - (c) To curb favoritism, civil servants should not serve in their own administrative departments, and the policy of transferring officers every three years to prevent corruption should be strictly enforced.

## **Chapter 10**

# **DEVELOPMENT OF COMPETENCE AND CAPABILITY IN PUBLIC ADMINISTRATION**

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The chapter discusses the framework for enhancing skills and training, as well as professional development, in public administration. The following recommendations are presented:

### **10.1 Lack of Coordination Among Training Centers:**

It is recommended to establish an independent training commission comprising experts to

improve coordination among all government training institutions and to promote excellence in training. This commission will ensure the autonomy of various institutions, provide structural reforms, and offer guidance on curriculum development and training methods.

## **10.2 Determining Training Needs:**

The need for training (TN) should be assessed and regularly evaluated to identify areas where training benefits can be maximized and improvements can be made. TN will help identify the underlying causes of skill deficiencies among government employees.

## **10.3 Foundation Training:**

The Bangladesh Public Administration Training Center (BPATC) should be developed as a Center of Excellence for basic training for all civil servants, ensuring uniform and appropriate training for newly recruited officers in all services and reducing disparities. However, BPATC in Savar cannot provide basic training for all services simultaneously; therefore, three underutilized institutions of the Bangladesh Rural Development Academy in Gopalganj, Jamalpur, and Rangpur should be designated as regional BPATCs and provide basic training using the same modules. The syllabus for basic training should be reviewed and updated as necessary.

## **10.4 Collaboration with Training Academies:**

A strong collaborative framework should be developed with various training academies. Each ministry should establish direct relationships with relevant universities to foster research and other activities. To ensure the most effective use of resources, opportunities for higher education abroad should be more strategically aligned.

## **10.5 Provision of Higher Degrees:**

In addition to pursuing higher education at renowned global universities, it is recommended that a strategic management approach be adopted to offer higher degrees, such as master's programs, through local universities with faculty members holding foreign degrees. The government could offer scholarships for such programs, which would save foreign exchange while also enhancing knowledge exchange between educational institutions and civil services. International trips, carefully planned to enhance the program's effectiveness, should be incorporated to give civil servants insight into international systems and best practices, which would be cost-effective.

## **10.6 Advanced Training:**

In addition to BPATC's existing three basic training programs, such as administrative training, officers can also receive regular training on skills

enhancement based on specific TN areas. Training applications can be solicited from officials, their evaluations and feedback on online training curricula can be gathered, allowing participants to choose convenient training times and continuously upgrade their skills.

### **10.7 Considering Training Success:**

Currently, the success of training is not considered when making decisions about transfers, promotions, and career planning. As a result, employees are not motivated to take training seriously, even when they participate. Integrating training with career development will help change this attitude. The success of training should be recorded in government employees' personal files and should be considered when promoting professionalism in government service.

### **10.8 Priority-Based Training:**

In addition to general and technical training for government employees, the following priority training should be given to district and upazila officials to ensure their proficiency in using technology for administrative tasks:

- a) Basic digital literacy and IT skills
- b) E-Governance systems and portals
- c) Data management and digital record-keeping
- d) Cybersecurity awareness

- e) Communication and collaboration tools
- f) Citizen-centric service delivery
- g) Disaster response and management  
(Medium-term)

## Chapter 11

# EFFICIENCY IN PUBLIC ADMINISTRATION

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The chapter discusses the main challenges in achieving efficiency and effectiveness in public administration and presents the following recommendations:

### **11.1 Efficiency in Service Delivery:**

#### **(a) Defining Service Standards:**

Each ministry should establish standards and benchmarks for citizen services. A system for collecting citizens' feedback can be implemented to improve the quality of services. (Medium-term)

#### **(b) Online Tracking System:**

An online tracking system can be established to measure delays in various public services. The total time taken to deliver a service can be combined with an employee's efficiency to evaluate performance. (Medium-term)

**(c) Citizen Charter:**

A Citizen Charter, which sets forth the commitment of public offices to provide services, should be updated and strictly implemented. All services provided by public offices/ministries should be clearly mentioned and be somewhat measurable. (Medium-term)

**(d) Simplifying the Service Delivery Process:**

Government employees who take important steps to simplify processes and reduce public hassle should be encouraged, and such initiatives should be recognized to motivate others. (Medium-term)

**(e) 'System-Based Token':**

In offices where large crowds typically gather for service, a system-based token system could be introduced to maintain order. (Medium-term)

**(f) Adherence to Service Delivery Time:**

The standard service delivery time for each service must be adhered to. In case of delays or rejections, the service applicant should be informed promptly. (Medium-term)

**(g) Evaluation of Service Delivery Efficiency or Failure:**

The internal audit team of the organization should independently evaluate the efficiency or failure of service delivery and submit an

annual report to the minister responsible. This report should be a public document. (Medium-term)

**(h) Reasonable Budget and Expenditure:**

Each service's budget allocation and expenditure should be reasonable, and a culture of providing services at affordable costs should be promoted. (Medium-term)

## **11.2 Streamlining the Decision-Making Process:**

Since the decision-making/approval process passes through many levels, the effective delegation of administrative and financial powers should be strictly followed. Clear guidelines and policies must be formulated for administrative procedures. A map of administrative processes should be created to identify unnecessary steps and bottlenecks. The decision-making procedures in ministries should be simplified, and most decisions should be made below the joint secretary level. If necessary, the power delegation process should be reviewed to allow routine/regular decisions to be made by joint secretaries or below. A single service center (e.g., One-Stop Service Center) could be established to reduce bureaucratic complexity. (Medium-term)

## **11.3 Digital Transformation:**

**(a) Basic Evaluation of Existing Digital Services:**

A basic evaluation/survey of existing digital services should be conducted to identify issues related to e-governance.

**(b) National E-Governance Strategy:**

A national e-governance strategy should be developed with clear goals for accessibility and efficiency.

**(c) Investment in Digital Infrastructure:**

Investments should be made in digital infrastructure for online service delivery (e.g., portals, mobile apps). (Medium-term)

**(d) Creation of a Unified National Digital Infrastructure Database:**

A unified national digital infrastructure database should be created, aligned with the needs of each ministry/department/agency.

#### **11.4 Inter-Ministerial Coordination:**

- (a) Inter-ministerial coordination is a major challenge. To address this, it is recommended to introduce an integrated public service platform based on a web portal with interconnectivity. The central web portal should connect with local e-governance initiatives. Decentralized service delivery centers should be empowered.
- (b) The digital tracking system should allow all relevant officials to provide decisions/opinions. There should be access to data and interconnectivity for data sharing. Government employees should be trained in digital tools and platforms.
- (c) The web portal should ensure citizen participation and allow feedback responses from the government.

the digital tracking system, the capacity of institutions, agencies, and human resources must be strengthened. Additionally, a system for monitoring and evaluating the performance of officers and employees should be implemented to ensure the standardization of administrative processes. Investment should be made in training and capacity-building programs for public service employees. (Medium-term)

### **11.5 Compensation Claims for Service Applicants:**

A predefined simple process should be established for service applicants to claim compensation from the ministry/department responsible for any harassment during service delivery. (Medium-term)

### **11.6 Effective Power Delegation:**

Since there are many layers in the decision-making process, effective delegation of administrative (and financial) powers should be strictly followed, and most decisions should be made below the joint secretary level. (Medium-term)

### **11.7 Performance-Based Management:**

- (a) A key performance indicator (KPI) should be introduced to evaluate the efficiency of government employees.

- (b) A regular performance review and feedback mechanism should be implemented.
- (c) A reward system could be established for high performance and innovative service.
- (d) Performance-based evaluation should be used to assess policies and programs annually. (Medium-term)

## **11.8 Reform Methods and Change Process:**

- (a) Local officers should be trained in customer service and public relations to enhance their professionalism and sense of responsibility toward public service.
- (b) Workshops and public outreach programs can be conducted to increase citizens' digital knowledge.
- (c) Collaboration with technology providers should be encouraged to create affordable digital solutions for local governance.
- (d) Social media and mobile apps should be promoted to ease communication between citizens and local governments.
- (e) Training on performance management should be provided to local government leaders to foster a culture of accountability.
- (f) Partnerships with NGOs and civil society organizations can improve service quality.
- (g) Community-based feedback mechanisms should be established to gather effective responses and assess service satisfaction.

# **Chapter 12**

# **REFORMS FOR THE EFFECTIVENESS OF PUBLIC ADMINISTRATION**

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The rationale for reforms is discussed below in relation to the role of public administration in delivering citizen services, the effectiveness of those services, and the prevalence of bureaucratic red tape. The following recommendations have been proposed:

## **12.1 Streamlining Bureaucratic Processes**

- a) Simplifying and digitizing administrative procedures for citizen service delivery:**  
This is crucial to enhance the efficiency of public administration.
- b) Analyzing data and statistics impartially:**  
This will aid in accurate policymaking and presenting relevant information to policymakers.
- c) Allocating state resources based on the needs and evidence of target populations:**  
This should be done with clear, data-driven criteria.

- d) **Establishing one-stop service centers:**  
These centers should be easily accessible to citizens for various government services.
- e) **Implementing a dynamic system for citizen feedback:**  
A system should be in place that allows citizens to provide feedback and feel heard.

## 12.2 Adoption and Application of Technology in Operations

- a) **Reviewing and revising administrative regulations, departmental allocations, and secretariat directives:**  
These should be made available online for easier access.
- b) **Dividing ministries and departments into five clusters:**  
This proposal aims to improve efficiency, as mentioned in previous sections.
- c) **Creating a central online portal for government services:**  
A single online platform will streamline access to services.
- d) **Implementing e-governance strategies:**  
This will help in modernizing service delivery and increasing efficiency.
- e) **Investing in training for employees:**  
A focus on digital tools and data management will enhance the workforce's capabilities.

**f) Introducing a digital public administration system:**

This will involve citizens in the process, ensuring better governance.

### **12.3 Diversity and Inclusion**

**a) Prioritizing women and marginalized groups in service delivery and resource allocation:**

Special focus should be given to these groups to ensure inclusivity.

**b) Raising awareness about diversity and inclusion among government employees:**

This will foster a more inclusive working environment.

**c) Ensuring that resources reach marginalized communities:**

It's essential to ensure that these groups can access services effectively.

### **12.4 Decentralization and Strengthening Local Government in Environmental Management**

**a) Implementing environmental protection and development laws:**

Relevant laws should be enforced effectively to protect ecosystems.

