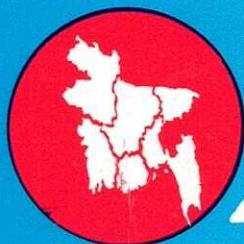


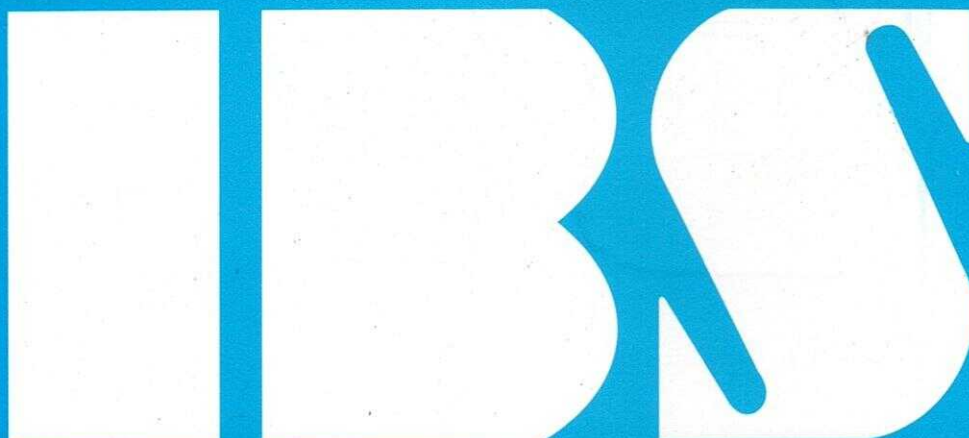
JOURNAL OF THE INSTITUTE OF BANGLADESH STUDIES

Volume 33
2010

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RAJSHAHI UNIVERSITY



ISSN 0256-503X
Vol. XXXIII 2010

**JOURNAL
OF
THE INSTITUTE OF BANGLADESH STUDIES**

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INSTITUTE OF BANGLADESH STUDIES
RAJSHAHI UNIVERSITY

JOURNAL OF THE INSTITUTE OF BANGLADESH STUDIES, Vol. XXXIII, 2010

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Published in December 2010

Published by

S.M.Golam Nabi

Secretary, Institute of Bangladesh Studies, Rajshahi University
Rajshahi, 6205, Bangladesh.

Phone: (0721) 750753

Fax : (0721) 750064

E-mail: ibsru@yahoo.com

Cover Design

Abu Taher Babu

Printed by

M/s. Shahpir Chishti Printing Press
Kadirganj, Rajshahi.

Price:

Tk. 150.00

US \$ 10.00

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LIABILITY OF THE GOVERNMENT FOR ACTIONS OF ITS OFFICIALS: GUIDING ISSUES FOR BANGLADESH

Md. Omar Faruque Munshi*
M. Anisur Rahman**

Abstract: This article relates to the exercise of power of government authority, people's rights and the remedy for governmental wrongdoing. The well established principle of administrative law is that power should be exercised within its limits. The rule of law requires that there should not be arbitrary and unfettered exercise of power. All these principles are incorporated in the constitution of Bangladesh as the constitution of most other country do. Moreover certain rights of the people are guaranteed in the constitution for the protection of which the state has the absolute obligation. This article discusses on the issue with reference to practice and legal remedy followed in developed countries. Thereafter the discussion follows in respect of Bangladesh position and legal development issues.

Introduction

At common law, the doctrine of respondeat superior applies to private sector actors, holding principals liable for wrongs committed by their agents within the scope of their employment. Now in developed countries, for example, in U.S.A. and U.K. a victim of negligent governmental action can sue the government holding its liability to pay money damages for the negligence of its employees. At one time the doctrine "king can do no wrong" was applied to give the sovereign immunity from its wrongful acts and the individuals would have no remedy who had suffered by wrongful, negligent, arbitrary or mala fide action taken by the state's authority. The contradiction is that at one place, it is the accepted principles of constitutional law that, power should be exercised within its limits and it should not be exercised in an arbitrary, mala fide or unreasonable manner, and moreover some rights of every person are guaranteed as fundamental for the protection of which the state takes the absolute responsibility, on the other, if the governmental lawlessness and trampling the most guaranteed fundamental human rights enjoyed the immunity, victims loss is unanswered. Thus it is fair reasoning that, in the way a person suffered loss by the wrongful action of another individual gets entitled to recover loss from him/her, by the same way a person suffered loss by the wrongful or lawless act of the government should have remedy to get compensation from the government. But in Bangladesh in the event of loss by reason of depriving any person of his constitutional rights in the wrongful exercise of governmental power the person suffered have no compensation from the government. The resultant effect is that the government authority can do harm to any person with impunity. Take for some

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example, some police officials operated unreasonable search in anyone's home, or arrested a person by unreasonable suspicion, or acted by personal whim, or tortured in custody. All these are invasions to a person's personal life, liberty, dignity, home and correspondence. Again take other category of wrongful actions in the hand of government officials, that in an industry the government officials disconnected the gas supply in relation to an unjustified complain or demand of highly extraordinary bills alleged to be due, in consequence the industry closed. After proceedings in the court it was found that the said action of the government was in abuse of power. In the meantime by reason of production stopped, business link cut off and reputation damaged, the industry suffered huge loss (take for example 5 corer taka). Does the government give any compensation to it or the government officials are penalized in our country? The answer is no.

In 1703, in a very well-known case *Ashby v. White*, the Chief Justice of King's bench stated:

If the plaintiff has a right, he must of necessity have a means to vindicate and maintain it, and a remedy. If he is injured in the exercise or enjoyment of it; and indeed it is a vain thing to imagine a right without a remedy; ...¹

In another well-known case *Marbury v. Madison*, Chief Justice Marshall in USA endorsed the common law requirement mandating a remedy for every wrong stating that:

It is a general and indisputable rule, that where there is a legal right, there is also a legal remedy by suit or action at law, whenever that right is invaded ... For it is a settled and invariable principle in the laws of England, that every right, when withheld, must have a remedy, and every injury its proper redress.²

And the comment of Justice Holmes is that,

Legal obligations that exist but cannot be enforced are ghosts that are seen in the law but are illusive to grasp.³

In this paper we shall examine liability for governmental wrong affecting the individual's rights, principles applied, criticisms on them and thereafter we shall discuss the right-remedy situation in Bangladesh.

Liability for Governmental Wrongdoing in USA and Compensating the Victim

In USA the most significant protection and remedy against the governmental wrongdoing is provided under section 1983 of Title 42 of the US Code. This section is a part of Civil Rights Act, 1871.⁴

¹ *Ashby v. White*, 92 Eng. Rep. 126 (K.D. 1703), cited in Tracy Thomas, "Ubi Jus, Ubi Remedium: The Fundamental Right to a Remedy Under Due Process", The University of Akron School of Law, Public Law and Legal Theory Working Paper Series No. 04-03, p.5. Available at Social Science Research Network Electronic Library at: <http://ssrn.com/abstract=564302>, accessed on 04 May, 2010.

² *Marbury v. Madison*, 5 U.S. (1 Cranch) 137, 163-66 (1803), cited in Tracy Thomas, p. 5, see supra n. 1.

³ *Ex parte United States*, 257 U.S. 419, 433 (1922), cited in Tracy Thomas, p. 7, see supra n. 1.

⁴ This section has a long history of development the discussion of which is not possible to suitably place here. The Civil Rights Act of 1871 was a response to extraordinary civil unrest during the Reconstruction period. This unrest threatened the lives of the political and economic rights of the newly freed slaves. Although closely tied to the era in which it was enacted, portions of the statute remain extraordinarily important to modern civil rights enforcement. Of

Section 1983 provides:

Every person who under colour of any statute, ordinance, regulation, custom or usage of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution or laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress...

Apart from this, in 1946 the United States Congress passed the Federal Tort Claims Act. The Act exposes the United States to liability for money damages for the negligence of its employees. The tort liability concept into the area of governmental wrongful action is of modern import. The tort remedy originally applied in the field of private wrong to remedy the personal grievances caused by the wrongful action of other individual. The common law concept of tort liability of private wrong has been imported into the area of public wrong (i. e., wrongs committed to an individual by public officials acting in exercise of governmental power) and this has been termed as constitutional torts (because the constitution defines the powers of different governmental authority and people's rights). The aim of importing such concept making the government authority liable to pay for damages is to vindicate constitutional rights and to deter constitutional violations. The points for differences between the public torts (or constitutional torts) and private torts (or the traditional common law torts) concept are worth to consider understanding this scheme of law relating to administrative liability.

James J. Park in his article "The Constitutional Tort Action as Individual Remedy" provides the following definition of "constitutional tort":

The term "constitutional tort action" encompasses all claims for damages brought against government officials for violating an individual's federal constitutional rights. Constitutional tort actions against state officials are generally brought pursuant to 42 U.S.C. § 1983. Constitutional tort actions against federal officials are generally brought pursuant to the Supreme Court's decision in *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).⁵

Park tried to describe it as follows:

many sections of the Act, Section 1 (now codified at 42 U.S.C. § 1983, and called in this entry "section 1983") is the most influential today which allows the people to sue for the governmental violations of the Constitution and federal law. It enables private citizens to affirmatively enforce these rights. Lawsuits may be brought in federal or state court, and the remedies available for violations include damages and injunctive relief. A key to Section 1983's revitalization was when the Supreme Court breathed new life into the fourteenth Amendment. The court developed an extensive theoretical framework for the due process and equal protection clauses, under which it recognized a wide variety of federally protected rights. Also, in *Monroe v. Pape* (1961), the Supreme Court interpreted Section 1983's "under colour of law" requirement to cover cases in which state and local official were not acting in accordance with law but in violation of it. This was the beginning of a series of interpretation that loosened the judicial stranglehold on civil rights legislation that had been passed during the Reconstruction era. More recently, a vast number of Supreme Court decisions relate to Section 1983. They cover issues such as the conditions under which governmental entities can be asserted to preclude suits against particular officials, the requirements for awards of damages and injunctive relief, circumstances in which federal courts should abstain from deciding a Section 1983 claim, and more.

⁵ James J. Park, "The Constitutional Tort Action as Individual Remedy", *Harvard Civil Rights-Civil Liberties Law Review*, Vol. 38(2003), p.393.

