



**DEMOCRATIC DECENTRALIZATION
AND PROMOTION OF ACCOUNTABILITY
IN URBAN DEVELOPMENT OF BANGLADESH:
A STUDY ON KHULNA CITY CORPORATION, KHULNA
DEVELOPMENT AUTHORITY AND JESSORE MUNICIPALITY**

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Executive Summary

The success of decentralization highly depends upon the improvement of local government's accountability. Since, there are various forms of accountability according to various contexts, but in respect to decentralization concept, accountability mainly involves with the relationships between the local governments and the central government as well as with their citizens. Since, problems to accountability in decentralization vary with the practiced forms of decentralization, but there are some momentous reasons of creating problems to local government's accountability (both upward accountability and downward accountability). Though the decentralization process exists in Bangladesh, the accountability issue is a major challenge for urban development in Bangladesh. In this context, this research was an attempt to identify the upward and downward accountability issues associated with urban development. In addition this research identifies whether there are any impacts of organizational arrangement of decentralization on the promotion of accountability issues in urban development practices of Bangladesh.

The mixed method research strategy was adopted in this study. The study was conducted on Khulna City Corporation, Khulna Development Authority and Jessore Municipality to evaluate their performance in implementing accountability issues in their urban development activities. Specific methods utilized for the data collection process included analysis of grey materials, household questionnaire surveys, focus group discussions and key informant interviews. The household close-ended questionnaire survey was performed in order to collect quantitative data whereas a number of qualitative data collection techniques such as key Informant Interview (KII) and focus group discussion (FGD) were used to collect qualitative data. A sample of 218 respondents were carefully selected for two cities (Khulna and Jessore) which provided an estimate P for an attribute, perception on an item, with a std. error of 6.5%. The margin of error at 93.5% confidence level for an estimate is equal to twice, i.e. 2 times the standard error of the estimate.

Khulna City Corporation represents the organizational form of devolution for delivering services to city dwellers. It has been observed that Khulna City Corporation did not allow any community participation in road construction and maintenance services as almost 95% respondents never participated in the process of constructing or maintaining local roads. In KCC there is no system of registering formal complaints for road maintenance services as more than 95% respondents agree that informal negotiations with ward councilors or local political are the major means to get services. A large proportion of the respondents (52%) expressed their dissatisfaction with KCC in the case of road fixing. Similarly, most of the respondents (64%) expressed their dissatisfaction with cleanliness of local roads in their neighborhoods. Nearly 90% residents feel that the current frequency of waste collection does not meet their needs. It has been observed that only 10% of total respondents attended public hearings of municipal budget, but they confirm that the public hearing meetings were not participatory and city residents can only get information about municipal budget and other matters. This study identifies that a large number of respondents state they are not satisfied with City Corporation, mainly because of failure to implement citizen's priorities. Similarly, many respondents state that they did not feel free to express their opinion and also they confirm that KCC did not have enough initiatives to protect vulnerable people from abuses. Along with, a large number of residents state that they are not conscious about their participation in local government events.

In terms of participation in the decision making process of KCC, it has been observed that most of citizens participate at the local level through indirect mechanisms (89 percent), such as maintaining good network with ward councilors, local political leaders and City Corporation officials more often than through direct mechanisms, such as participation in public hearings, meetings and petitions. The findings of FGDs and key informant surveys also justify the households' survey findings. The FGDs reveal that the house owners maintained informal networks with local ward councilor in order to get their tasks done. In many cases,

citizens without having personal connections sought help from middleman who already had an informal relationship with the City Corporation or was an employee of City Corporation. The residents' participation is limited largely because they feel that this participation would ultimately be ineffective in helping them influence local decision making. Similarly, the figure also shows that 61% participants of household survey agree that awareness of local governance can affect their tendency to participate in local government meetings and planning of infrastructure development. Sense of urgency is another socio-cultural factor that affect participants' tendency to participate in local governance process. About 60% participants believe that the residents became motivated to participate when they saw themselves as being potentially negatively affected by the decisions of local government. Many respondents (more than 25%) also perceived economic condition as one of the determinants of willingness to participate. The above findings and discussions comprehensively explain why the level of community participation is low in Khulna City Corporation. The empirical study summarizes that individual's unwillingness to participate could result from individual's lack of awareness, discouraging perceptions about participation outcomes and most notably lack of institutionalization process in the planning system. Consequently, it results in a tendency to avoid participation. Therefore ensuring transparency and accountability through peoples participation has not been institutionalized in KCC.