**b) Conduct environmental surveys before initiating projects:**

This will ensure that the environmental impact is assessed.

- c) **Empowering local government and district administrations:**  
Strengthening coordination between various ministries and departments will improve environmental management.
- d) **Transferring environmental service delivery to local governments:**  
This will allow local administrations to handle services effectively.

## 12.5 Climate Change Adaptation

- a) **Integrating national climate change strategies into government policies:**  
This should be done to ensure alignment with broader goals.
- b) **Conducting research and surveys on climate change impacts:**  
Local context should be considered when assessing climate risks.
- c) **Allocating resources for climate change mitigation projects:**  
These projects should be prioritized across different government levels.

## 12.6 Disaster Management

- a) **Strengthening the national disaster response framework:**  
This will enhance preparedness and response to natural disasters.

- b) Allocating adequate funds for disaster preparedness and risk mitigation:**  
Timely and reasonable funding should be provided to manage disaster risks.
- c) Expanding collaboration with international organizations and NGOs:**  
This will strengthen disaster response capabilities.

## **12.7 Establishing a Stronger Network Between Districts, Upazilas, and the Center**

- a) Connecting local e-governance systems to the central web portal and mobile connectivity:**  
This integration will improve the accessibility and coordination of services.
- b) Placing service delivery points in accessible locations:**  
Special attention should be given to farmers, women, and other vulnerable groups to ensure easy access to services.
- c) Providing technical training for employees:**  
Employees involved in digital service delivery must be adequately trained in relevant technologies.

These recommendations aim to enhance the effectiveness of public administration and improve service delivery to citizens through systematic reforms, technological integration, and a focus on inclusivity and decentralization.

# **Chapter 13**

## **SPECIAL RECOMMENDATIONS FOR THE REFORM OF BANGLADESH HEALTH SERVICES**

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The chapter highlights the various aspects of public health services, workforce involvement, the need for reforms, and improvements in health management. The following key recommendations are proposed:

### **13.1 Establishment of Public Service Commission (Health):**

A separate Public Service Commission (Health) is recommended for the recruitment, promotion exams, and other operations of the Bangladesh Health Service, replacing the BCS (Health) cadre. A high-level task force should be formed for detailed work plan.

### **13.2 Reorganization of the Structure of Health Service Workforce:**

The structure of health service workforce should be redefined through a committee initiated by the Ministry of Health, considering the importance of large-scale staffing. The proposed recommendations should be submitted to the Permanent Public Administration Reform Commission.

### **13.3 Restructuring of the Directorate General of Health Services:**

Restructuring of the Directorate General of Health Services is necessary to align with workforce changes. This will resolve long-term human resource issues, improve efficiency, and strengthen the health service, education, and public health systems.

### **13.4 Career Planning and Deputation Policy:**

A career planning strategy should be formulated for all levels of health service staff. Additionally, the deputation policy should consider MBBS results, performance during internships and village service, demand-based specialization, and the candidate's preferences.

### **13.5 Line Promotions:**

A clear pathway for line promotions should be established across three divisions (health service, health education, and health management), with further discussions required on the relationships between these positions.

### **13.6 Access to the Superior Executive Service:**

Health service officials should have the opportunity to compete in exams for entry into the Superior Executive Service, as recommended by the Public Administration Reform Commission.

### **13.7 Increase in the Age Limit for Initial Recruitment:**

The government may consider increasing the age limit for initial recruitment in the Bangladesh Health Service by two years.

### **13.8 Rationalization of Medical Colleges and Student Numbers:**

The number of medical colleges and students should be rationalized based on the country's population and geographical considerations. Quality improvement efforts for existing colleges are also necessary.

### **13.9 Separation of Organizational and Staffing Structures for Academic and Service Hospitals:**

Health service and health education should be fully separated, dividing hospitals into academic and service categories for better management and control.

### **13.10 Specialized Medical Institutions Outside Dhaka:**

Establishment of specialized medical institutions should be prioritized outside Dhaka to improve healthcare access in other regions.

### **13.11 Appointment of Skilled and Adequate Staff:**

Before establishing new medical institutions, it is

crucial to ensure that skilled and qualified personnel are appointed to these institutions.

### **13.12 Ensuring Attendance:**

A digital attendance system should be implemented, and physical monitoring should be enhanced to ensure employee presence. Strict actions must be taken against unauthorized absences.

### **13.13 Appointment of Doctors in Rural Areas:**

To address challenges in rural areas, a policy should be developed to encourage doctors' presence, incorporating e-logbook evaluations. Strategic workforce planning can help balance rural service needs with healthcare demand.

### **13.14 Training Policy:**

A training policy should be established to ensure health officials receive training according to national health priorities, not based on personal preferences.

### **13.15 Greater Autonomy for Specialized Medical Institutions:**

Specialized medical institutions should be given more autonomy, with the necessary legislative frameworks developed.

**13.16 CSR Programs:** Pharmaceutical industries could be encouraged to donate free medicines to government hospitals as part of their Corporate Social Responsibility (CSR).

**13.17 Budget Allocation Based on Patient Numbers:**

Government hospitals should receive budget allocations based on the number of patients treated, rather than the number of beds.

**13.18 Eradication of Middlemen:**

Effective measures should be taken to eliminate the influence of middlemen in government and private hospitals. Automated systems should be implemented to track patient numbers daily.

**13.19 Health Protection Law:**

A Health Protection Law should be introduced to balance the interests of doctors, health workers, and patients.

**13.20 Quality Control of Laboratories:**

A regulatory authority should be established to ensure the quality control of health service laboratories.

**13.21 Establishment of Training Institutes:**

Training institutes should be set up to provide

specialized training to health professionals involved in both health services and education.

**13.22 Creation of Physiotherapy Departments and Posts:** Physiotherapy departments and positions for physiotherapists should be established in all public medical colleges, specialized hospitals, and district hospitals.

### **13.23 Management of Community Health Centers:**

Private sector organizations could be entrusted with the management of community health centers in rural areas, with the government providing budget support based on certain criteria.

These recommendations aim to address key issues in Bangladesh's health sector, focusing on improving service quality, workforce management, training, infrastructure, and healthcare access.

# **Chapter 14**

## **SPECIAL RECOMMENDATIONS FOR REFORM OF THE EDUCATION SERVICE**

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It suggests the renaming of the BCS (Education) cadre to an independent "Bangladesh Education Service" and the establishment of a separate Bangladesh Education Service Commission to handle recruitment, placement, promotion, training, and other related tasks. The following recommendations are made:

### **14.1 Formation of the Bangladesh Education Service Commission:**

The previous chapter of the report recommends abolishing the BCS cadre and renaming it according to the service's specific characteristics. Therefore, the "Bangladesh Education Service" will be established, and a separate Bangladesh Public Service Commission (Education) should be set up for handling recruitment, promotion, and other examination-related tasks.

### **14.2 Regular Promotion System:**

A recommendation is made to ensure a regular promotion system for BCS General Education

cadre officers, enabling them to progress from the 9th grade to the 1st grade. A promotion policy based on competence, efficiency, experience, and educational qualifications should be formulated, with examinations or evaluation methods administered by the newly formed Education Service Commission. At least 5% of professors should be promoted to the second grade of the national pay scale, particularly those who hold a Ph.D. and have five years of experience as professors.

### **14.3 Mandatory Research:**

To create quality teachers, it is recommended that associate professors must complete at least three original research works, and professors must complete at least five research projects. The research must be published in national and international indexed journals.

### **14.4 Undergraduate and Postgraduate Education Administration:**

There are over 2200 colleges in Bangladesh offering undergraduate and postgraduate education, with seven colleges in Dhaka under the National University. The administration of these colleges is managed by the National University, which resembles the role of secondary and higher secondary education boards. The report recommends affiliating degree-level colleges in various districts and divisions with local public universities.

#### **14.5 Selection of a Principal College in Each Division and District:**

The recommendation is to select one leading college in each division and district and transform them into specialized institutions for higher education, making them closer to university-level institutions. These colleges should undergo rapid institutional and human resource assessments, and necessary investments should be made to enhance their capabilities. Professors with Ph.D. degrees and research publications should be appointed to these institutions.

#### **14.6 Establishment of a Separate Secondary Education Directorate:**

It is proposed that the Secondary Education Department be separated from the Department of Secondary and Higher Education to ensure the focus and importance of secondary education. The establishment of an independent Secondary Education Directorate is essential.

#### **14.7 Establishment of a College Education Directorate:**

It is suggested that a separate Directorate of College Education be formed, with the Director-General's post elevated to Grade-1.

#### **14.8 Introduction of Honors Programs at the College Level:**

The report suggests introducing honors programs at the college level to end dual governance and improve coordination. A committee led by the Secretary of Education should recommend steps for introducing honors programs, and the expansion of honors programs in private colleges should be limited.

#### **14.9 Modernization of the National Academy for Education Management (NAEM):**

The NAEM should be modernized to facilitate training and research in various educational matters. Regional NAEM offices could be established, and international training partnerships can be pursued.

#### **14.10 Development of Technical Education:**

Technical education should be introduced from the eighth grade onward in schools. The number of technical institutions should be increased, and Polytechnic Institutes should be upgraded to international standards. Special measures should be taken to recruit high-quality teachers, and international assistance should be sought to improve the quality of technical education.

#### **14.11 Madrasa Education Reform:**

- a) Special high-level madrasas may be established in all divisions, with a women's government madrasa in each division.

- b) Primary and secondary level madrasas should ensure that primary school students have access to all the facilities provided in primary schools.
- c) Private madrasas should undergo special monitoring and investment to improve their quality, with policies to hire qualified principals and teachers.

#### **14.12 Teacher Recruitment According to Student-Teacher Ratios:**

Due to the insufficient number of teachers relative to the student population, the recommendation is to increase the education sector's budget allocation to improve the teacher-student ratio. Special efforts should be made to fill vacant teaching positions.

#### **14.13 Formation of College and Secondary School Managing Committees:**

It is recommended that government officials should manage private colleges and secondary schools to eliminate political interference in managing committees. This will ensure better governance and management of educational institutions.

#### **14.14 Teacher Shortage in the Chittagong Hill Tracts:**

The region faces a severe shortage of teachers,

especially due to its remote location. Special recruitment measures should be taken to address this issue, considering the local population's recommendations.

#### **14.15 Establishment of Residential Schools in the Chittagong Hill Tracts:**

Due to the difficulty of commuting long distances to schools in remote hill areas, the government should consider setting up residential schools. Additionally, satellite-based internet and online schooling systems could be introduced.