The typical constitutional tort action involves an individual who has suffered injury because of a government official's alleged wrongdoing. For example, an innocent homeowner may have been subject to an unreasonable wrongdoing. A prisoner may have been raped after being placed with an inmate with a reputation of raping other prisoners. The government may have taken an individual's property without providing adequate compensation. ... From the inception of the constitutional tort in *Monroe v. Pape*, 365 U.S. 167, 187 (1961), the Supreme Court has made it clear that "such action should be read against the background of tort liability that makes a man responsible for natural consequences of his actions." Moreover, because the common law tort was established first there is a tendency to view the constitutional tort as merely a hybrid derivative of the common law tort. ... the constitutional tort as an action is not quite a private tort, yet contains tort elements; it is not quite "constitutional law", but employs the constitutional test.⁶

Park thereafter describes the following distinctions between the constitutional torts and common law torts:

Under one formulation, a common law tort is simply "a civil wrong, other than breach of contract, for which the court will provide a remedy in the form of an action for damages."⁷ More concretely, common law torts typically involve four elements: (1) a common law duty from one individual to others; (2) that is breached through action or inaction; (3) that causes; (4) injury to another individual. Constitutional torts track the same four elements except that the duty originates from the constitution instead of the common law. Rather than running between two private individuals, a constitutional duty runs between a governmental official or municipality and the private individual. While the defendant in a common law tort action may (or may not) happen to be a governmental official or municipality, the defendant in constitutional tort action is always a governmental official.⁸

In USA prior to the introduction of constitutional torts the available remedy for governmental wrong action was not via a claim on damage action, but only through other remedies such as structural injunctions, declaratory judgments, judicial review, the exclusionary rule, and the writ for habeas corpus. Such type of judicial relief would bear the result that, the government or its officials stopped further taking the alleged action or continuing with it. But such type of remedy had little to do with the victims who had already suffered loss by reason of such action, and the type of remedy would have little force to deter the future questionable action of the government.

Criticisms on Constitutional Torts

A large number of commentators have given sophisticated arguments challenging the effectiveness of constitutional torts action. To describe these critics James J. Park states that they focus largely on the monetary aspect of constitutional tort actions.

⁶ Ibid. p. 398, Park in this attempt to clarify the issue of common law torts and constitutional torts he also referred to Marshal S. Shapo, *Constitutional Tort: Monroe V. Pape, and the Frontiers Beyond*, 60 Nw.U.L. Rev. 277, 324 (1965).

⁷ At common law, generally the tort is defined as "wrongful act" other than a breach of contract, that injures another and for which the law permits a civil (noncriminal) action to be brought. Relief may be obtained in the form of damages or an injunction. The term derives from Latin *tortum*, meaning "something twisted, wrung or crooked." Assault, defamation, malpractice, negligence, nuisance, product liability, property damage, and trespass are all (apart from their potentially criminal and contractual aspects) torts. (Britannica concise Encyclopedia: tort).

⁸ Park, *Supra* n. 2, p. 398.

Many of them view the constitutional tort actions as unnecessary burden. A significant portion of constitutional tort litigants are prisoners, they proceed *pro se* and bring frivolous claims. In such suits, the government officials as defendants must spend tax payer time and money in defending themselves against claims that may be meritless. A significant amount of time and energy of judges is also expended in adjudicating these actions.⁹

One of the leading critiques is professor Levinson. After examining the various rationales for constitutional tort actions, he concluded that, while damage awards exert some influence on government behavior, it is difficult to make clear predictions as to whether constitutional tort actions have deterrent effect.¹⁰ Another critique Jhon Jeffries argued that fully compensating all victims of constitutional violations for their past harm may discourage courts from innovating in the area of constitutional rights. According to him, courts may actually narrow the scope of constitutional rights in order to reduce the potential costs inflicted by money damages. Jeffries thus concludes that structural injunctions hold more promise for enforcing the constitutional rights than constitutional tort actions because they focus on reform that may benefit future generations rather than focusing on past injury.¹¹

Answering this James J. Park argued that, if constitutional tort actions do not deter constitutional rights violations and if compensations for constitutional rights violations is too costly, courts may be more willing to expand governmental immunities or dismiss such cases before they go to the jury. Alternatively, the legislature may restrict the rights of certain litigants to bring such actions, (to cite example he stated that, the Prison Litigation Reform Act of 1995 has already limited the prisoners' rights to bring civil suits). Further, plaintiff asserting these actions may not get the support or consideration that they deserve from the legal community. Referring to some defenders of constitutional tort actions he argued that damages have a deterrent effect that generally outweighs the costs to society. To answer the critiques' view that "damages do not have a deterrent effect and may even have the detrimental effect of keeping courts from expanding individual rights", he stated that, while the deterrent effect of awarding damages is a strong justification for having a constitutional tort action, conceptualizing that remedy solely on monetary terms is too narrow an approach. It leaves the remedy vulnerable to recent attacks questioning the cost-effectiveness of damage awards, and it limits our understanding of the constitutional tort action and its function.

He states that, the current unidimensional focus on the compensation and deterrence effect of constitutional tort leaves at least three types of issues unaddressed. First, what sorts of rights are being protected? ... Constitutional remedies differ in scope and often directed at specific areas of concern. To understand the unique remedial role of the constitutional tort action, one must understand the type of rights it protects. Second, how has the constitutional tort remedy affected the shape of constitutional rights? He argued that, constitutional tort actions shape constitutional rights in a distinct way. Rather than solely awarding money for damages caused by actionable misconduct, constitutional tort actions have defined what misconduct is actionable. Third, what sort of structural norms are

⁹ Park, *Supra* n. 2, p. 397

¹⁰ Daryl J. Levinson, "Making Government Pay: Markets, Politics and Allocation of Constitutional Costs", *University of Chicago Law Review*, Vol. 67 (2000), pp. 373-80.

¹¹ Jhon C. Jeffries, Jr., "The Right-Remedy Gap in Constitutional Law", *Yale Law Journal*, Vol. 109 (1999). Cited in James J. Park, *Supra* n. 2, p. 394.

advanced by the constitutional tort action? Since damage awards may impose substantial costs on social institutions, constitutional tort actions are seen as selfishly advancing the individual interests. He points out that, the literature downplays the influence of constitutional tort actions on promulgating certain structural rules and standards that regulate the discretion of government officials to inflict injury.

Park summarizes his answers as follows before going to further arguments upon them¹²:

Answers to these three questions require examining not only the monetary effects awarding damages, but also how the constitutional tort action forces courts to focus on and assess the circumstances of regular individuals and their interactions with government. Put another way, the constitutional tort action is an individual remedy, not just a monetary remedy. The typical constitutional tort action involves an individual who has been injured by the action or inaction of government official. The individual plaintiff will argue that the government should be liable for the injury because its conduct violates some constitutional provision. When courts adjudicate a constitutional tort action, they do not simply determine the value of an individual injury to calculate a damage award. They also assess whether the government's infliction of injury individual is constitutionally appropriate under the circumstances. This endeavor has the value that is distinct from the utilitarian effect of the damage award itself.

Constitutional tort actions are an avenue through which individuals can directly appeal to the Constitution as source of right to remedy government-inflicted injury. This sort of access is of recent phenomenon. Before the twentieth century, the Constitution primarily served a structural function, with litigation focused on the limits of government power. ... It was not until the Supreme Court decisions in *Monroe v. Pape*¹³ and *Bivens v. Six Unknown Agent of Federal Bureau of Narcotics*¹⁴ that individuals began arguing that the Constitution entitled them to damages for wrongful injury.

We have earlier cited the contention of John Jeffries criticism, fully compensating all victims of constitutional violations for their past harm may discourage courts from innovating in the area of constitutional rights. In this respect Park commented that:

When examined as an individual remedy, it becomes clear that the constitutional tort action has had more than a narrowing influence on right. By shifting the attention of the courts to the injury suffered by individuals, constitutional tort actions have influenced courts, encouraging the establishment of constitutional rights that both protect individuals from governmental injury and regulate the discretion of the government to inflict injury. As a result the concept of individual harm is now incorporated into the substance of many constitutional rights. Instead of having a wholly negative effect on the scope constitutional rights, the constitutional tort remedy contribute to a broader process of rights definition where abstract constitutional provisions are translated into terms relevant to individuals injuries.

Regardless of whether or not one can justify monetary awards for constitutional rights violations on compensation or deterrence grounds, as an individual remedy, the constitutional tort action serves a unique role in the range of remedies courts use to enforce the Constitution. The constitutional tort action sets and enforces limits on

¹² Ibid, pp. 394-396.

¹³ 365 U.S. 167 (1961).

¹⁴ 404 U.S. 388 (1971).

governmental discretion in a way that structural injunction and other remedies cannot.

Government Liability or Individual Official Liability: Which is to Choose

No doubt one of the principal goals of public tort law is to remedy the harms done to an individuals¹⁵ In addition public tort law aims to reduce the amount of public official's illegality through deterrence measure, the warning of which is implicit in compensating the injured. Indeed deterrence is a more important goal than compensation. The prospect of liability encourages the government officials to minimize their unlawful behavior. Further, holding the government liable to pay compensation for the injuries caused by its agents while acting within the scope of their employment engenders respect for the rule of law. If governmental entities, unlike private actors, were to remain immune from tort liability, they would be free to harm with impunity and be above the law.¹⁶

A system of government liability seems proper instead of individual official liability. Some commentators have rightly observed that, the imposition of liability upon individual officials may produce the negative impact upon vigorously exercising their government functions. An article on "Government Tort Liability" published in Harvard Law Review commented that:

If individual officials are held personally liable for their misconduct, they are likely to alter their behavior to minimize their exposure to risk. Government officials are particularly risk averse because— unlike their private sector counterparts who are rewarded for taking risks— government officials are rarely rewarded for "correct" decisions, the benefits of which inure to the public overall rather than to the employee. Further the complexity of technical, uncertain, and often changing rules that officials must apply; the constraints on government resources; the need to interact with the public frequently; and the speed with which many decisions must be made with little information all increase the probability that an official will engage in conduct that is latter deemed improper. Moreover the potential for personal harm from such misconduct is enormous, including reputational harm, litigation expenses, and damages liability, which can be professionally and financially devastating.

These factors all suggest that the government agents are likely to pursue strategies to minimize personal risk. Such strategies are varied: an employee may refrain from action completely, delay action, take unnecessary measures to build a record to justify his action, or choose a suboptimal, but less risky course of action.