Khulna Development Authority represents the organizational form of delegation for delivering urban services. Khulna Development Authority (KDA) is a semi-autonomous organization under the Ministry of Public Works and Housing of Government of Bangladesh. The main functions of KDA are (i) to prepare the master plan of the city and its vicinity; (ii) to develop the city following the master plan; and (iii) to control the development. A look into the planning processes adopted by KDA confirms that it upholds the core principles of community involvement. Relevant planning documents clearly outline the requirement of three-tier participation of the public for decision-making. It emphasized participation in demand mediation, formulating planning standards and in designing development. However, it is reported that only selected representatives from relevant public departments, professional groups, civil society organizations, business groups, media, political leaders and academics were consulted to determine the preliminary design of plan preparation process. In KDA there is no single unit to support the land owners for preparing the supportive documents for issuing No Objection Certification (NOC) of land use clearance. In addition there is no grievance redress mechanism in place to accommodate the complaints from the land owner. Hence the planning permission process is not accountable. It has been observed that 86.3 percent of the respondents are paying speed money to KDA officials, architectural firm or other agents outside of KDA for getting NOC. Among these informal channels KDA officials (81.4%) are getting mostly this type of speed money.

As per the section 23 of Khulna Development Authority ordinance, 1961, KDA provides feedback to the clients about their building plan permission. It has been observed that in most cases violation of setback rule is a common feedback from KDA (35.5%). Other feedbacks include adequacy of road width, violation of master plan proposals, fault in building design, problems of land entitlement and easement deed. These types of feedback without having any grievance redress mechanism causing another layer of corruption. As the complaint system is not accountable and the citizens are often using informal channels to resolve these feedbacks. It has been observed that during the KII that the complaint system is not accountable and often the feedbacks are directly provided by the chairman himself. The aforementioned issues have direct impact on the satisfaction index of the residents regarding the planning permission process and resulting through the violation of setback in the individual household level while they are constructing their buildings.

A survey of the selected neighborhoods revealed that more than 98% of respondents did not get involved in the planning process of KDA. However 98% has the willingness to participate in planning process. Among those who want to participate, around 45% would like to attend

community/ward level decision making process. However KDA has no provision for such decision making process. This study reveals that public hearings largely attracted those who perceive that they might be negatively affected by the proposed plan (18.4%). Others (23%) want to participate to get the information only. Therefore the level of participation is not referring active citizenship which can make KDA more accountable to the residents. The study findings highlight the planning agency's limitations in building up public awareness of the planning process or making a genuine effort to consult local residents to minimize potential conflicts. Furthermore, it was observed that there was no provision made within the procedure to allow further follow-on updates or feedback for those who are affected by the decision of KDA. There was similarly no provision for grievance redress mechanism to inform the community as to whether or not their objections or suggestions were incorporated in the activities of KDA.

Jessore Municipality is one of the oldest municipalities in Bangladesh. It was established in 1864. As a local government organization Jessore Municipality represents the organizational arrangement of devolution and the sole agency for urban development activities. Jessore municipality is performing the services defined by the Local Government (Paurashava) Act, 2009. It has been observed that Jessore municipality allows community participation in road construction and maintenance services as almost 74% respondents participated in the process of constructing or maintaining local roads. Indeed, these respondents participated voluntarily and through their community in the road construction process in their neighborhoods. They are all self-motivated people who steer the process of constructing new roads or repairing old roads by overseeing Jessore municipality's road construction activities. The strong presence of Ward level coordination committee (WLCC) and Town level coordination committee (TLCC) is a determining factor for such participation. It has been observed that there is a formal system of placing a complaint regarding road construction and maintenance at Jessore municipality and 34% of the respondents have used this service and they usually got the feedback within six months after complaining.

Decisions on various urban development functions, such as planning for infrastructure facilities, regular monitoring of the services, approval of municipal budget, etc., are taken in the meetings of the Jessore municipality. Representation of residents is a distinctive feature in these meetings of Jessore municipality. In Jessore, there are two different level of citizen committee; one is ward level coordination committee and another is town level coordination committee. Meetings are held periodically during which resolutions are passed on the basis of voting. According to Local Government (Paurashava) Act, 2009 participation in municipal meetings is not restricted to any category of person and may include the elected, nominated and ex-officio members, and other appointed authorities/officers associated with the local government. Besides, every meeting is open to the public. Jessore municipality allow its citizens to take part in the local government events such as council meetings, public hearing, town level coordination meetings and municipal assembly. The representation of ward level coordination committee and town level coordination committee is very significant in the governance structure of Jessore municipality. It has been observed that 48% of total respondents attended public hearings of municipal budget.