These recommendations aim to improve the quality and accessibility of education in Bangladesh and address key challenges faced by the education sector.

### **Chapter 15**

## **SPECIAL RECOMMENDATIONS FOR THE REFORM OF PUBLIC ADMINISTRATION IN THE HILL DISTRICTS**

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The following recommendations have been presented, addressing coordination among various authorities, development of the tourism

and sports industries, risk allowances, education reforms, officer appointments, citizen participation in services, forest conservation, and improvements in healthcare:

### **15.1 Coordination Among Three Authorities:**

There is a need for increased coordination among the district and upazila administrations, the Hill District Council, and the military in the three hill districts. Identifying and addressing issues through inter-agency discussions is necessary. Citizens should clearly understand which authority to approach for specific issues. The government may issue instructions for district administrators to initiate these discussions.

### **15.2 Political Interference-Free Public Administration:**

Local experts in the hill districts have called for the establishment of a political interference-free public administration. Public administration in these areas should be prioritized for improvement. The government needs to assess whether district commissioners have equal authority across the three hill districts and ensure that their time is not spent unnecessarily on protocol tasks.

### **15.3 Development of the Tourism Industry:**

The hill districts have significant potential for

tourism, which should be prioritized through a comprehensive master plan. Immediate actions are recommended to address pollution in the Ranganamati Lake and to undertake special projects to make Sajek Valley a more attractive tourist destination.

#### **15.4 Sports Development:**

There is considerable potential for sports development among the indigenous communities in the hill districts. To harness this, the lack of coordination among various departments needs to be addressed. It is recommended to increase the number of staff at the district level to facilitate the organization of regular competitions and training sessions.

#### **15.5 Risk Allowance for Government Employees:**

Due to the challenging and risky working conditions in the hill districts, it is recommended to increase the risk allowance for government employees. The distinct nature of the conditions in these areas necessitates pre-posting orientation for officers. Furthermore, instead of punitive transfers, more capable and competent officers should be assigned to these challenging roles.

#### **15.6 Filling Vacant Teaching Positions:**

For the recruitment of teachers in the Rangamati

district, it is recommended that the National Teacher Registration Commission (NTRC), in collaboration with the district administration, take special measures. Additionally, efforts should be made to establish residential schools in the remote areas of the three hill districts.

### **15.7 Internet Connectivity via VSAT:**

To improve internet access in the remote hill areas, it is proposed to provide VSAT-based internet connectivity, which can facilitate the implementation of online education.

### **15.8 Public Hearing Mechanism:**

It is recommended that public hearings be conducted at the union level in the hill districts. Representatives of the target population should be included in the decision-making process before the implementation of any government program. There should also be a balance in the allocation of government funds to these districts.

### **15.9 Conservation of Forests and Biodiversity:**

Special enforcement powers need to be increased for the conservation of 700,000 acres of forest and biodiversity in the hill districts.

### **15.10 Healthcare Center Improvement:**

It is recommended to equip health centers in the

hill districts with emergency medical equipment, including X-ray machines, to improve healthcare services.

### **15.11 Provision of Water Ambulances:**

To improve accessibility for pregnant women and emergency patients, the introduction of water ambulances in the remote hill districts is recommended. There should also be an ICU bed facility for treating snakebite victims.

### **15.12 Addressing Police Force Issues:**

It is recommended to review the transportation challenges, TA/DA, and other issues faced by the police force in the hill districts and to take special measures to address them. (Medium-term)

These recommendations aim to address the multifaceted challenges faced by the hill districts, ensuring effective public service delivery and overall development.

# **Chapter 16**

## **REFORMS FOR ENSURING A GENDER-FRIENDLY ENVIRONMENT IN PUBLIC ADMINISTRATION**

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The following discussions are made on various topics, including the appointment of female dignity officers in ministries, recruitment of women for transferable positions, prioritizing women in vacancies in education and healthcare sectors, recruitment of female wardens in prisons, female ASI appointments in police stations, increasing workforce in district women's departments, and providing housing for government officials and employees at the upazila level. The following recommendations have been presented:

### **16.1 Appointment of Female Dignity Officers in All Ministries:**

It is recommended that each ministry/department appoint a female officer with specific responsibilities to create a gender-friendly work environment in their respective ministry/department and its subordinate offices. This officer will inform the Ministry Secretary and the Women's Department in writing if there are any gender-discriminatory complaints.

## **16.2 Priority Appointment of Women in Non-Transferable Positions:**

It is recommended to give priority to the appointment of women in non-transferable positions. This would allow women to manage both their careers and family responsibilities with greater ease.

## **16.3 Priority Recruitment of Women in Education and Healthcare Sectors:**

It is proposed that women be given priority in recruitment for vacancies in the healthcare and education sectors, considering their unique qualities and relaxing general recruitment rules if necessary.

## **16.4 Appointment of Female Wardens in Prisons:**

Due to the increasing number of female prisoners, it is recommended that each prison appoint an adequate number of female wardens.

## **16.5 Appointment of Female ASIs in Police Stations:**

It is recommended to appoint one female Assistant Sub-Inspector (ASI) in every police station across the country, which will make it easier for women to file complaints and seek redress in a more comfortable environment.

## **16.6 Increasing Workforce in District Women's Department:**

It is recommended to increase the workforce in the District Women's Department and provide transportation at the district level to improve their operational effectiveness.

## **16.7 Housing for Government Officials/Employees at Upazila Level:**

There is a housing shortage for government officials/employees, especially women, at the upazila level. It is recommended that the government prioritize this issue and increase budget allocations to address the housing problem.

## **16.8 Sanitary Toilets at Highway Petrol Pumps:**

Although there are toilets at petrol pumps on highways, they are not always hygienic or clean, and in many places, separate facilities for women are absent. It is recommended that immediate action be taken to address these issues and ensure that the toilets are sanitary and well-maintained.

These recommendations aim to create a more inclusive, safe, and gender-sensitive working and living environment for women in various public administrative sectors.

In Chapter Seventeen, the strategies for implementing the reform proposals of the Public Administration Reform Commission are outlined.



# 04

Summary of recommendation of  
**the anti-corruption  
commission reform  
commission**





# **MEMBERS OF THE ANTI-CORRUPTION COMMISSION REFORM COMMISSION**

## **Iftekharuzzaman**

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Executive Director  
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## **Ahmed Ataul Hakeem**

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# **MEMBERS OF THE ANTI-CORRUPTION COMMISSION REFORM COMMISSION**

## **Advocate Farzana Sharmin**

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Supreme Court of Dhaka

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\* Members are not ranked according to seniority.



Following the fall of the kleptocratic regime thanks to the glorious July 2024 uprising, Bangladesh stands at a critical phase of transition towards a truly democratic and accountable society through comprehensive reform of the state and its institutions. A key element in building the foundation for this journey is the establishment of an independent, impartial, and effective Anti-Corruption Commission (ACC). To this end, the Interim Government formed the "Anti-Corruption Reform Commission" on October 3, 2024, through a gazette notification (SRO No. 332-Law/2024). According to the notification, the primary responsibility of the Reform Commission is to prepare reform proposals necessary to transform the ACC into an effective, independent, and effective institution.

In fulfilling its mandate, the Reform Commission initially reviewed relevant literature including global good practices, various laws, regulations, policies, reports, and publications related to the ACC. It identified areas requiring reform, including the institutional independence and impartiality of the ACC, legal framework, operational procedures, accountability mechanisms, financial and institutional management, internal governance, professional capacity, corruption prevention roles, and inter-agency coordination and cooperation.

In addition to analyzing gathered information

through above means, the Reform Commission sought input from stakeholders at various levels using multiple methods, including public opinion collection. Based on the collected data, feedback, and recommendations, the Commission prepared this report with the aim of establishing the ACC as an independent, neutral and effective institution. This report, structured into seven chapters, begins with an overview of the context, formation, scope, and methodology of the Reform Commission in Chapter One. Chapter Two emphasizes the fact that reliance on the ACC alone for effectively combating corruption is insufficient, and makes a series of recommendations with a whole of state and society approach.

Some elements of the legal framework governing the ACC, and gaps in its status and structure have adversely affected its independence, impartiality and effectiveness. Chapter Three outlines the necessary steps to overcome these challenges. Chapter Four provides recommendations for reforms to enhance transparency, accountability, and effectiveness specific to procedures and rules for managing complaints, inquiries, investigations and prosecution under the ACC's jurisdiction.

The subsequent two chapters delve into the ACC's institutional and financial management including incentives and internal accountability (Chapter Five) and corruption prevention

(Chapter Six), and propose recommendations for necessary reforms in these areas. Finally, chapter seven proposes a roadmap for implementing the recommendations made in this report.

## **SUPREME COURT JUDGES' STATE INITIATIVES AND RELATED LEGAL REFORMS**

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### **Recommendation 1:**

Amend Article 20(2) of the Constitution of the People's Republic of Bangladesh as follows:

"The State shall create conditions where as a general principle, no individual can abuse constitutional or legal authority for personal gain, or enjoy unearned income, and in which human labour in every form, intellectual and physical, shall become a fuller expression of creative endeavour and of the human personality."

### **Recommendation 2:**

At the initiative of the State a National Anti-Corruption Strategy must be adopted replacing the current National Integrity Strategy 2010 that shall specify the anti-corruption roles

and responsibilities of various State and non-State institutions. And an Office of Ombudsman under Article 77 of the Constitution must be established through appropriate legislation, and empowered to ensure proper implementation of this strategy.

**Recommendation 3:**

Permanently abolish any State practice that legitimizes income from illegitimate sources.

**Recommendation 4:**

To prevent abuse of state and legal power enact a law to resolve and prevent conflict of interest.

**Recommendation 5:**

A legal framework aligned with international best practices must be created to ensure transparency of beneficial ownerships of companies, trusts or foundations. Data on such beneficial ownerships must be publicly accessible through a Beneficial Ownership Register.

**Recommendation 6:**

Ensure transparency and integrity in political and electoral financing through necessary reforms to electoral laws:

- Political parties and election candidates must

- make details of their funding and income-expenditure publicly accessible.
- The Election Commission should, with the assistance of the National Board of Revenue (NBR) and the ACC verify the completeness and accuracy of income and wealth information provided under candidates' affidavits and take appropriate actions, where necessary.
- All public representatives of all levels must submit detailed income and asset statements of themselves and their family members to the Election Commission within three months of taking office and update annually. The Election Commission must publish these declarations on its website.
- Political parties must refrain from granting party positions or nominations for elections to individuals involved in corruption or irregularities.