The article opined that the policy goal of public tort law are better served by the Federal Tort Claims Act which provides for governmental liability, than under section

¹⁵ The subject matter of constitutional tort action is to deal with the liability of public officials for their acts inflicting injury to individual persons. In other words it is the tort of public officials or in short public tort action. The term "public tort" used to its counterpart "private tort". In the traditional concept of tort law only the private torts action, i.e., tort claim between the two individuals were known to exist, now in the developed concept of public official liability this concept of private tort action imported to public officials and hence in modern import this branch of law is also suitably termed as "public tort law". Since the powers and duty of public officials (acting for state) is enshrined from the constitution and in the wrongful exercise of it injures the constitutional rights of injured person for which the state has the obligation to protect, the wrong in the hand of public official is termed as "constitutional tort". In the present discussion "constitutional tort" and "public tort" also used to describe the other and vice versa.

¹⁶ "Government Tort Liability", *The Harvard Law Review Association*, Vol. 111, No. 7 (May, 1998), p. 2014. Under setting <http://www.jstor.org/stable/1342487>, accessed on 25.04.2010.

1983 of Title 42 of the US Code.¹⁷ Government liability is preferred to the liability of individual officer because of possible negative impact upon their performances. Moreover, there are some other very cogent reasons to prefer a system of government liability than of liability of individual officials. First, the injured person may be unable to identify the particular government official who caused the harm. Second, judges and juries are often reluctant to hold an official personally liable because the public employees are seen as hardworking, under paid, and merely doing their jobs. Third, individual officials are often unable to satisfy the judgments against them. Finally, and perhaps most importantly, employees, unlike governmental entities, possess official immunity, which often bars recovery.¹⁸ It was then proposed that: The system for respondeat superior liability¹⁹ or municipalities would also enhance the goals of vigorous decision making and deterrence. ... When individual officials are personally liable for their violations of law, they are likely to be overdeterred by their fear of suit and engage in self-protective behavior at the cost of vigorous performance of their duties. When liability is shifted to the governmental entity, however, the official's motivation for overly cautious decision making is significantly reduced, if not eliminated. Therefore, respondeat superior liability better promotes vigorous decisionmaking.

As the supportive view on shifting the risk to the respondeat superior, It also cited the following comment from Larry Krammer and Alan o. Sykes, *Municipal Liability Under §1983: A Legal and Economic Analysis*:

Respondeat superior liability would also improve the efficiency of risk allocation by spreading the risk of loss "from typically inefficient risk-bearers (victims and municipal employees) to a typically superior risk bearer that can distribute the risk broadly among the taxpaying public."²⁰

Government Tort Liability in U.K.

Government tort liability for wrongful action by its public officials causing injury to individual persons is also established in U.K. But unlike U.S.A. where public tort liability is dealt with specific statute of legislature, in U.K. it is governed by the common law principles of torts, applied by the courts on broad interpretation of duty of public body and injury to individual person caused in discharge of public function.

Some example of cases where the government authority held liable to pay damages for harm caused by it is cited below:

- I. Post office workmen left a manhole open in a street, covered with a tent and surrounded with warning lights. A Child, tempted to investigate, knocked a lamp into the manhole causing the explosion which injured him. *Hughes v. Lord Advocate* (1963) AC 837
- II. A district council built an air-raid shelter in road but left it unlit at night, so that a motorist was injured. *Fisher v. Ruislip-Northwood UDC* (1945) KB 584; cf. *Morrism vs. Sheffield Cpn.* (1917) 2 KB 866; *Baldock vs. Westminster CC* (1918) 120 LT 470.
- III. Local council failed to repair a dangerous step in one requisitioned house and a dangerous ceiling in another, whereby occupiers were injured. *Hawkins v. Coulsdon & Purely UDC* (1954) 1 QB; *Greene v. Chelsea BC* (1954) 2 QB 127.

¹⁷ *Op. cit.*

¹⁸ "Government Tort Liability", *Harvard Law Review*, cited supra n. 12, p. 2018.

¹⁹ *Ibid.*

²⁰ *Ibid.*

- IV. Surgeons and medical staff of hospital, for whom the Ministry of Health were responsible, treated a patient's hand in way as to render it useless. *Cassid v. Ministry of Health* (1951) 2 KB 343.
- V. A water board supplying water through old pipes, neglected to warn or protect consumers who suffered lead poisoning. *Barrens v. Irwell Valley Water Board*. (1938) 1 KB 21. Also may be seen *Reed v. Croydon Corpn.* (1938) 4 All ER 631 (typhoid).

These examples show that an action for negligence or wrongful act caused by government department or its officials is familiar in UK. A broad principle of liability described by Lord Blackburn:

It is now thoroughly well established that no action will lie for doing that which the legislature has authorized, if it be done without negligence, although, it does occasion damages to anyone; but an action does lie for doing what the legislature has authorized, if it be done negligently.²¹

This was the case where a reservoir company had statutory power to make use of a certain stream but neglected to clean it out, so that their use of it caused flooding and made them liable to pay damages to the affected litigant. Wade opined for holding the absolute liability in appropriate cases without requiring proof of existence of negligence. He stated that where a statute imposes a duty, it is sometime to be inferred that any person injured as a result of breach of the duty shall have a remedy in damages, even in the absence of negligence.²²

Wade states that, in public law there is a clearer principle of liability, which depends not upon statutory interpretation but upon a general rule of law.²³ He referred to the following decision of House of Lords given in *Ferguson v. Kinnoull (Earl)*²⁴:

When a person has an important duty to perform, he is bound to perform that duty; and if he neglects or refuses to do so, and an individual in consequence sustains injury, that lays the foundation for an action to recover damages by way of compensation for the injury that he has so sustained.

Similarly in 1873 Bovil, C.J. said:

It is a general rule of law that, when a ministerial duty is imposed, an action lies for breach of it without malice or negligence.²⁵

Lord Justice Farwell even held the stricter view in the case *Dowson & Co. v. Bingley Urban District Council*:

The breach of a statutory duty created for the benefit of an individual or a class is a tortious act, entitling anyone who suffers special damage therefrom to recover such damages against the tortfeasor ... the breach of the statute is sufficient cause of action, because the tortious act, being done in breach of the statute, becomes by legal intendment an act done with intent to wrongful injury, just as false and libelous statement is by legal intendment made maliciously. The act done or omitted may,

²¹ *Geddis v. proprietors of Bann Reservoir* (1873) 3 App. Cas. 430 at 455. Cited in Sir William Wade, *Administrative Law*, (Oxford: Clarendon Press, 6th ed., 1988). P. 759. Hereinafter will be referred to as "Wade, Administrative Law".

²² Wade, *Administrative Law*, p. 772 referring to Salmond on Torts, 16th ed., Ch.10; Craies Statute Law, 7th ed., 229; and for a valuable discussion he referred to 100 LQR 204 (R.A. Buckley).

²³ Wade, *Administrative Law*, p. 773.

²⁴ (1842) 9 Cl. & F 251 at 280 (Lord Lyndhurst, LC). Lords Brougham and Campbell concurring (at 289, 310).

²⁵ *Pickering v. James* (1873) LR 8 CP 489 at 503, (also Brett J. at 509), cited in Wade, *Administrative Law*, 773.

apart from the statute, be innocent, or its omission may be not actionable, but the enactment makes it actionable.²⁶

According to Wade, in the traditional concept of tort negligence must have to be shown to hold liable a public authority for the breach of a statutory duty. Although this provided the basis of tort action against the public official's breach of statutory duty, the extensive modern tort of negligence may disguise the face that behind it lies the liability for mere breach of statutory duty, without either malice or negligence. The traditional concept of tort law with its elements is not the strict requirement in modern concept of "public tort liability", i.e. liability of public officials. Wade attempted to explain it by referring to some cases and 14th report of the Public and Administrative Law Reform Committee New Zealand as below:

Even where there is no ministerial duty as stated above, and even where no recognized tort such as trespass, nuisance, or negligence is committed, public authorities or officers may be liable in damages for malicious, deliberate or injurious wrong-doing. There is thus a tort which has been called misfeasance in public office, and which includes malicious abuse of power, deliberate maladministration, and perhaps also other unlawful acts causing injury.²⁷

Although there exist wide difference of opinions on the question of government tort liability, Wade states that, main principles of liability, seem now to be emerging clearly. It can be said that administrative action which is *ultra vires* but not actionable as a breach of duty will found an action for damages in any of the following situations:

- I. If it involves the commission of a recognized tort such as trespass, false imprisonment or negligence;
- II. If it actuated by malice, e.g. personal spite or a desire to injure for improper reasons;
- III. If the authority knows that it does not possess the power to take the action in question

Accountability of Government Officials and Protection of Peoples Rights in Bangladesh

Apart from the constitution the law relating to accountability of government officials for their action is absent in our country. The constitution of the People's Republic of Bangladesh, as the constitution of the most other countries do, sets the limit in which the power of the three main organs of the state (legislative, executive and judiciary) is to be exercised, moreover in part III of the constitution it describes the rights of the persons for the protection of which, the state takes the absolute responsibility. Although the scheme of the constitution as the supreme law of the country describes the powers and duties of the organs of the state and gives protection of rights of persons in the exercise of such powers, the remedial measure in law for compensating the victim who has suffered loss by the governmental wrongdoing or negligent act or abuse of power is silent.

The constitution of Bangladesh in part III (articles 26 to 44) incorporates all the rights of the Universal Declaration of Human Rights (UDHR) declared and adopted by the UN. Some most important constitutional rights which are frequently invaded in the hand of government officials are stated below:

Article 27: Equality before Law

²⁶ (1911) 2 KB 149 at 156, cited in Wade, Administrative law, p. 774.

²⁷ Wade, Administrative law, p. 777.

- Article 28: Prohibition of Discrimination
- Article 29: Equality of Opportunity in Public Employment
- Article 31: Right to Protection of Law
- Article 32: Protection of Right to Life and Personal Liberty
- Article 33: Safeguards as to Arrest and Detention
- Article 37: Freedom of Movement
- Article 38: Freedom of Association
- Article 39: Freedom of Thought and Conscience, and of Speech
- Article 42: Rights to Property
- Article 43: Protection of Home and Correspondence

Below are some incidences reported in News Papers and Human Rights Commission publications evidencing the types of governmental wrongdoings causing serious loss to the person aggrieved and raising the accountability issue of the government to the conscious of every civilized person. The result of those incidences shows that the government can do harm to any person with impunity although the victim approaching to the court gets declaration that the government acted in violation of law. It sounds very unreasonable to say that, the wrong if committed by a person other than the government authority, the victim could have compensation against that individual, whereas the government is impugned for its wrongdoing however graveness of the injury to the victim's rights may be, say deprivation of life, liberty, or property.

Case Study One

Source: The Daily Sangbad, dated: 12 July, 2010. Published from Dhaka.