Before constructing any building a plot owner needs to apply for a permission of building construction as per the Local Government (Paurashava) Act, 2009. The findings from questionnaire survey reveal that out of 50 households 88% directly applied for the plan permission but it has been observed that they are paying speed money (54% of the respondents) to avoid unnecessary delaying in the process. In most of the cases they are paying it to Jessore municipality officials. It has been observed that Jessore municipality is giving feedback regarding building plan permission. It has been observed that in most cases violation of setback rule is a common feedback from Jessore municipality (36%). Other feedbacks include fault in building design and problems of land entitlement. These types of feedback have been well acknowledged by the respondents. As it has been observed that 76% of the respondents are satisfied by getting the feedback and only 10% registered the

complaints for these feedbacks. Revision of building plan is a common mechanism to accommodate the feedback and 90% of the respondents reported that after necessary correction the building plans were approved. While asking them about the complaint procedure they informed that the networking with ward councilor is a major issue to solve this type of problem. However, it has been observed that the grievance redress mechanism is functional in Jessore municipality. The above findings and discussions comprehensively explain why the level of community participation is higher in Jessore municipality. Incorporating communities while implementing project; independent complaints cell as grievance redress mechanism; participatory budgeting process; regular standing committees' meetings; and TLCC and WLCC meetings ensuring active participation of diversified group of people in the governance structure of Jessore municipality.

In terms of transparent and democratic decision-making process it has been observed that Khulna City Corporation which represents the organizational arrangement of devolution has few limitations. In the case of Khulna Development Authority, the scenario is very threatening in terms of transparent and democratic decision-making process regarding urban development functions. As this organization is representing central government under the organizational arrangement of delegation they are more reluctant about citizens' participation and perception as well. In the case of Jessore Municipality citizens are participating in decision making process through Ward Level Coordination Committee and Town Level Coordination Committee. It has been observed that the Local Government (Paurashava) Act, 2009 has specific recommendations for TLCC and WLCC but the Local Government (City Corporation) Act, 2009 lacks this provision. Therefore this study recommends for the amendment of the Local Government (City Corporation) Act, 2009 to make TLCC and WLCC mandatory for ensuring democratic decision making in KCC. However citizens' skeptical attitudes about the effectiveness of participation and their limited knowledge of government process have been observed. Therefore this study recommend that organizations could develop communication strategies and iterative processes to: (i) inform citizens about local government policies, programs, services, and initiatives; (ii) more effectively listen to the public; and (iii) respond to citizens' needs and incorporate their opinions into local government actions.

To ensure accountability this research identifies that there is a burning question among the citizen that 'whom should I ask for any services'. Therefore procedural clarity is a major function for making an organization accountable. It has been observed that in the case of KCC most of the respondents confirm that they did not register any formal complaints, but they informed ward-councilor and city corporation officials informally for solving any issues reading urban development. A large number of the respondents believe that informal process is more effective than formal one. Some respondents state that there is no formal system of registering complaints. In the case of KDA, the study found KDA has limited procedural justice; that the information seekers of KDA do not have the access to use the form for any services. These respondents get information verbally from the reception desk. Reception desk staffs only give direction to the service seekers towards respective service department. This impedes bar to citizens' accessibility to a particular quality of service that is responsive to their needs which also indicates limited awareness among actual or potential information seekers of KDA regarding citizens' right to get information. Therefore this study recommends that separated nodal section should be institutionalized for receiving the grievances/ complains from the citizens in general and from the service recipients in particular deploying with a senior official as nodal/focal person who will facilitate the development and implementation of the grievance mechanism.

During this study it has been observed that there is a problem of institutional cooperation in case of formulating the physical development projects for local areas. There is no established legal mechanism by which communication among public authorities in Khulna city is possible to maintain. In the case of Jessore city it has been observed that there is no problem in terms of institutional cooperation at the local level. However, dependency on central government

for project and budget approval restricts their potential to perform in different urban development activities. In Khulna city, Khulna City Corporation as a local government and Khulna Development Authority (KDA) as planning Authority have responsibility to make coordination with each other. It has been identified that in case of any important issue, KCC has opportunity to invite the members of other organization to participate actively in the meeting of KCC under section 49(15) of Local Government (City Corporation) Ordinance, 2009. But the problem is that there is no binding obligation of other organizations to participate in the meeting of KCC. As a result, the participation of KDA depends on the will of high officials. Considering this issue this study recommends that a coordination board is essential that will be represented with different governments, civil society, private and community organizations.

This study concludes that local government organizations in the form of devoluted organization (KCC and Jessore Municipality) are more accountable rather than the delegated form (KDA) of decentralization. This study also advocates for incorporation of civil society organization irrespective of the organizational arrangement of the local level organizations that are performing urban development activities. This study identifies that pro-accountability arrangements cannot be expected to arise spontaneously from devolution, but need to be intentionally structured. Therefore it can be concluded that where a single form of decentralized organization exist there is no problem of upward accountability. In terms of downward accountability which relates to the ability of the organization to be accountable to citizens; there is still some room for maneuver to ensure active citizen participation. The case of Jessore municipality justifies this aforementioned claim. However in the case of Khulna city where two different form of decentralized organization exist then the problem of upward and downward accountability prevails in a larger extent. Therefore this study recommends for better coordination mechanism among Khulna City Corporation and Khulna Development Authority.