### **Recommendation 7:**

End-to-end automation must be introduced in services of all public institutions, particularly police stations, registry offices, revenue offices, passport offices, as well as relevant institutions in sectors like education, health, local government, district and sub-district administrations and utility providers.

### **Recommendation 8:**

Criminalize private sector bribery as a distinct offense consistent with Bangladesh's commitment under Article 21 of the UN Convention against Corruption (UNCAC).

### **Recommendation 9:**

To ensure transparency of financial transactions home and abroad Bangladesh must accede to the Convention on Mutual Administrative Assistance in Tax Matters so as to adopt and implement the Common Reporting Standards (CRS) to ensure transparency in financial transactions, both national and international.

### **Recommendation 10:**

Bangladesh should officially join the Open Government Partnership (OGP) initiative.

## **STATUS AND STRUCTURE OF THE ANTI-CORRUPTION COMMISSION**

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### **Recommendation 11:**

As an institution the ACC must be granted the constitutional status.

### **Recommendation 12:**

The number of ACC Commissioners must be increased from three to five, including at least one female commissioner.

### **Recommendation 13:**

Section 8(1) of the Anti-Corruption Commission Act, 2004, must be amended as follows:

"A person with a minimum of 15 years of experience in law, education, administration, judiciary, law enforcement, financial institutions, accounting and auditing professions, governance and anti-corruption initiatives in state or non-state institutions shall be eligible to become a Commissioner."

### **Recommendation 14:**

The tenure of ACC Commissioners must be reduced from five years to four years.

### **Recommendation 15:**

The name of the "Selection Committee" formed under Section 7 of the Anti-Corruption Commission Act, 2004, must be changed to "Selection and Review Committee." In addition to recommending names this Committee will regularly review performance of the ACC on a half-yearly basis.

## **Recommendation 16:**

The proposed "Selection and Review Committee" should consist of seven members:

- 1) The senior-most Judge of the Appellate Division of the Supreme Court (other than the Chief Justice) who will be ex-officio Chairperson of the Committee;
- 2) The senior-most Judge of the High Court Division of the Supreme Court;
- 3) The Comptroller and Auditor General of Bangladesh;
- 4) The Chairperson of the Public Service Commission;
- 5) A nominee of the Leader of the House in Parliament;
- 6) A nominee of the Leader of the Opposition in Parliament; and
- 7) a citizen of Bangladesh with experience in anti-corruption and governance, nominated by the Chief Justice.

## **Recommendation 17:**

The proposed "Selection and Review Committee" will follow the procedure outlined below to recommend names for appointment as Commissioner(s):

- Publish notices in newspapers and online, inviting applications or nominations for the position of Commissioner.

- Each applicant or nominee must submit a detailed declaration of the candidate's assets and liabilities, along with complete curriculum vitae including with two referees.
- From the applications and nominations received, the Committee will prepare a preliminary list of candidates who meet the qualifications for the position. The Committee may also include names of candidates of its own initiative.
- Based on evaluation criteria determined by the Committee, a shortlist will be created from the preliminary list. Shortlisted candidates will be invited for interviews.
- During the interviews, the Committee will assess each candidate's qualifications, skills, integrity, and future plan as an ACC Commissioner.
- The Committee may include two experienced subject-matter experts to assist in the interview process if necessary.
- Based on the interviews and assessments, the Committee will publicly announce the names of three candidates for each vacant position.
- After a minimum of seven days of public disclosure, the Committee will confidentially submit the names of two candidates for each vacancy to the President.

## **Recommendation 18:**

- The proposed "Selection and Review Committee" will review ACC activities by following these procedures:
- Every six months, the ACC will prepare a performance report and submit it to the proposed Selection and Review Committee.
- The format of the report will be determined by the Committee but must include:
  - i) Number of complaints received and forwarded for investigation after initial scrutiny.
  - ii) A brief explanation of why complaints were accepted or rejected.
  - iii) Number of ongoing cases categorized by the nature and extent of corruption.
  - iv) Number and types of ongoing covert investigations.
  - v) Details of ACC's actions regarding serious and large-scale corruption allegations reported in the media.
  - vi) Progress report on investigations and trials related to money laundering crimes.
  - vii) Updates on cooperation with various government and state agencies.
  - viii) Reports on corruption prevention activities.
  - ix) Progress on addressing internal

corruption within the ACC itself.

- x) A description of ACC's corruption prevention initiatives.
- The Committee will organize public hearings based on the reports submitted by the ACC.
- The Committee will, to the extent possible, allow participation and comments from representatives of civil society, media, and non-governmental organizations during the hearings.
- After the hearings, the Committee will issue a written review report.
- The Committee will ensure that the public hearings do not compromise the confidentiality of any ongoing investigation or inquiry, nor trigger discussions on specific allegations or cases.
- The Committee will formulate a Standard Operating Procedures (SOP) for the public hearings and ensure their proper adherence.

# **COMPLAINT MANAGEMENT, INVESTIGATION, AND TRIAL**

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## **Recommendation 19:**

To avoid delays and to streamline complaint management, the following measures must be implemented:

The recommendations of the Complaint Scrutiny and Selection Committee (JABAC) at the district or divisional ACC offices should not be subjected to further scrutiny by the central JABAC at ACC headquarters.

For complaints related to offenses below a certain level of severity (as determined by ACC guidelines), the district or divisional ACC offices should be authorized to independently take necessary actions on complaints.

## **Recommendation 20:**

If a specific individual or institution files a complaint with the ACC, a legal provision should be enacted to ensure that the ACC promptly informs the complainant in writing about the actions taken on the complaint (inquiry/investigation/settlement) along with the reasons.

### **Recommendation 21:**

To enhance the transparency of the ACC's JABAC, the following measures must be ensured:

Through the application of Rule 5(4) of the Anti-Corruption Commission Regulations, 2007, JABACs should be reconstituted at regular intervals (at least twice a month, if possible), and the same person should not serve in JABAC consecutively for an extended period.

No more than one deputed official can be among the three members of JABAC.

### **Recommendation 22:**

The current mandatory provision of pre-investigation inquiry before launching investigations for each offense listed under the ACC's jurisdiction should be abolished.

If specific information about an offense is received in writing from a specific person, the ACC should directly file a case and initiate an investigation.

If the information or message about an offense is not received in writing from a specific person, the ACC may conduct a covert inquiry based on the importance of the information or message.

### **Recommendation 23:**

The ACC must formulate a Prosecution Policy to

clearly specify which scheduled offenses it will investigate based on the severity of the offense and public interest. For other offenses, the ACC will forward the complaints to the relevant police station for investigation. Section 20 of the Anti-Corruption Commission Act, 2004, should be amended to empower the police to investigate complaints forwarded by the ACC.

**Recommendation 24:**

Section 32A of the Anti-Corruption Commission Act, 2004, should be repealed. (Under this section, the ACC is required to obtain prior approval from the government before filing a case against any judge, magistrate, or government employee, consistent with Section 197 of the Code of Criminal Procedure.)

**Recommendation 25:**

"Special Judge Courts" must be established without delay in every district where ACC offices currently exist. In other districts where new ACC offices will be established as recommended under this report, special judge courts should also be promptly set up.

**Recommendation 26:**

The potential positive and negative outcomes of introducing Plea Bargaining in offenses under the ACC's jurisdiction should be thoroughly examined

and comparatively analyzed to reach a practical decision. (In many countries, this system has significantly contributed to making anti-corruption processes more effective and dynamic. According to the ACC Reform Commission, a comprehensive examination of pros and cons of plea bargaining is necessary to assess its feasibility, especially in cases of petty corruption and money laundering.)

### **Recommendation 27:**

Through the signing of Memorandums of Understanding (MoU), focal persons must be designated, authorized by respective agencies such as NBR, CID, BFIU, and the Directorate of Registration to assist the ACC in its work.

### **Recommendation 28:**

For investigating grand corruption cases or corruption involving high-profile individuals, particularly money laundering, the ACC should form separate Task Forces for each investigation. These Task Forces should be led by the ACC and include senior officials from relevant agencies.

### **Recommendation 29:**

Section 309 of the Income Tax Act, 2023, should be amended to ensure that the confidentiality provision of this section does not apply to any information or documents requested by the ACC.

(Currently, under Section 309, statements, tax returns, accounts, or documents prepared or submitted under the Income Tax Act are considered confidential. Without a court order, the NBR cannot provide these to the ACC. Before the enactment of this law, the ACC could obtain such information or documents from the NBR without requiring a court order. This has become impossible under the new law.)

### **Recommendation 30:**

MOU should be signed with CAG and IMED so that ACC is notified and provided access to all relevant information in case corruption is uncovered or suspected by CAG and IMED during their mandated work.

## **INSTITUTIONAL AND FINANCIAL MANAGEMENT OF THE ACC**

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### **Recommendation 31:**

The number of ACC Directors General (DGs) should be increased from 8 to 12. The following 12

divisions should be created under their supervision:

- 1) Administration, Finance and Human Resources;
- 2) Prevention and Public Communication;
- 3) Information Technology;
- 4) Training, Research, and Development;
- 5) Legal and Prosecution;
- 6) Investigation-1;
- 7) Investigation-2;
- 8) Special Investigation;
- 9) Money Laundering;
- 10) Undercover Inquiry-1;
- 11) Undercover Inquiry-2; and
- 12) Internal Discipline.

### **Recommendation 32:**

The current vacant positions in the ACC must be filled up without delay. Additionally, to implement the recommendations of the ACC Reform Commission, a new organogram including required human resources must be enforced as soon as possible.

### **Recommendation 33:**

The ACC must incrementally establish adequately equipped district offices in every district of the country.

Recommendation 34: The appointment of the

Secretary of the ACC should take place through an open and competitive process via advertisements. However, if a government official is deemed eligible in the due process for the advertised position, s/he may take leave from respective parent organization and be appointed to the Secretary role in the ACC on a contractual basis.

### **Recommendation 35:**

All appointments to Director General and Director positions (excluding those appointed on deputation) should be made through an open and competitive process via advertisements. However, 60 and 75 percent of positions of Directors General and Directors respectively must be kept reserved for internal candidates of ACC subject to fulfilment of relevant competency requirements.

### **Recommendation 36:**

Up to a maximum of 10% of positions at each level (Director General, Director, and Deputy Director) may be filled through appointments on deputation. However, officials from the judiciary and law enforcement agencies appointed on deputation for the purposes of investigation, prosecution or trial will not be included in this 10% quota.