News Title: 11 Police Personnel are Accused for Custodial Death Short fact:

One Rajab Ali of village Bamihai, Singra thana, Natore, sought permission by an application to the Ministry of Home Affairs to file criminal case against some police personnel on the accusation of committing custodial death by exercising oppression upon his son named "Anser" in police custody. On 6th January, 2009 Ministry of Home Affairs accorded him permission to file the case. Thereafter Rajab Ali filed the Complaint Register Case (C. R. Case No. 175/10). In that case 21 persons were made accused including Additional Police Super Ashique Sayeed, Asst. Police Super (Sadar Circle) Ashraful Haque, Officer in Charge of Singra Thana Abu Bakkar, performing duty the in the said posts at the relevant time. The complaint stated that the accused after deliberately committing death of his son tried to publicize it as "death on crossfire". The additional Chief Judicial Magistrate, Natore upon taking cognizance the matter charged a Judicial Magistrate to conduct the judicial inquiry upon the matter. During the judicial inquiry 12 witnesses were examined and it was found that the police on 23rd July, arrested the complainant's son Anser at night between 9 p.m. to 10 p.m., from his home and brought him to Singra Police Station. The investigation report stated that, on 26th July at night Anser was murdered by shoot and inflicting bodily injury with sharp weapon in the jungle at Kakian, a place 25 k.m. away from the Singra police station. In the investigation report it was wondered on the police story that how the said Anser got together with a group of dacoits at the said jungle situated 25 k.m. away from the police station although he was in custody of police. Thereafter the report further stated that, after committing death of Anser in police custody, his dead body was fell out in the said jungle at Kakian.

The said case is now under trial.

Case Study Two

Source: The Daily Sangbad, dated: 12 July, 2010. Published from Dhaka.

News Title: Death of an Accused in Police Custody at Shibpur Short fact:

A Group of Police, with the leadership of sub inspector (S.I.) Nurunnabi, incharge of Shibpur Police Farri of Nabinagar thana, Brahmanbaria picked away Nurul Haque (35), son of Sona Mia from village Biddaykut of Brahmanbaria. Nurunnabi was allegedly accused of two cases and having warrant against him. The news report referring to relatives of victim Nurunnabi stated that, police after taking him to "Police Farri" exercised oppression upon him to compel to give their intended information. On such oppression he got senseless and thereafter police was making arrangement to send him hospital. He died on the way of taking to hospital. Police Super of the said thana informed that the incidence is now being investigated.

Case Study Three

Source: The Daily Sangbad, dated: 15 July, 2010. Published from Dhaka. News Title:

OC of Ramna Thana with Seven Others Accused in a Murder Case Short fact:

Complainant's allegation is that his husband Babul (the victim of police force) is a CNG autorikshaw driver. He has 3 CNG autorikshaw, of which he was driving one by himself, and let out the rest two CNG to other drivers. Thus he conducted his living. On 17 Jun a Sub Inspector of police named Altaf picked up one of his CNG from a driver of his CNG on hire, and capturing the two drivers of his let out CNGs brought them to the Ramna thana. Babul on asking reason, the police demanded bribe amounting 2 (two lac) taka. Babul by hard strain gave Tk. 70,000 (seventy thousand taka) to said Altaf, the S.I. of police. Babul failing to give rest of Tk. 1,30,000 (one lac thirty thousand taka) the police in their joint collaboration on 28 June taking him to the Mogbazar Ansar Camp exercised severe oppression upon him. As a result of which he died. The complainant wife of the victim received his dead body on 29 June from the Morgue of Dhaka Medical College Hospital.

The complainant on the said accusation filed the case in the Chief Metropolitan Magistrate Court, Dhaka against the Officer in Charge of the Police Station, the said Sub Inspector of Police Altaf Hossain, the three police constables and two other persons who said to be acted as police source.

On the date of the publication of this news the case was said to be ordered by court for judicial inquiry.

Case Study Four

Report of the US Department of State, Bureau of Democracy, Human Rights, and Labor, 2009 Country Reports on Human Rights Practices (Bangladesh Chapter)

March 11, 2010

Respect for Human Rights

Section 1 Respect for the Integrity of the Person, Including Freedom From:

Arbitrary or Unlawful Deprivation of Life

Members of the security forces committed numerous extrajudicial killings. The police, BDR, military, and the Rapid Action Battalion (RAB) occasionally used unwarranted lethal force.

According to government statistics, there was a 3 percent increase in the number of killings by all security personnel, and the government did not take comprehensive measures to investigate these cases despite public statements by high-ranking officials that the government would show "zero tolerance" and would fully investigate all extrajudicial killings by security forces. The number of killings by the police and combined security forces also increased. According to the media and local human

rights organizations, no case resulted in criminal punishment, and in the few instances in which the government levied charges, those found guilty generally received administrative punishment.

According to media reports, local and international human rights organizations, and the government, the RAB killed 41 persons during the year. Combined security units consisting of RAB members and police, however, killed 25 persons during the year. The deaths, some under unusual circumstances, occurred during raids, arrests, and other law enforcement operations, or in some cases while the accused were in custody. The government often described these deaths as "crossfire killings," "gunfights," or "encounter killings," terms it used to characterize exchanges of gunfire between the RAB or police and criminal gangs.

According to media reports, local and international human rights organizations, and the government, law enforcement officials were responsible for 154 deaths, 129 of which were attributed to crossfire. According to reported figures, this total represented a 3 percent increase from the previous year. The RAB accounted for 38 crossfire killings; members of the police were responsible for 63; combined security units consisting of the RAB and police were responsible for 25; and the army committed three crossfire killings. Since 2004 when the minister for law, justice, and parliamentary affairs stated crossfire deaths under RAB or police custody could not be considered custodial death, the government has not disclosed publicly any prosecution of a RAB officer for a killing.

According to Ain O-Shalish Kendra (ASK), a leading human rights organization, 58 deaths occurred in custody during the year, including 30 deaths in prison.

For example, according to Odhikar on May 8, police officers and RAB members allegedly shot and killed Sayeedur Rahman Sayeed in a crossfire killing in Alamdanga, Chuadanga. Family members claimed police from the Islamic University Police arrested Sayeed on a bus along the Ujangram Bazar Road and transferred him to the Chuadanga RAB Six Camp. The RAB and police claimed they were conducting a raid on a cemetery where Sayeed and his accomplice were holding a meeting when the two men opened fire. The security forces allegedly returned fire, killing Sayeed. According to witnesses, no gunfight took place and the police and RAB staged the incident. Sayeed's body had two bullet wounds, broken bones above his right heel and left elbow, and additional wounds on his body.

On May 28, a team from RAB 2 allegedly killed two Dhaka Polytechnic Institute students, Mohammad Ali Jinnah and Mohsin Sheikh, in a shootout. On June 15, according to media reports, family members of the victims filed a case against 10 RAB personnel. Family members, fellow students, and teachers claimed Jinnah and Sheikh were members of the Bangladesh Chhatra League and did not have criminal records. The RAB claimed the two students were "criminals" and "muggers," and that they had stopped the students at a checkpoint for acting suspiciously. The metropolitan magistrate ordered the officer-in-charge of Tejgaon Police Station to investigate the case and submit a report by August 20. The officer-in-charge stated that he submitted the investigation report to the court and the matter was pending at year's end.

The government did not conduct further investigations into the alleged killing of Abdur Rashid Malitha and Nasima Akhtar Rikta by officers from RAB 12 in June 2008. According to Odhikar, relatives of Rikta did not speak out for fear of retaliation from security forces.

There were no further developments in the June 2008 killing of Anwar Hossain by police officers or the 2007 killing of Khabirul Islam by naval personnel.

The government did not take formal action to investigate the 2007 killing by army personnel in Madhupur of Choilesh Ritchil, an activist in one of the country's indigenous communities.

Deaths allegedly due to torture occurred while in police custody. According to Odikhar, on January 11, police from the Shahbajpur Police Camp arrested, allegedly tortured, and killed Nawab Ali of Bariakandi village. His body was recovered from a river near his home on January 14 with signs of trauma. Officials temporarily suspended the three police officers allegedly involved in the incident. Police stated they were conducting an internal investigation into the matter but after repeated inquiries from Odikhar, the investigating officer stated that the final report had been submitted three months earlier, and the investigation committee had concluded that Nawab Ali died from falling into the river.

On January 28, according to Odikhar, police from Chandgaon Police Station arrested, tortured, and killed Mohammed Habib and tortured his colleague Arif. According to police, the men were arrested on suspicion of importing drugs from India and were injured during their arrest. On the day of arrest, the police transferred the men between the police station and the hospital several times before producing them before court. Because Habib was ill, the court ordered hospitalization; however, on arrival at the hospital Habib was declared dead by doctors. Arif claimed police tortured both he and Habib for an extended period of time and that the torture may have caused Habib's death. He alleged that three police officers trampled on Habib's chest. Arif had visible injuries on his left hand and right leg. Following Habib's death, an "unnatural death case" was filed. According to the assistant police commissioner of the Chittagong metropolitan police, the three officers involved were suspended. An investigation was ongoing at year's end.

According to media reports, 59 BDR members arrested in the wake of the February 25-26 mutiny died in custody. Family members of the victims alleged they died after being tortured. According to Odikhar, several BDR members taken into custody claimed the RAB and police physically assaulted and beat them, administered electric shocks, blindfolded them, and hung them upside down while in custody; NGOs alleged army personnel also were involved in custodial deaths. The government announced an investigation and promised to publish a report by July regarding the nature of the deaths but failed to publish any report. The government investigation ruled that only two members died due to torture and that the others died as a result of illness or suicide. At year's end the government had not taken any action regarding the deaths or allegations of torture.

Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

Although the constitution prohibits torture and cruel, inhuman, or degrading punishment, security forces including the RAB, military, and police frequently employed severe physical and psychological abuse during arrests and interrogations. According to figures provided by human rights organizations, the use of such techniques dropped in 2008 but increased during the year. Abuse consisted of threats, beatings, and the use of electric shock. According to human rights organizations, security forces tortured at least 68 persons. The government rarely charged, convicted, or punished those responsible, and a climate of impunity allowed such abuses by the RAB, police, and military to continue.

On June 4, according to Odhikar, Kahanu police in Bogra arrested and tortured the president of the student wing of the BNP, Morshed Habib Bhuiyan Jewel, in Netrokona district. Jewel alleged that several times while in custody at the Netrokona Model Police Station three to four police officers blindfolded him, suspended him from the ceiling with handcuffs, and beat him with sticks from the waist down. According to Jewel, police also poured hot water into his nose and mouth. Netrokona police claimed Jewel was a suspect in a murder case and that they were interrogating him. Witnesses and the victim claimed police arrested him due to his political affiliation. Jewel remained in jail at year's end.

There were no developments in the 2007 torture cases of Shahidul Islam, Mohammad Jamal Uddin, and Mohammad Kajol.

According to human rights organizations, there were at least three recorded incidents of rape and sexual abuse by law enforcement personnel.

For example, on February 28, according to Odhikar, four police constables gang-raped a member of an ethnic minority group in the Chittagong metropolitan area.

There were no new developments in the July 2008 rape of a 14-year-old girl in Sonargaon, Narayanganj, allegedly by RAB officer Abdul Gaffur. Gaffur was under arrest and awaiting trial at year's end. There was no further investigation into the July 2008 rape of a young girl at Kamapur Dhaka, allegedly by police subinspector Rezaul Karim.

Arbitrary Arrest or Detention

The constitution prohibits arbitrary arrest and detention; however, the law permits authorities to arrest and detain persons suspected of criminal activity without an order from a magistrate or a warrant.

In December 2008 the president promulgated the Emergency Power (Repeal) Ordinance to revoke the state of emergency that had been declared in 2007. Under the state of emergency, the government promulgated the Emergency Power Rules (EPR), which gave the government authority to detain citizens without filing formal charges or specific complaints. In repealing the state of emergency, the ordinance specified that, although cases brought under the EPR would continue to have validity, pending cases would be conducted under the traditional rules and laws.

According to official government statistics, the police arrested 50,787 persons during the year. Of those arrested, 15,894 were detained without arrest warrants or convictions.

On March 21, police arrested former deputy speaker of parliament and opposition member Akhtar Hamid Siddiqui in the Naogaon district. The officer in charge of the Mohadebpur Police Station alleged Siddiqui had threatened him. Siddiqui was sentenced to one month's detention order under the Special Powers Act of 1974.

Case Study Five

Source: The Daily "Bangladesh Protidin", dated: 19 July, 2010. Published from Dhaka.

News Title: 200 Corrupt Officials in RAJUK

Summary of the News:

Referring to Anti-Corruption Taskforce formed at the time of last Care Taker Government, the news stated that 200 officials were primarily identified as corrupt. The action of anti-corruption commission was continuing at that time. But at the end of Care Taker Government period, the corrupt officials restarted corruption as before. The news contained a long description of their

corruption. Among other corrupt practices of officials the news stated that to pass a file these corrupt officials charge 50 to 60 thousand taka bribe.

Case Study Six

Asian Human Rights Commission Report

Vol. 08, No. 01 March 2009

Special Edition: Use of Police Powers for Profit

Report Titled as: Disconnected Policing and Justice Trade in Bangladesh

At the beginning the Report commented that, although people across Bangladesh know very well that the country's justice system is actually a marketplace where police and court staff sell their services to the highest bidders and perform their jobs in their own interests, people from outside the country find the extent of this justice trade difficult to grasp. Here is one example to illustrate, followed by a discussion of its implication.

The report thereafter contains detailed description of an incidence whereby police blatantly abused their power over two innocent persons to punish them for expressing news of corruption and acting as human rights defender. The brief fact is that, F. M. Abdur Razzak, 42, is the editor of a fortnightly news paper, *Gonomichhil*, and is general secretary of the human Rights Development Centre. He is a law graduate hoping to enroll himself as a lawyer, whom people in his area of Godaipur often called upon to help settle disputes. His paper provides news to local audience and at times reports on corruption, including among the police. These reports have included allegations that officers of Paikgachha Police Station, Khulna District, have abused their powers.

Unfortunately, by the time there was an incidence of missing child named Khaleda, aged about 13 within the jurisdiction of Paikgachha Police Station. The incidence followed from the fact that, Khaleda's father took a second wife, consequently Khaleda's mother left the household. After several months of harassment the girl also left the family.

Thereafter Khaleda's step mother made a complaint about the missing child to the Magistrate's Court at Paikgachha. The Court referred the complaint to the police, requesting them to investigate and file a report in court. The police, instead of conducting an inquiry, developed a plot on their own with the intention to harass their critic, the said Abdur Razzak.

On 3 November 2008 officers from Paikgachha Police Station arrested Abdur Razzak along with another human rights defender, Shanker Kumar Dhali, 40. The police brought the men onto the road with their hands tied and escorting them to create the impression that they had been arrested for some grave crime and so to damage their public image as persons working on public interest issues. They were then kept at the police station for five days. They were both severally assaulted at the time of arrest and during this period, and on November 4 and 8 again paraded along the road, to the magistrate court. The charge itself was strange but damning: that Abdur Razzak with his friend had abducted a 13-year-old girl and that the girl was missing.

The families of the two accused made their own investigations and found that the girl was living with the family of a man with whom she had been acquainted called Lal Mian at Mongla Port, Bagerhat district, about 125 kilometers from her home. They visited this family's house. Once the matter was explained, Lal Mian

brought the girl to the Mongla Police Station where she made a statement on 12 November 2008, the translation of which is as follows:

My name and address has been mentioned above. Responding to your interrogation, I am telling you that I was in the area around the Mongla Port for approximately three years. I met a dockworker named Mr. Lal Mian, who welcomed me into his home. Ever since then I call him "Bhaia" (brother) and his wife Mrs. Moyna Begum as "Apa" (sister). I do house work for them. About 14 Months ago Bhai and Apa opened a restaurant at the Mongla Port Bas Station. I used to stay with Apa and his family.... at a hut adjacent and behind the restaurant. I also do work there. Now and then I go to my father's house. My step mother Mrs. Nilufa and my father live in Paikgachha. My blood mother lives in my grandfather's house. About two months ago my stepmother came to Lal Mian's house. I went back home with her and stayed there with for one month, returned to the Sumi Hotel alone in order to stay with Apa. I have been working at the restaurant regularly. Around 7/8 days ago my step mother came here to take me with her again but I did not go. About 3 or 4 days ago my (maternal) uncle Mr. Salam and Mr. Kalam too came here to take me with them but I did not go.²⁸

Despite this statement the police did not withdraw the charges of abduction. The families of the suspects had to appeal to a superior court in Khulna, which granted bail on November 27.

The magistrates had repeated opportunities to examine and close the case on the basis of evidence presented or readily available but failed to do so. The magistrate of the Senior Judicial Magistrate Court of Paikgachha had two occasions to examine the validity of the arrest and detention of these persons when applications for bail were made on their behalf. On both occasions the magistrate postponed the hearings.

The lawyer's filed written petitions explaining the innocence of the two suspects. More importantly, the mother of the allegedly abducted girl filed an affidavit before the magistrate stating that she was aware that her daughter had not been abducted but had gone away to some other place. The magistrate failed to act on these and failed in his responsibility to ensure that the suspects were not detained for frivolous reasons. Relatives allege that he too was annoyed with Abdur Razzak because of his publications and acted in collusion with the police to prolong the men's detention.

Complaints to superior officers and persons in government about the case have not resulted in interventions. The Superintendent of Police of Khulna district was informed of this incident over the phone several times but did nothing. The Deputy Inspector General of Police of Khulna Range; Inspector General of Police; Ministry of Home Affairs; Attorney General; Chief Justice, and Chief Advisor of the caretaker government were all advised of what had happened but none have made any discernible response.

The report thereafter comments on the systematic failures and trading in justice in Bangladesh with reference to this case describing the flowing features as follows:

1. The arrest was made without evidence and the allegation against the men fabricated.
2. The police assaulted and deliberately humiliated the accused.

²⁸ The version quoted from the Asian Human Rights Commission Report mentioned above.

3. The court receiving the case did not examine the rudimentary facts to determine whether the complaint of abduction was well founded or fabricated.

4. Fabricating the case served two purposes: to target police critics and two collect money.

5. Complaints to superior officers from within the country and abroad had no effect; nor did the subordinate officers responsible for wrongdoing respect any, because the money collected also goes to their superiors. One of the officer in this case asked, "If we do not get bribes from you are we to pay our superior officers with our own funds?"

The report thereafter, describes the amount of money in two tables that each family of the said arrested victims of justice trade had to pay just to get their loved one released on bail, and the occasions and reasons for each payment. The table is not quoted here in this short extent of the present article. Describing the above fact is sufficient to realize the wrong doing of public officials and suffering of general people in our country.

The case study stated above are examples of violation of constitutional guarantee of rights at the hand of governmental agents described under articles 31, 32, 33, 42 and 43.

Article 31 states that:

To enjoy the protection of law and to be treated in accordance with law, and only in accordance with law, is the inalienable right of every citizen, wherever he may be, and of every other person for the time being within Bangladesh, and in particular no action detrimental to the life, liberty, body, reputation or property of any person shall be taken except in accordance with law.

Article 32 thereafter states that:

No person shall be deprived of life or personal liberty save in accordance with law.

This two articles of the constitution is sufficient, let alone the other provisions of the Constitution to guarantee and protection of rights of man which a person entitled by his birth and which the sense of justice of a man dictates. The use of repeated phraseology in article 31 that to enjoy the protection of law and to be treated "in accordance with law" and "only in accordance with law" emphasizes for the rule of law as opposed to arbitrary or mala fide action of the administration.

It is accepted that "the constitution of Bangladesh" as the supreme law dictates the accountability of the administrative action by taking absolute obligation upon the state to protect the aforementioned constitutional rights of the people. Thus justice requires that, the constitutional entitlement of rights give the person the right to be compensated by the state for the harm caused by governmental lawless action. The cases described above made it evident that the constitutional guarantee of people's right is at peril in the hands of lawless executives and the governmental accountability is only in theory not in reality. More over the traditional type remedy for governmental wrongdoing in the form of injunctions, declaratory judgments, judicial review, the exclusionary rule, and the writ for habeas corpus, mandamus or certiorari has failed to enforce governmental accountability, particularly is silent to remedy the past wrong for which a person already suffered injury to his life, dignity, property and peaceful living.

Before going to describe the law relating to accountability of government officials we want to refer to some ongoing news from some News Papers. This description of some ongoing news is sufficient to shed light upon the past to imagine the

accountability position of public officials in Bangladesh and then to realize what is the compelling necessity for our system.

On the above discussion it is now pertinent to raise question whether it is imperative to provide for the new compensatory damage action for governmental wrong in Bangladesh?