### **Recommendation 37:**

Immediate steps must be taken to establish the Permanent Prosecution Unit as stated in the ACC Act. Initially, the partial implementation of the law can begin by appointing a limited number of permanent prosecutors (10%-20%). Subsequently, by replacing further 10%-20% of contractual lawyers with permanent prosecutors annually, the complete implementation of Section 33(1) of the ACC Act, 2004 must be achieved within 5-10 years.

### **Recommendation 38:**

The ACC's overall operations, especially, complaint management, investigation, undercover inquiries, and prosecution, should be brought under end-to-end automation.

### **Recommendation 39:**

The workforce and capacity of the Digital Forensic Lab should be increased. Additionally, it should be directly reportable to the Chairman, free from influence of any of the ACC Divisions.

### **Recommendation 40:**

The ACC should establish its own Training Academy to enhance its financial, administrative, and professional/technical capacity. All categories of officials must undergo mandatory periodic professional training through this academy.

### **Recommendation 41:**

The ACC must establish its own fund. The government-approved annual budget should be deposited into this fund. Additionally, at least 10% of the fines or confiscated amounts of money collected in ACC cases must be deposited into this fund.

### **Recommendation 43:**

The ACC must have its own salary structure, where the pay scale is at least double the national pay scale. Moreover, officials and staff involved in investigations, undercover inquiries, and related tasks should receive adequate risk allowances in addition to salary.

### **Recommendation 44:**

Alongside regular annual increments, ACC officials and staff should be provided with performance bonuses from the ACC's own fund under a well-defined policy to reward efficiency and effectiveness.

### **Recommendation 45:**

With government support, the ACC should immediately form a high-powered Task Force comprising officials from various investigative and intelligence agencies to identify corrupt officials and employees. Those found guilty of

corruption should be dismissed through departmental actions and subjected to criminal prosecution.

### **Recommendation 46:**

The ACC's existing Internal Anti-Corruption Committee must be abolished and replaced by an independent Internal Discipline Division.

- This proposed division will comprise of personnel from the ACC's own workforce and individuals appointed on deputation from various defence, intelligence, and law enforcement agencies.
- Responsibilities of the proposed division shall include:
  - a) Ensuring compliance with code of conduct applicable to ACC officials and employees, using counterintelligence measures if necessary.
  - b) Conducting undercover inquiries or investigations into misconduct or corruption by ACC officials and employees.
  - c) Investigating and scrutinizing asset statements submitted under the ACC (Employees) Service Rules, 2008, and d) undertaking appropriate punitive actions when required.

# **CORRUPTION PREVENTION FUNCTIONS**

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## **Recommendation 47:**

The ACC must develop a comprehensive Corruption Prevention Strategy with the assistance of relevant experts and drawing upon objective evaluation of the success and shortcomings of its current preventive activities. The strategy should include short, medium and long-term action plan focusing on such programmes as:

- Inclusion of ethical and anti-corruption content in the school curriculum at all levels from primary to higher secondary, ensuring that such contents and applicable methods are modern, engaging, and student-friendly; Introducing governance and anti-corruption courses, trainings, internships, and fellowships at the undergraduate and postgraduate levels;
- Extensive promotion of the ACC's hotline number (106) through school textbooks, mass media, and social media platforms;
- Conducting targeted anti-corruption campaigns and awareness programs through

mass media and social media (e.g., Facebook, X, Instagram);

- Enhancing implementation of laws such as the Right to Information Act 2009, and the Public Interest Information Disclosure (Protection) Act 2011, through widespread awareness campaigns, motivation and training programs;
- Organizing promotional programs anchored on anti-corruption pledges, honesty, and adherence to human virtues and practices consistent with anti-corruption related religious edicts and values;
- Engaging the youth in anti-corruption awareness and motivational activities inspired and designed by youth themselves at local and national levels;
- Expanding partnership and collaboration activities with anti-corruption NGOs;
- In line with Article 13 of the United Nations Convention Against Corruption (UNCAC), mobilizing stakeholders, including the government, to create legal and institutional frameworks that facilitate citizen and media participation in anti-corruption activities;
- Playing a leading role in nationally observing the International Anti-Corruption Day and

- promoting anti-corruption messaging during other important national, social, cultural, religious, and political occasions; and
- Collaborating with the Information Commission and related civil society organizations to ensure the effective implementation of the Right to Information Act at the grassroots level. This should include addressing specific challenges faced by marginalized communities and groups and guaranteeing equal access to information for all citizens.

Above all, the strategy must underscore the message that corruption is not only a punishable crime but also a socially, culturally, and religiously unacceptable, destructive, and discriminatory scourge. All possible innovative and appealing methods and processes should be employed to implement a strategic and sustainable corruption prevention programme.

## **IMPLEMENTATION ROADMAP**

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In the final Chapter 7 of the ACC Reform Commission Report, a roadmap has been proposed to implement the recommendations within short-term (6 months), medium-term (18 months), and long-term (48 months) periods.

# 05

Summary of recommendation of  
**the judiciary reform  
commission**





# **MEMBERS OF THE JUDICIARY REFORM COMMISSION**

## **Justice Shah Abu Nayeem Mominur Rahman**

Commission Head  
Former Judge, Appellate Division,  
Supreme Court of Bangladesh

## **Justice Md. Emdadul Huq**

Member  
Former Judge, High Court Division,  
Supreme Court of Bangladesh

## **Justice Md. Farid Ahmed Shibli**

Member  
Former Judge, High Court Division,  
Supreme Court of Bangladesh

## **Md Masder Hossain**

Member  
Former Judge, District & Sessions Judge Court

## **Syed Aminul Islam**

Member  
Former District & Sessions Judge and Former  
Registrar General, Bangladesh Supreme Court

# **MEMBERS OF THE JUDICIARY REFORM COMMISSION**

## **Quazi Mahfujul Hoque Supan**

Member

Associate Professor, Department of Law,  
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## **Tanim Hussain Shawon**

Member

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Advocate, Bangladesh Supreme Court

## **Arman Hossain**

Member

Student, Department of Law,  
University of Dhaka

\* Members are not ranked according to seniority.



# **1. SUPREME COURT JUDGES' APPOINTMENT AND DISCIPLINE**

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- 1.1** Making provisions in the constitution to the effect that the senior-most Judge of the Appellate Division shall be appointed as the Chief Justice.
- 1.2** The views of the Chief Justice shall prevail in fixing the number of judges to be appointed in both Divisions of the Supreme Court of Bangladesh.
- 1.3** To ensure transparency in the process of appointment of the Judges of the Supreme Court, a law is to be enacted for establishment of a Commission to be called the "Supreme Court Judges Appointment Commission" consisting of nine members, including the Chief Justice as the Chairperson.
- 1.4** The Commission to invite application, select and recommend suitable applicants for appointment as Judges of the Supreme Court in accordance with the said law and the President is to make appointments accordingly.

- 1.5** The Supreme Judicial Council is to frame and publish a Code of Conduct for the Judges of the Supreme Court, both serving and retired, and also for other state functionaries, who are removable only in the manner applicable to a Supreme Court Judge.
- 1.6** The Supreme Judicial Council shall have powers to initiate proceedings against a Judge of the Supreme Court or other functionary, at the request of the President and also to initiate such proceedings on its own.

## **2. APPOINTMENT OF JUDGES IN THE SUBORDINATE COURTS AND CONDITIONS OF THEIR SERVICE**

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Appropriate actions are to be taken for the following purposes:

- (a) Constituting the Pay Commission under the Bangladesh Judicial Service (Pay Commission) Rules, 2007 for making recommendations of a new pay-scale and other benefits for the Judges of the subordinate courts.
- (b) Constituting the Pay Commission under the

Bangladesh Judicial Service (Pay Commission) Rules, 2007 for making recommendations of a new pay-scale and other benefits for the Judges of the subordinate courts.

- (c) Framing a Code of Conduct for those Judges.
- (d) Preparing guidelines for regulating their transfer from one workplace to another.
- (e) Taking appropriate steps for upholding the dignity and status (in formal settings and ceremonies) of the Judges of the subordinate courts.

### **3. SUPREME COURT JUDGES' APPOINTMENT AND DISCIPLINE**

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A Supreme Court Secretariat is to be established for the following purposes:

- For ensuring and effectively implementing the control of the Supreme Court instead of the existing executive control in the matters of transfer, promotion, grant of leave and

discipline of the judges of the subordinate courts.

A Supreme Court Secretariat is to be established for the following purposes:

- Amending Article 116 of the Constitution so as to establish the control of the Supreme Court over the Judges of subordinate courts.
- Amending the relevant service rules applicable to the judges of the subordinate courts.
- Amending Article 113 of the Constitution.
- Amending Article 88 of the Constitution so that the expenditures relating to the salary of the Judges and staff of the subordinate courts are added to the list of the charge upon the consolidated fund of the State.

## **4. DECENTRALIZATION OF THE JUDICIARY**

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- 4.1** Amending Article 100 of the Constitution for establishing permanent benches of the High Court Division at each administrative Division of the country. However, the proposed amendment

is to be made in such a way that neither the unitary character of the State nor the plenary jurisdiction of the High Court Division over the entire territory of Bangladesh is affected because of the establishment of said permanent benches.

- 4.2** Establishing Courts of Senior Assistant Judges and Senior Judicial Magistrates at such upazila (sub-district) headquarters as will be determined upon consideration of the location, distance from the district headquarters, communication facilities, demographic situation, the number of pending cases and other relevant factors.

## **5. PERMANENT GOVERNMENT ATTORNEY SERVICE**

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- 5.1** Enacting a law for establishing a permanent Government Attorney Service for representing government interest in all types of cases (criminal and civil) in the Supreme Court and subordinate courts. The proposed law will prescribe the organizational structure, appointment procedure, promotion, transfer, disciplinary action, salary structure, available benefits, and other related matters.

- 5.2** The proposed Attorney Service shall be a pensionable government service. The law will, apart from the matters mentioned in para 5.1, prescribe the arrangement for adequate infrastructure, allocation of sufficient budget, and appointment of support staff.
- 5.3** The proposed Attorney Service will have two units: a) the Supreme Court Unit, comprising the ranks of Assistant Attorney General, Deputy Attorney General, and Additional Attorney General, and b) the District Unit, comprising the ranks of Assistant District Attorney, Senior Assistant District Attorney, Joint District Attorney, Additional District Attorney, and District Attorney.
- 5.4** To ensure smooth transition, the proposed law will contain provisions to the effect that during the transitional period, the existing law officers will continue, with necessary adjustments, to function till full implementation of the proposed scheme.
- 5.5** To ensure that the members of the Attorney Service can carry out their duties free from political influences, the law will provide that they cannot be removed from the service without the sanction of an independent commission (which may be called the 'Assistance to Justice Commission'.)