The incidences stated above is sufficient to speak of the silent cries of violation of people's most sacred human rights, those incidences make it evident that the people's life, liberty, dignity and livelihood is seriously insecure at the hand of governmental wrong doing, the abuse of power by the governmental agents and arbitrary action upon the general persons. Something is of impulsive necessity to curb down the lawlessness of governmental power. Moreover, it is reasonable that, where the people had suffered injury or become victim of wrongful act in the hand of governmental agent, they should have fair claim to be compensated by the state. In the a way by which a person can raise claim for compensation for the damage caused by other individual, by the same way a person who has suffered injury in the hand of governmental agent should have right to raise claim to be compensated by the state, because it is the state's responsibility to control its officials or at least to bear the liability for the harm caused by its agents. Earlier we have already discussed that such a compensatory measure for governmental wrongdoing serves the following purposes:

1. To remedy the harms inflicted upon the person by governmental wrongdoing.
2. It aims to reduce the amount of public official's illegality through deterrence measure, the warning of which is implicit in the monetary damage award to the injured. Indeed deterrence is a more important goal than compensation.
3. The prospect of liability encourages the government officials to minimize their unlawful behavior.
4. Further, holding the government liable to pay compensation for the injuries caused by its agents while acting within the scope of their employment engenders respect for the rule of law. If governmental entities, unlike private actors, were to remain immune from tort liability, they would be free to harm with impunity and be above the law.
5. The Latin maxim *ubi jus ubi remedium*, i.e. where there is a wrong there is a remedy, get its true meaning if the person suffered by a wrong by the act of government official is compensated by the state.

Conclusion

After the above discussion the difficulty in providing such type of remedy remained to be discussed. The main difficulty is that, "the tort action" is totally unknown to our courts. Thus the principles of torts by applying which in USA and UK the courts are deciding cases of public wrongs (i.e. wrongs caused by public officials in exercise of governmental power) by awarding compensation to the private individuals affected by such wrongs is difficult to apply in our court. This requires to a very new turn in our judicial practice.

Thus the importation of constitutional tort or public tort remedy calls for the prior establishment of private tort remedy with its common law principles in our judicial recourse. This will be a wholly innovative approach to our court's practice although it is not the new idea in the legal literature of us and in academic study. We should not forget it that for centuries old it has been practiced in many common law countries including UK and USA. To the American Courts the remedy is very common. But for governmental wrongdoing it has enacted statutes under which claims of personal injury caused by such wrongs is decided and these are known as "constitutional torts"

or "public torts".²⁹ In UK these types of action is being entertained and decided by the courts by applying the traditional principles of private torts by analogy to public torts (or torts committed by government's agent's) making the government liable to pay damages to individuals affected by its wrongful act or negligent behaviour.

In Bangladesh the tort remedy for governmental wrong though may not be very suitably placed to our present judicial practice for the reason stated above, it may be made possible by making legislation in the field of governmental accountability providing for compensatory damages to the person wronged by the governmental action. If the statute is passed incorporating the common law principles of torts applying to governmental wrongful actions the type of remedy may be made possible in our judicial system also without bothering of prior transplantation of private tort actions and then public tort actions in our judicial practice. In this respect the policy rationale to be decided on the question of individual official liability or governmental liability which is to choose to pay damage for the governmental wrongful act causing injury to an individual.

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²⁹ For example section 1 of the Civil Rights Act of 1871 (now codified at 42 U.S.C. § 1983, and called in this entry "section 1983") and the Federal Tort Claims Act of 1946 of USA has been discussed earlier.

ALTERNATIVE DISPUTE RESOLUTION (ADR) AND GENDER JUSTICE IN BANGLADESH: MYTH AND REALITY

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Abstract: In recent days, ADR has gained immense attention to the development thinkers and human rights practitioners for its congenial nature in the resolution of disputes. It is evident that access to justice of the rural poor, especially for the women is still now limited for many reasons. However, the increasing number of domestic violence against women and high patriarchal forms of traditional *shalish* system in Bangladesh restrict the achievement of gender justice. In these contexts, ADR has been introduced and practiced by many NGOs to ensure access to justice of the poor women. This paper makes a survey of the contribution of ADR in bringing gender justice for rural poor women in Bangladesh.

1. Introduction

In Bangladesh poor rural women are facing intra-household discrimination and disparity especially for getting their socio-legal rights in context of dissolution of marriage through *talaq* (divorce under *sariah law*), restitution of conjugal rights, various forms of domestic violence, dower, and maintenance. Even many more vulnerabilities remain unnoticed and not addressed (Hossain et al., 2007). Moreover, the accessibility to and complexity of formal legal services are embedded in slow, costly and long-term procedure which make aggrieved women become not interested to go to court for seeking justice. This limitation has opened the scope for informal justice system – *shalish* to address some cases out of the court, which hardly provides a guarantee to legal equality, equity and rights to women. Here, ADR can be considered as a modified and hybrid version of traditional informal justice institution like *shalish*. The *shalish* (village court) with its all male juries, exercises considerable power over the lives of village men and women (Ahmed, 2004). On the other hand, gender justice requires that women are able to ensure the distribution of resources

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and opportunities that enable to build them as social, religious, economic and political capital power-holders- whether in the household, the community, and decision-making in public, professional life (Goetz, 2003).

The term 'alternative dispute resolution' or ADR is often used to describe a wide variety of dispute resolutions that are sort of alternative to full-scale court process (ADR Practitioner Guide, 1998). The term can refer to everything including facilitated settlement negotiations in which disputants are encouraged to negotiate directly with each other without the intervention of the third party. Whereas mediation and arbitration systems are similar in that they interject a third party between the disputants. However, they do not have the authority to settle a dispute. Another most popular format of ADR is mediation-arbitration (Med-Arb), particularly an example of multi-step ADR - where parties agree to mediate their dispute and mediation gets resolved by arbitration. By nature, ADR has two basic forms: binding and non-binding. Negotiation, mediation, co-mediation are binding which produce a third party decision where disputants must follow the decision in spite of having his/her disagreements much like a judicial decision. Non-binding is conciliation programmes. It produces a third party decision that the party may reject.

1.2 Institutionalization of ADR in Bangladesh

Following the traditional disputes resolution technique, ADR movement in the developed countries was launched in 1970s. It started as a social movement to resolve communitywide civil rights disputes through mediation; and as a legal movement to address increased delay and expanse in litigation arising from an over-crowded court system (Goldberg et al., 1992). During late 1990s, a shift occurred from experiment to institutionalization of ADR and some developing countries like Bangladesh, Argentina, Bolivia etc have imported the ADR models from the United States directly or in hybrid the models bearing in mind the indigenous dispute resolution mechanism that they had. (ADR practitioners' Guide, 1998)

In Bangladesh, several NGOs like MLAA, BRAC, Gano Sahajjo Sangstha (GSS), and ASK started providing legal services to the community in early 1990s. In 1981, MLAA began the process to provide filing cases in courts and later it began to focus on mediation. In 1986, BRAC introduced paralegal programme. In 1995, USAID, AF, BRAC, MLAA jointly formed democracy partnership to ensure social justice to the poor. Afterwards, BRAC- HRLS programme and ASK established outreach legal aid unit (OUT) to widen access to justice (ASK Report, 2004) through ADR for the rural poor, especially for women.

1.3 Objectives

The main objective of the study is to understand the contribution of ADR in bringing gender justice for rural poor women. However, to fulfill the main objective this paper makes an indepth study of each and every phase of ADR along with the parties who are supposed to be involved with the procedure.

1.4 Methods

A detailed qualitative method has been taken to achieve the objectives of the paper. Several techniques of qualitative data collection including participant observation, in-depth interview, key informant interview, and Informal group discussion has been used. This paper purposively follows the BRAC model of ADR and drawn four Upazilla from Rangpur as this district dealt with a huge number disputes in the earlier years.

The qualitative data has been collected from the victims, perpetrators, local elites and ADR practitioners. Almost ten (10) ADRs have been observed to understand the dynamics of gender justice.

The existing standard of ADR addressed in this study mainly concentrates on four issues: access, process, acceptable outcomes, and achievement from outcomes. The session (trial) observations have provided all the information on procedural issues. However, the in-depth interview findings as well as parties' view would provide anecdotal understanding of achievement from the outcomes, and its sustainability to ensure social justice for the poor women.

2. Access to ADR

Most of the victims had no idea about ADR before attending the sittings. In most cases, the victims noticed that they became informed about ADR by their neighbors, VO members, *Shebikas*, NGO activists while they were searching a scope to seek justice. The POs, who usually performed as ADR practitioners, filed the case after considering the merit of disputes and following guidelines whether it would be appropriate for ADR or not. They issued notices to the defenders. Most often, as observed in the ADR sessions, the defenders responded after receiving one to five notices. Twenty-four ADR sessions (trial) were observed and all of the claimants/victims were married women and surprisingly all perpetrators were the husbands. All disputes followed the patriarchal chain that mothers-in-law; fathers-in-law, sisters and brothers-in-law insisted the perpetrators to commit much incidence. In ADR most of the disputes filed were about the demand of dowry and maintenance, demand of dowry money and assets, physical violence, regain of conjugal rights, and appeal for separation and divorce. Most of the reported disputes had some common feature like physical tortures; scolding, beating by hand and beating by stick, kicking, and mental abuse; quarrel, not to provide adequate food, rude attitude and behaviour, rigorous work load and verbal abuse. In most cases, expectation of dowry and assurance, commitment and failure to pay dowry function as prior phenomenon for occurring the incidents. There were some other factors that could be considered as root causes of the disputes such as remarriage without permission of previous wives, hiding the facts of previous marriage, early marriage, extra-marital relationship, drug addiction of the husbands, suspicion, unemployment.

3. Triggering the ADR session

The POs usually followed and practiced binding arbitration and mediation-arbitration (med-arb) process of ADR. Most often, the POs allocated maximum time for victims to present their facts clearly to raise their voice and intentionally prioritized what the victims really expected from the ADR session. In some cases, the defenders as well as their relatives noticed that the POs did not allow them to speak more about the fact. Few local elites and proto elites also considered ADR as predominantly women biased. Usually sessions and days would be required in resolution depending on the complexity and pattern of disputes and nature of power imbalance between the parties.

Examining the standard of ADR sessions

Issues	Examining the existing standard
Appropriate case selection criterion	Satisfactory, but victims were not willing to file the case as cases were of physical assault
Practitioners' competence	Not always successful in reducing tension, not always capable to manage odd situations and desist perpetrators from using abusive words, or to minimize confrontation with power elites,
Quarrels and verbal abuses	Perpetrators/ Relatives of Perpetrators/ Local elites
Fairness	Perpetrators claimed process to be women-biased
Participation of parties	Satisfactory, but perpetrators were forced to participate by ADR notice, power elites were not eager to participate
Confidentiality	Satisfactory with few exceptions
Neutrality and impartiality	Satisfactory, but perpetrators raised questions about woman-bias in process
Settlement and termination	After consensus (but before signing settlement agreement) some respondents' disagreed to sign the agreement, as some preconditions would have to be fulfilled in cases of restitution of conjugal life, or granting greater mobility and decision making to wife etc.
Feeling of insecurity	Physical, mental and social pressure
Client's satisfaction	Victims are often satisfied with the resolutions or with the process, but perpetrators and elites –not satisfied
Reliability and statutory issues	Reliable, perpetrators and elites often raised question on the legitimacy of HRLS to arrange ADR
Gender sensitivity	Perpetrators and local elites were biased by patriarchal norms of society, HRLS PO often treated the clients as victims/ oppressed
women participation in ADR	Women participated, but have to face ridicule and were shouted down (despite ADR norms to ensure that women sit together with the men, encouraged to raise voice, argue, negotiate, bargain, and to feel important)

Most often the POs selected the cases such as family and land disputes following the selection criteria without involvement of any criminal matters. but they had very little legal background, upgrade knowledge and skills. It was observed in most of the ADR sessions they mention the legal aspects of disputes, did not follow the introductory norms and how the decision would be made and in some cases, the PO's failed to overcome the communication gap between educated and non-educated participants, which often produced ambiguous interpretations. They had not enough ability to manage odd situations particularly where the tremendous power imbalance was found between the parties. Even they had not adequate capability to reduce the situational tension especially for the victims. In most of the sessions, it was observed that both the parties became furious in expressing their arguments with abusive language and created embarrassing situation among the participants. Fairness is very important aspect to resolute by the judging system and ADR kept it by providing equal opportunity to the parties. Victims usually received it from the practitioner. Generally, participation of victims was found to be spontaneous and willing in ADR, where the perpetrators were bound to participate for having some legal bindings. Though they were able to talk and opined their views freely, both the parties had the intention to manage and hire more people to speak in their favour which they seemed it as enhance their strength. Another issue is confidentiality and it was observed that the Oral and documented information were kept confidential. Despite

some claims received from victims, confidentiality is kept during mediation process. It was noticed that no victims raised the question of neutrality and impartiality of ADR whereas perpetrators raised questions about woman-bias in process of ADR. Observing all the ADR sessions, it was found that the settlement agreements documented properly when both the parties reached a consensus. But if the POs find difficulties in handling a case or no scope to ensure justice then the PO terminates the case from ADR or refers to the court. During series of ADR sessions victims often felt insecurity from their in-law's house (if they had to stay). Intensity of both physical and mental torture was enhanced by the perpetrators as because of her claim in ADR. Most often the victims were satisfied with the proceedings and outcomes, even if their deprivation did not meet properly. But usually the perpetrators were not satisfied as they were less prioritized. The local elites were not satisfied as they did not receive proper attention. Some of the elites criticized ADR and raised questions on BRACs' legitimacy to organize ADR. In most of the cases both parties had no clearer conceptions on ADR legal validity and it's reliability but the perpetrators raised questions on its statutory/legal issues whereas the victims considered ADR as reliable and legally valid.

4. Gender Dimension of ADR Sitings

Most of the POs were found gender sensitive with few exceptions. Considering the victims as vulnerable and marginal the POs were often found to deliver some gender-biased words. The POs forced women to play typical gender roles while the question of revive the conjugal life came. In reality most often the victims had the opportunity to speak and they were found felt comfortable, safer and congenial and to seat in chairs with local elites and the perpetrators along with POs avoiding the existing social tradition, at BRAC offices might be considered as a symbol of empowerment that they never found before.. Therefore they got chance to participate in making decision. Moreover, their opportunity in raising voice argumentation and their participation in decision-making would be considered as process of empowerment. Though some of the victims commented that they felt ashamed to share some of their experiences with male POs and they requested to adjoin female PO, who understands their sufferings.

5. ADR in practice: experiences of ADR community

This section deals with the experiences and opinions of the parties based on interviews essentially associated with ADR process and its contribution in achieving ADR goals.

The experiences of victims

All the interviewed victims were married women and mostly housewives. All of the cases required a range of two to four notices and five sessions. Dower and maintenance-related cases consisted of repeated physical and mental torture faced by victims. Half of the cases out of ten considered ADR outcomes satisfactory and fulfilled their expectation and rest of were partially satisfied. In some cases the victims (4) found no gap between their expectations and results in ADR. It was the most common phenomenon that while victims expected separation, it was not prioritized. But while perpetrators expected separation, the verdict goes in favour of the perpetrators. In most cases, it was expected from verdict that physical tortures would be stopped, but it had never been stopped any more after the verdict. The

most commonly mentioned weakness of ADR was its follow-up system and victims did not received follow-up properly after the dispute settled. Most of the women victims seemed to be concerned about the necessity of follow-up. Therefore perpetrators started to misbehave torture and demand dowry again.

"When the PO came to visit our residence for follow up, usually I could not speak up any real thing in front of my husband. Thereafter, he began to threat and tortures me after the PO has gone. If BRAC would provide some strong follow up, I would not be victimized further regularly (Omena, victim, 18 years)".

The experiences of perpetrators

Some of the perpetrators claimed that they did not even receive proper attention in women-biased sessions. Some of the perpetrators revealed that there was propensity of POs to draw less attention in fact-finding and to favour the claimants through argument.

"PO always prioritized victims and most often did not put any insight to the fact behind the fact. Why did I commit such kind of incidence? A session never took in as accounts to reach in a decision"(Aminul Islam, 26 years and Jahirul Islam, 26 years).

Consequently, they raised questions on effectiveness of the decisions that would not take in a proper way without measuring whether it would be fruitful or not. Some of the perpetrators mentioned that long distance and financial crisis were the main constraints to attend in ADR.

"I prefer community-based ADR, what would be easily communicable and takes less time to access in session. Other wise, it smashes out long hours from our working schedule." (Tohiruddin, 56 years).

POs as ADR Practitioners

All the four Pos mentioned that they received a two or four-week training where they partially learned some knowledge on ADR and eventually acquired necessary skills by practicing and handling the sessions. All of them mentioned that the complexity of giving and responding notices made the period longer. All suggested need the to develop a strong association with administration, police and local government bodies through workshop on a regular basis. Most of the POs agreed that there were some family, social and religious barriers originating from patriarchal norms of society as obstacle in accessing ADR by the rural women victims. All the POs strongly mentioned about weakness of ADR in follow-up system

Perceptions of the masses

At least two-third of the common people were not familiar with BRAC *shalish*. Rest of them had inadequate knowledge on ADR and among them some had direct experiences with ADR. Moreover, all among the respondents were being concerned about the discriminatory features of traditional *shalish*.

Some of them revealed that, BRAC's ADR made help to decrease domestic disputes related to conjugal life and dowry within household against women and creating awareness among family members. Some of the respondents considered that massive publicity of BRAC *shalish* might have great influence on traditional *shalish* indicating its disadvantages and the existing practices of husbands to commit such disputes against women. Most of them acknowledged that BRAC *shaish* had the scope to create massive impact on the incidence of existing tradition of wife beating, dowry, dower and maintenance what they thought to be changed.

"Legal aid programme showed immense respect to victims, which was almost absent in traditional shalish. Considering this reason, women victims became more interested to come to BRAC shalish rather than traditional shalish was biased to power, money and male . (Peyari Begum, VO member, 40 years, Gangachara).

6. Conclusion

This paper was initiated to understand the contribution of ADR in bringing gender justice for rural poor women in Bangladesh. It is revealed that accessibility to ADR brings into focus couple of crucial impediments— like pressure from family not to bring the family matter into outside, women could not show marks of their physical assault and were not able to share their gender-based sufferings of daily life to the male POs, etc. Though women's voice was adequate with few exceptions in ADR session, non cooperation of the either party affected the process and outcomes of ADR. Though all the parties found to get equal opportunity in-making decision, apprehension of women from insecurity during and post ADR, effort of the elite to influence the verdict worked as obstacles. Confronting those obstacles, village women seek justice and raise their voice through BRAC's ADR. At the same time, it should be considered that ADR could not be able to diminish domestic violence or demand for dowry, or desist the perpetrators threatening the women. In reality it seemed very difficult for a programme like ADR to stop such incidences which might be considered as a common feature of patriarchal culture and ADR has not yet been successful to alter the whole patriarchal system of oppression against women. But the participation of women in decision-making process and their chance to raise voice against the injustice through ADR need to be mentioned. Also ADR can be treated as a place of assurance for woman where she would not receive unjust behaviour as she usually faces in traditional *shalish*.

Moreover, the entire ADR process contributed in providing social protection to the women victim and keeping social harmony in a short range. Though the process sometimes gets crippled for weak procedure and alleged as women-biased, the entire ADR process has contributed a lot in providing social justice to the women victim. The ADR programme can follow the right-based and capability approach for some negotiable achievement in social change. Publicity of ADR should be widened. ADR be more concern about the security issues of women victim during and in post ADR period. Follow-up might be the weakest feature of ADR, which made the perpetrators to ignore the outcomes. Finally ADR has potential scope to ensure gender justice for the women in rural areas of Bangladesh.

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GOOD GOVERNANCE: ROLE OF INDIVIDUAL VERSUS INSTITUTION

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Abstract: Good Governance has become the hottest topic in political discourse worldwide and specifically after the recent political changes in Bangladesh. More precisely, good governance has become the yardstick by which the success of nations and quality of governments are being measured. Developing a meaningful discourse on governance and initiating the search for effective entry points in this regard has been the cause of worry of donors, policy makers, politicians, civil society, and all others concerned with the governance of Bangladesh. But the endeavor must begin from somewhere and from some point. Not only the government but also the citizens, civil society, private sector, democratic institutions, public sector and every stakeholder has proper role to play to ensure good governance in Bangladesh. The paper intends to throw some light on issues relating to the role of stakeholders of good governance.

A. Introduction

In the recent years, Bangladesh made some progress in many areas of economic and social development such as maintaining macroeconomic stability, increase in enrolment in primary education, improvements in female's education, reductions in infant and maternal mortality and improvement in women's empowerment. Yet there are growing concerns that Bangladesh's development prospects are frustrated due to poor implementation of government policies. One does not need to go in the nitty gritty to understand how weak implementation affects development. Experts tell us that around two percent or more of the GDP is lost to corruption and weak governance. Weak governance results to huge loss in economic growth annually. Weakness in governance and corruption deter investment, waste national resources and disequates allocation and increase insecurity. Moreover, the poor suffer most from the consequences of red tapism and corruption. Amongst the major governance weakness: pervasive corruption, weak governance, absence of monitoring institutions seriously affects economic growth and poverty reduction in the country.