## **6. PRESIDENT'S PREROGATIVE OF MERCY**

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Article 49 of the Constitution is to be amended, and a law is to be enacted for the purpose of establishing a 'Mercy Board' which is to follow specified principles on an objective basis and make recommendations for granting mercy by the President to a person convicted and sentenced by a Court. The proposed amendment will rationalize the existing arbitrary and non-transparent system of granting mercy by the President on the advice of the executive.

## **7. INDEPENDENT CRIMINAL INVESTIGATION SERVICE (CIS)**

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- 7.1** Enacting a law for constituting a permanent and independent Criminal Investigation Service (CIS). The law is to make provisions for –
- i. establishing CIS comprising suitable personnel of various Police units at the initial stage.

- ii. prescribing conditions of appointment and other matters relating to the service.
- iii. amendment of the relevant laws, such as, the Code of Criminal Procedure 1898, the Police Act 1861, the Police Regulation of Bengal 1943, and other relevant laws which prescribe procedures for criminal investigations.

**7.2** CIS will be completely separate from the police force. The members of this service will remain independent in carrying out their duties and exercising power. To ensure these aspects of the structure of CIS and the matters relating to the appointment, service conditions and control of the members of the CIS, their office accommodation, budget and related matters a separate regulatory framework will be put in place.

**7.3** During the transitional period, members from the existing Police Department will be appointed on deputation and, later on, they may be absorbed in the CIS.

**7.4** The members of the CIS will serve under the administrative control of the Home Ministry. However, to ensure that they can carry out their duties free from political influences, the law will provide that they cannot be removed from the service without the sanction of the Assistance to Justice Commission (please see 5.5., above).

## **8. AMENDMENT OF THE CONSTITUTIONAL PROVISIONS RELATING TO THE JUDICIARY:**

**23 articles to be amended and 2 articles to be added.**

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**8.1** Amendments relating to the appointment of the Chief Justice and other Judges of the Supreme Court:

- **Article 48(3):** to be amended to the effect that the President shall not Act on the advice of the Prime Minister in the matter of appointment of the Chief Justice and other Judges of the Supreme Court.
- **Article 55(2):** to be amended to the effect that the executive authority of the Prime Minister does not include matters relating to appointment of the Chief Justice and other Judges of the Supreme Court, their discipline and removal and also matters relating to transfer, promotion, discipline and removal from service of the Judges of the subordinate Courts.
- **Article 94:** to be amended to the effect that the minimum number of Judges of the Appellate Division will be 7 (seven) including

the Chief Justice and that, in fixing the number of Judges to be appointed to both the divisions, the President shall act in accordance with the advice of the Chief Justice.

- **Article 95:** to be amended to the effect that the senior-most Judge of the Appellate Division shall be appointed as the Chief Justice of Bangladesh.

## **8.2 Qualification for appointment of the Judges of the Supreme Court- Article 95 (1) to be amended to the following effect:**

- An eligible candidate must belong to any one of the three Groups: a member of the Judicial Service, a practising Advocate of the High Court Division, a member of the Government Attorney Service (when established).
- Citizenship-Bangladeshi only.
- Minimum Age-48 years.
- Experience- 15 years of practical experience in the respective profession (mere enrolment is not sufficient).

Supreme Court Judges Appointment Commission- Article 95A to be inserted in the Constitution for ensuring transparency, fairness and merit-based assessment in the appointment process.

**8.3** For securing independence, impartiality and effectiveness of the Judiciary, specific institutional reforms have been proposed including establishment of Supreme Court Judges Appointment Commission, Supreme Court Secretariat, a permanent Government Attorney Service etc. and necessary amendments have been proposed in Part VI of the Constitution (Judiciary), some other related provisions of the constitution and also in the relevant subordinate legislation relating to the Judiciary.

Amendment to 23 articles of the existing **8.3** constitution has been proposed. Those articles are: 48(3), 55(2), 56(3), 88, 94, 95, 95A (to be added), 96, 97, 98, 99, 100, 102, 104, 107, 108, 111, 112, 113, 114, 115, 116, 147, 152. In addition two new articles are to be inserted - 64A (Government Attorney Service) and 95A (Supreme Court Judges Appointment Commission).

## **9. ORGANIZATIONAL STRUCTURE OF THE SUBORDINATE COURTS**

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- Increasing the number of judges of the subordinate courts, considering the number of pending cases and the population of the relevant territorial unit.

- Establishing separate commercial courts and dedicated commercial benches in the High Court Division.
- Making arrangements for a similar staff pattern, vehicles, and office apparatus for similar types of courts.
- Removing procedural complication in and obstructions to the creation of posts for the judges.
- Fixing the same criteria for appointment of staff of the same grade and following the same procedure.
- Judicial Service Commission should be involved in the appointment process for making recommendations for appointment of specified level of staff.

## **10. FINANCIAL INDEPENDENCE OF THE JUDICIARY**

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**10.1** Budgetary allocation for the judiciary must be increased. For determining the required budget, including the budget for development works for the judiciary, the Supreme Court will constitute a committee (to be led by the Supreme Court) in

which representatives from the Executive will be included. The Supreme Court will independently spend the allocated budget with option to make adjustment in various budget heads.

- 10.2** Constituting a committee headed by the Chief Justice to recommend the salaries, privileges and other benefits of the Judges of the Supreme Court.
- 10.3** Making the Judicial Service Pay Commission a permanent body (for the Judges of the subordinate courts.)

## **11. USE OF ICT IN JUDICIAL PROCEEDINGS**

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### **11.1 In the first phase-**

- An e-judiciary project is to be launched and as part of that project the relevant laws are to be amended allowing application of ICT in specified matters in judicial proceedings.
- Starting e-filing of civil cases and achieving a target of e-filing in 20% of such cases.

- Encouraging e-filing by reducing court fees and ensuring speedy trials of those cases by giving priority to them.
- Alongside the existing manual system, e-payment of court fees, costs, fines, and other charges by the intending parties to be encouraged and allowed.
- Publishing information of all cases through an online cause list.
- Recording evidence, attendance of the parties and related matters to be completed by using e-technology.

**11.2 In the second phase**, expanding the use of ICT to 50% of all court cases.

**11.3 In the third phase**, expanding the use of ICT to 100% of all court cases.

## **12. PHYSICAL INFRASTRUCTURE OF SUBORDINATE COURTS**

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**12.1** Undertaking a Feasibility Study Project to assess the necessity and feasibility of construction of buildings for the 37 Judgeship where new

buildings have not been constructed. Based on the project recommendations, undertaking project for upward expansion of existing building where possible, and undertaking projects for construction of new buildings in other cases.

**12.2** Undertaking construction works in the 23 districts under the project called 'Chief Judicial Magistrate Court Building Construction Project for 64 districts (CJM Building Project)' where construction works have not been started yet. Initiating land acquisition process in the 5 districts where land has not been acquired yet under that project.

**12.3** Urgent construction works necessary for the following three units-

- Separate buildings in place of the dilapidated ones for 51 Chowki Courts located in 34 Upazilas (sub-districts) of 20 districts.
- 64 court rooms in the current location in 18 districts, where a single court room is shared by more than one Magistrate.
- 66 court rooms in the current location in 18 districts where single court room is shared by more than one Judge.

**12.4** Undertaking projects for construction of separate

court buildings for the Metropolitan Sessions Judgeship and Chief Metropolitan Magistracy with provision for nezarat, record room, copy room, malkhana (exhibit-room), and GRO section. Establishing separate judicial residential complexes at the district level for the judges.

**12.5** Following facilities to be provided for litigant people and others -

- Information desk;
- Waiting areas with seating facilities for witnesses;
- Seating arrangement for detainees (male and female) in the court's custody room;
- Toilets and waiting areas suitable for women and children;
- Removing iron cages for the accused in courts, if there remains any.

**12.6** Sufficient infrastructure with all necessary amenities for law-clerks.

**12.7** Sufficient infrastructure with all necessary amenities for officers and staff of the proposed Attorney Service.

# **13. COURT MANAGEMENT**

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## **Supreme Court**

- 13.1** Increasing the number of Judges in the High Court Division. Similarly, increasing the number of Judges in the Appellate Division so that at least three 3 (three) benches may function regularly in that Division.
- 13.2** For making a case ready for hearing within a reasonable time, issuance and speedy service of notices are to be ensured. For that purpose, necessary arrangements are to be made with the postal department so that notices sent by registered post are served, and service reports are made within 30 days.
- 13.3** For avoiding wastage of working time of all concerned use of ICT in the following matters to be ensured-
- submission of online mention slips by Advocates;
  - application of ICT in the process of
  - registration of cases (as far as legally possible).
- 13.4** Formulating guidelines for constituting and reconstituting Benches. One of such guidelines

should provide that in case of reconstitution of Benche(s) the concerned judge(s) is informed about the reconstitution well in advance so that s/he/they can take necessary steps about the part-heard matters or matters in which the judgement(s) is pending.

**13.5** The current practice of the Judge-in-Chamber of the Appellate Division and the relevant provisions of the Appellate Division Rules should be reviewed in order to ensure that the decision of the High Court Division may be stayed only in very urgent and limited cases and that where stay order is issued, the matter is heard and disposed of afresh by a regular Bench of the Appellate Division in the shortest possible time; stay applications in other matters are to be disposed of by the regular Bench, instead of the Judge-in-Chamber. The counsel who represented a party in the High Court Division must be given prior notice before hearing a stay application, and the current requirement of filing caveat is to be abolished.

**13.6** For ensuring online availability of the electronic copy of each order and judgment passed by the judges of the Supreme Court, the facility for using the existing web portal of the Supreme Court is to be expanded.

**13.7** Ensuring the regular and effective functioning of the Monitoring Committee of the High Court Division.

**13.8** Ensuring transparency in the process of enrolment of the Advocates for practising in the Appellate Division.

**13.9** Publication of a manual in Bangla containing rules, instructions, etc. applicable to the proceedings of the Supreme Court.

### **Subordinate Courts**

**13.10.1** Ensuring the pronouncement of judicial orders and judgments in open courts and uploading copies thereof on the website by 6 pm on the day of pronouncement.

**13.10.2** In 100% of criminal cases, the testimony of government employees (Investigating Officers, Doctors, Expert etc.) is to be taken online as per the Practice Direction of the Supreme Court dated 20.08.2023.

**13.11.1** Amending the relevant sections of the Postal Act to ensure effective service of notices sent through registered post and report thereon.

**13.11.2** Creating the posts of programmers and other IT personnel for every judicial establishment at district level and ensuring their appointment on merit.

**13.12.1** Creating the post of Judicial Administrative Officer (JAO) at the district level for ensuring proper court management.

**13.12.2** Digitizing all court registers.

**13.13** For ensuring security within the court premises and execution of judicial orders within and outside the court premises. For this purpose, a specialized group of employees are to be engaged who may be called the Martial Service of the Court, as in the USA and other countries.

## **14. REDUCING HARASSMENT OF THE LITIGANTS IN THE COURT PREMISES**

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Reducing harassment of the litigants in the court premises resulting from improper conduct and actions of various actors, for example

- a) taking leave by the concerned judge without prior public notice,
- b) non-pronouncement of the next date of a judicial proceeding in open court in each case,
- c) stoppage of judicial proceeding due to observance of various days by various groups on working days,

- d) insufficient arrangement relating to surrender of an accused person or production of arrested accused during the vacation,
- e) boycott of Courts by Advocates,
- f) closure of court proceedings in case of the death of an individual Advocate, instead of fixing a particular date for commemorating the death of all Advocates expired during the year as is done in the Supreme Court etc.

## **15. PREVENTION OF CORRUPTION IN THE JUDICIARY**

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- 15.1 Code of Conduct applicable to the judges of the Supreme Court and subordinate courts are to be framed. Such code must contain clear provisions against corruption including a requirement of furnishing by each judge after every three years, the statement of his/her assets of and publication of the same on the Supreme Court website.
- 15.2 Similarly after every three years, the statement of assets of all the officers and employees of the Supreme Court and subordinate courts are to be

furnished and published on the website of the respective Courts.

- 15.3 Setting up a complaint box in the Supreme Court for submitting to the Supreme Judicial Council written complaints against the Judges of the Supreme Court with regard to corruption and providing to the public a dedicated email address for sending such complaint by email.
  - 15.4.1 Forming a standing Preliminary Investigation Committee consisting of three Judges of the Supreme Court for investigating into the allegations of corruption against the Judges of the subordinate courts. The committee, after primary investigation, will record its decision within three months of receipt of each complaint.
  - 15.4.2 Setting up a complaint box in the Supreme Court for submitting to the said standing committee, written complaints against the judges of the subordinate court with regard to corruption and providing to the public a dedicated email address for sending such complaint by email.
  - 15.4.3 Monitoring of the proceedings undertaken and decision given by the authorities at the district level with regard to allegations of corruption against the staff members of that court.
- 15.5 Setting up a complaint box in every Judgeship and Magistracy for submitting written complaints to the respective district authority against the

support staff of that Judgeship and Magistracy with regard to corruption and further providing to the public a dedicated email address for sending such complaints by email.

- 15.6** Forming an Investigation Committee by the Bangladesh Bar Council at each district headquarters to receive and resolve complaints against the lawyers in respect of corruption.
- 15.7** Introducing an effective ‘Grievance Redress System’ to prevent corruption in the judiciary.

## **16. LEGAL AID PROGRAM**

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- 16.1** Making a new law by substituting the existing Legal Aid Act, 2000 for effectively expanding the current Legal Aid Program to the upazila (sub-district) level and rural area and for inclusion of effective mediation process as part of the Legal Aid Program. (Draft law annexed).
- 16.2** Making a new law by substituting the existing Legal Aid Act, 2000 for effectively expanding the current Legal Aid Program to the upazila (sub-district) level and rural area and for inclusion of effective mediation process as part of the Legal Aid Program. (Draft law annexed).

# **17. ALTERNATIVE DISPUTE RESOLUTION**

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- 17.1** Framing detailed Rules prescribing the procedure to be followed in settling disputes through pre-case mediation and post-case mediation and the manner of payment of fees to the mediators. For the same purpose, functional directives are to be issued from time to time.
- 17.2** Amendments to the existing Arbitration Act, 2001, as was proposed by the Law Commission.
- 17.3.1** The various other laws containing provisions relating to arbitration as a method of alternative dispute resolution should be thoroughly examined and the dispute resolution provisions of such other laws should be made consistent with the principal law of arbitration, namely, Arbitration Act 2001.
- 17.3.2** In making provisions for arbitration as indicated above, commercial arbitration should be encouraged.
- 17.3.3** Framing Rules under the Arbitration Act 2001 (as amended following the above proposal), in order to prescribe the procedure to be followed in arbitration proceedings.

- 17.4** Undertaking effective publicity programs in order to create awareness among the people about the benefit of alternative dispute resolution.

## **18. REDUCTION OF BACKLOG OF CASES**

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- 18.1.1** For reducing the backlog of cases, arrangements should be undertaken so that retired District Judges, may be appointed under section 49 of the Government Services Act, 2018 for a limited period under contract. Such judges may be assigned with the disposal of Criminal and Civil Appeal and Revision. In selecting the Judges under this scheme, the physical fitness, efficiency and reputation with regard to honesty must be considered.
- 18.1.2** For implementing the above noted proposal, amendments of the relevant laws will be necessary, namely, Specialized Court Act, 2003 and the Rules relating to Judicial Service.
- 18.2** Stopping the trial of criminal cases and taking final decision in accordance with Sections 249 and 265J of the Code of Criminal Procedure in cases where the trial has started but witnesses could not be produced for a long time.

- 18.3.1** Providing reasonable remuneration and other allowances to government law officers working at district level courts (PPs/GPs and others). In fixing such remuneration a Public Prosecutors and a Government Pleader should be treated as equal in rank with an Assistant Attorney General working in the Supreme Court.
- 18.3.2** The PPs and GPs should be provided with sufficient office accommodation on rental basis, if government accommodation is not available. They should also be provided with support staff.
- 18.4** For ensuring recording of evidence of witnesses in a relatively shorter time, the e-technology must be applied for recording their statement online as per the Practice Direction published by the Supreme Court vide Circular No. 490A dated 20 August 2023.

## **19. VILLAGE COURTS**

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Village Courts Act is to be amended as follows:

- The village court is to consist of 5 members instead of existing 3 and the Chairman of the Union Parishad shall be the head and each of the parties will select 2 members from a panel.

- Fixing minimum procedural standards to be followed.
- Village court to sit on specified dates and time.
- Supervision and monitoring of village court activities by a committee headed by the District Legal Aid Officer.

## 20. MOBILE COURTS

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Amendment of the Mobile Courts Act, 2009 as follows:

- Subject to the decision of the Appellate Division in the pending cases regarding the constitutional validity of the Mobile Courts run by the Executive Magistrates, the existing power of those Magistrates should be reduced to imposition of fine only and thus imposition of the penalty of imprisonment by them should be omitted.
- Omission of the power of government to extend the jurisdiction of mobile courts under various other laws in the guise of statutory notification under section 15 of the Mobile Court Act,

- Expansion of jurisdiction of the Judicial Magistrates in the matters of offences triable by mobile courts.

## **21. AMENDMENT OF CERTAIN LAWS RELATING TO TRIAL**

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- 21.1.1 Enhancement of the quantum of fine in place of those fixed by the century old laws.
- 21.1.2 Empowering Judicial Magistrates to impose higher level of fines as penalty.
- 21.2.1 Allowing parties to a civil suit to adduce evidence by filing affidavit.
- 21.2.2 Introducing appropriate amendments to the provisions governing the pre-trial and post-trial stages of civil cases.
- 21.3 Making new laws for the speedy disposal of civil and criminal cases, effective implementation of court-decisions, protection of witnesses and victims, requirement of hearing on sentencing, framing and publication of sentencing guidelines and other relevant aspects.

## **22. TRAINING OF JUDGES AND SUPPORT STAFF**

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- 22.1** For training of Judges and support staff, establishment of a National Judicial Academy and setting up Judicial Training Institutes (as branches) at the regional level.
- 22.2** Establishing a Judicial Research and Training Institute to conduct research on judicial issues.
- 22.3** Creating a separate 'Policy Research and Reform Management Unit' under the Ministry of Law, Justice, and Parliamentary Affairs and also in the Supreme Court.
- 22.4** Making affiliation arrangements with renowned foreign universities and training institutions and undertaking programs for training, workshops, sharing experience etc. for judges.
- 22.5** Formulating policies for training on administration of justice. Developing policies for higher education of judges relating to law and justice.

## **23. REFORMS IN LEGAL PROFESSION**

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- 23.1 Revising the existing syllabus for enrolment at the Bar and addition of laws that are often sought to be enforced through judicial process.
- 23.2 Establishment of a permanent training institute for the purpose of professional improvement of the enrolled Advocates.
- 23.3 Updating the 'Canons of Professional Conduct and Etiquette' from time to time to meet contemporary needs.
- 23.4 Amendment of Bangladesh Bar Council and Legal Practitioners Order, 1972, and the Rules made thereunder in order to-

  - a) clarify the definition of professional misconduct of lawyers,
  - b) to increase the number of permanent tribunals- at least 5 in Dhaka and at least one in each district outside Dhaka,
  - c) amend the composition of the tribunal, so that it consists of a Judge as the chairman and two advocates as members.
- 22.5 Requiring a written agreement to determine

lawyers' fees and providing a receipt to the client after each payment, under that agreement.

- 23.6 Making all Bar Associations free from political influence, so that they are not used as a tool to implement the objectives of political parties.

## 24. REFORMS IN LEGAL EDUCATION

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- 24.1 Establishing a permanent and separate Legal Education Board under the Ministry of Education having power to formulate policies for ensuring quality legal education, to monitor and control the implementation of those policies and to develop these matters.
- 24.2.1 Introducing a system of centrally controlled admission test for Law (Honours) courses in all universities.
- 24.2.2 Modernizing the law education curriculum with emphasis on research, court visits, mooting, law clinics and other practical aspects.
- 24.2.3 Developing language skill of the students with emphasis on English.

**24.3** Inclusion of appropriate writings on law and human rights in secondary classes (9-10th grade) and adding law as one of the subjects in higher secondary classes (11-12th grade).

## **25. PREVENTION OF FALSE AND HARASSING CASES**

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**25.1** For preventing false, frivolous and vexatious cases (in all criminal courts) and specific legal provisions are to be made keeping in view of realities of the country and for that purpose intensive and comprehensive research and consultation with stakeholders are to be made.

**25.2.1** Till making of the law recommended in para 25.1, a provision similar to Section 250 (Trial by Magistrate) should be inserted in Chapter 23 (Trial by Sessions Court) of the Code of Criminal Procedure.

**25.2.2** Increasing the quantum of compensation and fine mentioned in Section 250 of the Code of Criminal Procedure.

**25.2.3** Issuing instructions by the Ministry of Home Affairs to the effect that if the police suspects an

element of falsehood or harassment in a case (as for example, unusual or excessive number of accused persons in consideration of the nature of allegation), the police shall not arrest an accused person unless there is specific allegation against him in the FIR.

**25.4** Issuing instructions by the Ministry of Law to the Public Prosecutors that, if an accused is arrested by the police in a case suspected of containing element of falsehood or harassment, the public prosecutor or, as the case may be, the court inspector or court sub-inspector, will not oppose the bail of that accused in court.

**25.5** Issuance of cautionary instruction by the Bar Council through all the bar Association to the effect that if a lawyer, whether individually or in a group prevents a judicial proceeding or creates obstruction thereto in any manner or threatens or pressurizes a Magistrate or a Judge, at any stage, for example at the initial stage of a case under section 200 of CrPC, or at the time of bail hearing or giving decision on a bail matter, concrete actions will be taken against such lawyer(s).

**25.6.1** Issuance of instruction by the Ministry of Home Affairs to the effect that police shall -

- complete the investigation of all cases at the earliest;
- submit a final report in respect of the entire

case where the case is false as a whole or accused persons are undetectable;

- in case of submission of a charge sheet, recommend therein exemption of innocent persons as not sent up.

**25.7** Forming a high-powered Task Force in each administrative Division to supervise the activities mentioned in the above clauses to ensure that no real criminal is exempted from the case through collusion with the police.

## **26. CULTURE OF IMPUNITY**

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Innumerable crimes are being regularly committed but going unnoticed or being ignored or neglected. Since these offences remain out of the purview of judicial process, the victims do not get any remedy in respect of these crimes and the crimes continue to be repeated. The criminals concerned feel that they are above law and free from any liability. To overcome this situation, it is necessary to create among the public and other stakeholders awareness and then strictly enforce the law.

## **27. KEEPING THE COURT PREMISES FREE FROM POLITICAL ACTIVITIES**

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For keeping the court premises free from political activities and the consequential influence on the judicial process, necessary laws should be enacted to prohibit all types of meetings, gatherings or processions by lawyers or any other person, group or party in the court premises and to discourage lawyers from conducting active political activities in the court premises. The influence and control of political parties in the Bar Association elections should also be eliminated.

## **28. IMPROVING SOCIAL AND MORAL VALUES**

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Continuous decay in social and moral values is one of the main reasons for social degradation as a whole including the crime scenario. To overcome the situation it is necessary to take specific programs for improving the value system. To that end, chain of activities is to be undertaken so that improved moral values are taught and practiced in State activities, all sphere including family and the educational institution.



# 06

Summary of recommendation of  
**police administration  
reform commission**





# **MEMBERS OF THE POLICE ADMINISTRATION REFORM COMMISSION**

## **Safar Raj Hossain**

Commission Head  
Ex-Secretary, Ministry of Public Administration

## **Abu Momtaj Saad Uddin Ahmed**

Member  
Additional Home Secretary (Public Security  
Division)

## **Mohammad Iqbal**

Member  
Ex-Additional Secretary, Ex-Director General of  
The Department Of Narcotics Control (Dnc)

## **Mohammad Harun Chowdhury**

Member  
Ex-Divisional Commissioner and  
Joint Secretary, Ministry of Home Affairs

## **Sheikh Sajjad Ali**

Member  
Former Additional Inspector General of Police

## **Md Rafiqul Hasan**

Member  
Associate Professor, Department of Law,  
University of Dhaka

# **MEMBERS OF THE POLICE ADMINISTRATION REFORM COMMISSION**

## **Md Golam Rasul**

Member  
Barrister-at-Law  
Advocate, Bangladesh Supreme Court

## **Professor Dr Sayeda Shahina Sobhan**

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## **Mohammad Ashraful Alam**

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## **Shahnaz Huda**

Member  
Professor, Department of Law,  
University of Dhaka

## **ASM Nasiruddin Alan**

Member  
Human Rights Activist

## **Md Jarif Rahman**

Member  
Student Representative

\* Members are not ranked according to seniority.



In the context of the historic mass uprising of students and the public in July-August 2024, a 9-member Police Reform Commission was formed on October 9, 2024 headed by Safar Raj Hossain, retired Secretary of the Ministry of Home Affairs, with the aim of developing the Bangladesh Police as a people-oriented, accountable, efficient and impartial force. Later, two additional members were co-opted to make the activities of the commission more effective. The commission collected both primary and secondary information to formulate recommendations. The mixed method approach was followed in the data collection process, as part of which a national survey titled 'What do we want the police to be like' was conducted. In addition, a view-exchange meeting was organized with various levels of police officers, university teachers and experts, victims of police torture, student representatives, international development organizations, the Department of Narcotics Control, prison authorities and various stakeholders. To gain field experience, the commission visited Narsingdi District Jail and participated in a discussion meeting there. In collecting secondary data, various UN guidelines, policing reports sent by the Police Headquarters, national newspapers and various research reports were reviewed.

The current Police Reform Commission has formulated short-term, medium-term and long-term recommendations to heal the deep

The current Police Reform Commission has formulated short-term, medium-term and long-term recommendations to heal the deep wounds created in the relationship between the police and the public during the July-August mass uprising. It is hoped that these recommendations will help the police force become more people-friendly and accountable. The Commission has laid special emphasis on 15 thematic issues, the most notable of which are - protection of human rights, use of force policy, ensuring impartiality and accountability, reform of the existing legal framework, ending unnecessary harassment (centered on detention/arrest, search and interrogation), improving the quality of existing services, preventing corruption, training and capacity building, improving the working environment of the police and expanding community-based policing.

In terms of human rights protection, the Police Reform Commission recommends that the National Human Rights Commission be given full powers to investigate allegations of human rights violations by members of law enforcement agencies. In addition, it has been proposed to establish a human rights cell at the head office of the law enforcement agency to investigate allegations of human rights violations expeditiously. At the same time, emphasis has been placed on enacting a protection law for the protection of victims and witnesses and

re-evaluating its necessity by reviewing the past activities of RAB. In addition, it has been recommended to take punitive action through appropriate legal processes against the individuals and police members responsible for the killings and attacks committed by the police during the mass uprising. In terms of police force policy in mob control, the current Reforms Commission has recommended giving legal validity to a five-step plan of force, which is consistent with the Criminal Procedure Code of 1898, the Police Act of 1861 and the Bengal Police Regulations of 1943 and is well-structured in line with the UN Peacekeeping Force Policy. It is designed taking into account modern technological techniques, which will help in playing an effective role in maintaining law and order while avoiding the risk of minimum damage and loss of life. A specific proposal was received from the Police Headquarters to form a separate Police Commission to increase the impartiality and accountability of the police. In addition, the proposal to form a Police Commission was presented in various stakeholder meetings including a public opinion survey titled 'How Do We Want a Police?'. Considering the overall situation, the Commission agreed in principle to form a Police Commission to bring the activities of the police force under accountability. However, it would be appropriate to determine the structure, functions and scope of the proposed commission through a wider discussion. On the other hand, the current Reform Commission has

recommended amending or updating the existing legal framework enacted during the British era, especially the Police Act of 1861, the Criminal Procedure Code of 1898 and the Bengal Police Regulations (PRB) of 1943. All these proposals have been made with the aim of making the police a force that is people-friendly, accountable and capable of protecting human rights by making necessary amendments to these laws or enacting completely new laws and regulations.

The Reforms Commission has made several recommendations to prevent torture and harassment by the police. The Commission has recommended the full and proper implementation of the directions given by the Appellate Division of the Supreme Court in Civil Appeal No.53 of 2004 [8 SCOB (2016) AD]. The recommendations of the Commission include the obligation of police officers to provide identification during searches. To improve the quality of police services, the Commission has recommended making it mandatory to receive GDs at the police station, providing special allocation for investigation expenses and forming specialized investigation teams for criminal cases. It has been proposed to abolish the obligation to inquire about the permanent address of the job seeker and the requirement to verify political ideology in the verification process. Verification of educational qualifications will be the responsibility of the appointing authority and police verification should be completed within a maximum of 1 month.

To prevent corruption in the police, the Commission has recommended the formation of a watchdog or oversight committee as a short-term initiative and a special task force for long-term planning. It has been proposed to re-evaluate the current structure of awarding, establish transparency in the recruitment process and give priority to honesty and integrity in posting, transfer and promotion. It has been recommended to consider the results of training in promotion and posting in the quality of police training, reflect the achievements of the trainees in the ACR and ensure practical training by foreign experts in the field of organized crime. It has been recommended to make it mandatory for the trained members to work in training institutions and specialized units for a specific period, use of force according to Standard Operating Procedure (SOP) and intensive training on human rights and ethics has been included. The importance of training in performing duties with a public service attitude and respect for the law has been emphasized.

It has been recommended to ensure a healthy and humane working environment for the police in order to improve their welfare and working environment and to set specific working hours to reduce excessive workload. In addition, it has been proposed to update the fit list, reform the departmental promotion policy to ensure smooth conduct of the process of posting Superintendent of Police and Officer-in-Charge

and career planning from the level of constable and SI. To increase public service and ensure professionalism, it has been recommended to create new posts in the organogram to increase the current number of women police from 16,801 (estimated) to at least 29,248. Above all, it has been proposed to increase civic awareness by including policing and law-related practices in town hall meetings and student curricula to increase public involvement in the police. It has been recommended to further strengthen the community policing system and ensure transparency and accountability by making the progress of police station-based case activities open to the public.

Police reform is a long-term and ongoing process. As part of that process, the current reform commission has formulated some short-term, medium-term and long-term recommendations, which will help the police come closer to the people. However, there is no alternative to political will to implement the commission's proposals. In this regard, the issue of political consensus and commitment is also very important. We hope that if political will and accountability can be ensured, it will be possible to build a people-oriented, accountable, efficient and impartial police service provider institution through the implementation of the commission's recommendations.