B. Good Governance: Conceptual Framework

A number of multilateral organizations (e.g. UNDP, World Bank, OECD) and bilateral organizations have emphasized on the elements of good governance and its impact on development. Multilateral organizations generally equate good governance with sound economic management based on (i) Accountability; (ii) Participation; (iii) Predictability and (iv) Transparency.

The concept of good governance has been clarified by the UN's Commission on Human Rights and identified the key attributes of good governance as:

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1. Transparency 2. Responsibility 3. Accountability 4. Participation 5. Responsiveness
 However, there are some bilateral donors who are not satisfied with this narrow economic definition of good governance. They would like at least **five** more elements to be included as an essential part of good governance, namely (i) Democratization; (ii) Human Rights; (iii) Rule of Law; (iv) cuts in Military Expenditure and (v) Probity.

In Bangladesh there are several factors and issues that are constraining the very process of good governance. The major factors are i) corruption, ii) weak democratic institutions, iii) Ineffective parliament, iv) absence of the rule of law and v) absence of meritocracy etc.

The ESCAP of the United Nations has emphasized for good governance, the participatory nature of the government and the rule of law. According to this definition, good governance has **8** major characteristics -"It is i) participatory, ii) consensus oriented accountable, iii) transparent, iv) responsive, v) effective, vi) efficient, vii) equitable and viii) inclusive and follows the rule of law." By the rule of law ESCAP means fair legal frameworks and impartial enforcement of laws by an independent judiciary and incorruptible police force.

C. Good Governance: Role of Individual Stakeholders

Everyday policy makers, professionals, business leaders, sociologists, economists and others independently generate amazing number of ideas and thoughts. The reasons that these ideas don't come to fruition is because like-minded reformers do seldom collaborate to bring changes. There are a lot of international and domestic organizations, NGOs, government agencies, opinion leaders and others – that are all individually working on tackling corruption in a piece-meal fashion. A more comprehensive approach to address governance will be more fruitful. Corruption can be marginalized if not eliminated if all stakeholders work together in a coordinated manner against corruption.

Ideas and thoughts are ineffective if not put to actions. Unless what is thought is acted upon, such thought has no value. What is important is the commitment of all the citizens – leaders of respective fields– to take on the challenge of replacing bad governance with that of good governance and to do one's own part to address it in a collaborative manner. Corruption, as in all affairs in society may be viewed from the two sides: **a demand side** and **a supply side**. The **demand side** can only be curbed by reforms of institutions, strengthened enforcement of law by a transparent judiciary. As the owner of the country all citizens are affected by weak governance everyday, and as such they should insist reforms of the legislative, executive and judicial organ of the country. The stakeholders of good governance should get united to raise voice against corruption to curb the **supply side**. Thus the citizens will have to participate in the crusades against corruption and only moral support to the Anti Corruption Commission (ACC) is not enough to eliminate corruption.

D. Good Governance: Role of Civil Society

Citizens face potential corruption practically at every level and every sector of life. It could be the local police, T.N.T, electricity and water authority, Municipal Corporation or the tax department. Government alone cannot succeed in combating corruption without the active participation of civil society and citizen action groups. Civil society is in the best position to articulate the grievances of the citizen and highlight priorities of action in this regard. Civil society can serve many important roles—as observer, critic, analyst, campaigner, or protestor. It can create public awareness against corruption and mobilize citizens to fight against corruption in ways that governments

cannot. Civil society can also play a strong role to organize campaigns against corruption.

Civil society organizations, Citizens' action groups, NGOs, media, and Chambers—can play the largest role in improving governance both in the public and private sector. **Chambers** can be more active by organizing seminars, workshops, round tables to generate awareness against corruption and unethical business practice. Chambers can establish **anti corruption cell** headed by a vice president with adequate funds to establish liaison with media, anti corruption commission (ACC) and other government agencies to combat corruption and protect its members from extortion and corrupt claims. Mega chambers should formulate code of conduct for their members and put pressure on the members for compliance. Awareness regarding code of conduct for members of chambers would have trickle down effect on smaller business enterprises and so on.

NGOs can keep a pivotal role in raising awareness among the general public about the bad effect of corrupt practices. Most of our citizens understand that they are victims of corruption at their own level and corrupt practices affects their pocket. NGOs and other social organizations can make coordinated efforts to spread the message that corrupt practices at every level affects the economic development, impair equitable distribution of wealth, destroys social justice and degrades moral of the society. Corruption degrades the dignity of any nation. Researchers and academicians presented reports on how corruption destroyed the foundation of our economy. Mass campaign against corruption should be launched to develop public resistance against corruption and to provoke public support in favor of crusade against corruption by the Anti corruption commission (ACC). ACC should be proactive in setting the agenda and framework through which to engage civil society in the battle against corruption.

E. Good Governance: Role of Private Sector

The private sector can play a more active role in rooting out the **supply side** of corruption. It is painful that most businessman and citizens looks at corrupt practice as a system. According to unofficial estimates many business house just account for it on their books – as much as 10% – adding to the cost of doing business. Business leaders as well as the government should take initiatives so that local and foreign investors can set up business enterprise and function in Bangladesh without resorting to corruption and extortion.

Towards good governance the private sector must emphasize on internal controls and auditing mechanisms. Corporate bodies and business houses needs to set clear and enforceable policies against corrupt or unethical business practices. Business house need to periodically train middle and senior management on business ethics to ensure that standards are institutionalized throughout the organization. Business houses should change their mind-set to prefer managers having comprehensive business education with emphasis on ethics. Bangladeshi business managers can not afford to be unaware of global ethical standards for doing business.

F. Good Governance: Role of Institutions

For good governance, existing institutions need to be strengthened by laws and regulations. New regulatory institutions need to be created to address gaps in monitoring governance. Appointment of individuals with integrity in institutions like the i) Anti-Corruption Commission, ii) Human Rights Commissions, iii) Law commission, iv) Media and Press Commission, v) Ombudsman system can be a good

start towards ensuring good governance. But without transparent process and expertise in law-enforcement, such commissions or agencies will remain ineffective. Another area that is easily noticeable is lack of monitoring on government spending. Ministries spend allocated funds as they see fit on adhoc basis rather than their economic impact. Thus the modality of investing in people goes against the interest of the mass people. Further ridiculous and deceptive is the financial reporting system. Any reporting done is often years late. An effective institution should be formulated to monitor government spending which could go a long way towards curbing irresponsible non productive government spending. In this regard separating the accounting function from the auditing system is now only a demand of time.

It is also expected the present government will initiate reforms that will give greater results and fulfill aspiration of the people-the real owner of the country. It is ironical to note that yet there are no effective institutions with adequate legal authority to curb unethical business practices or to protect consumer rights.

Strong laws and regulations and timely enforcement system are needed to make sure that the investors understand the modality for operating in Bangladesh. Clearly defined laws, rules and regulations will help regain investor's confidence to bring big investment in Bangladesh. Unexpected arbitrary changes to legal procedures without adequate notice or public opinion, created perceptions that the political regimes catered to vested interests or syndicates.

i. Good Governance: Role of Parliament

Legislature is a fundamental component of good governance, which serves as a demonstration of pluralism, tolerance of diversity and dissent as well as a place for compromise and consensus building. The health of democracy of any nation is largely dependant on a strong and functional legislature. A government with a legislature lacking the capacity to effectively oversee the executive or influence policy cannot be deemed to be democratic or delivering good governance. The role and task of the parliament is to make laws and monitor the executive. They hold the executive organ of the government accountable through committee hearings, intervention on important national issues and making appropriate laws to sustain good governance.

The formal government is only one of the actors in good governance. Under any parliamentary system of government the parliament is another key actor for ensuring good governance. But when the elected opposition in the Parliament abstains from taking part in the proceedings of the Parliament, the Parliament becomes ineffective as a constitutional arrangement of scrutinizing government's activities. The idea that the opposition can topple a government without election is most unhelpful for democracy and democratic good governance.

ii. Good Governance: Role of Judiciary

Another characteristic of good governance is the presence of constitutional jurisdiction on the political power. Such limits include transparent, creditable and periodic elections, guarantees of Fundamental Rights, guarantees of Human Rights by an independent judiciary, which allows citizens to seek protection of their rights and redress against government actions. These limit help make government departments accountable to each other and to the people. The last remaining bastion of the rule of law is the judiciary. Like in the United States and many other countries we must also have an effective disciplinary authority over the misconduct of the judges both in the lower judiciary and the Supreme Court. It is important that the judges should devise their own disciplinary framework. The allegation of rampant corruption in the lower

judiciary is very disturbing and yet we do not find the judges themselves doing anything to redress the grievance. The citizen wants independence of the judiciary not to make the judges indulge in corruption with impunity. Corruption in the judiciary may make mockery of the whole justice system so much needed for good governance.

In a participatory democracy it is essential that citizens have faith in their public institutions. A judiciary that is seen as fair and independent is a vital component in sustaining people's trust and confidence in the judiciary. It is through judiciary that people truly experience the working of a democracy and good governance.

Another point to note is when a corruption scandal breaks open because of the media or a government investigation, many agencies come forward to handle it. An independent and transparent judicial system can expeditiously bring offenders to justice regardless of their position in politics or business. Now a day in many countries court documents of many cases are available online through the court and are posted for public consumption on major media websites. This sort of public flogging may create fear among people in high settings regarding corruption. No denying the fact, government, private sector, and citizens – especially the media – can reduce corruption by playing a collaborative role.

iii. Good Governance: Role of Bureaucracy

While politicization of the bureaucracy may damage the administration, another new dimension is that some senior bureaucrats themselves are now inclined to get political color to get short and long-term benefit package. While the short-term benefit package includes good and profitable postings, rapid promotions, extension of services, etc, the long-term benefit package of course revolves around such aspirations as induction in the party politics leading to influential positions in the cabinet or office of profits. There is no doubt that such self seeking stance on the part of the senior bureaucrats tells upon their accountability to the people.

iv. Good Governance: Role of Media

Bangladesh does have a very active media. The recent growth in the number of private electronic and print media outlets has increased not just the amount of information available but also its quality. Media should take a more aggressive role in investigating and exposing large scale and high profile corruption. **Naming and shaming** can be a very effective tactic to eradicate corruption in our country. Even in developing countries, where corruption is accepted as a necessary evil, **naming and shaming** tactic has been effective in recent years. In India, high profile cases uncovered and actively reported by the media have led to disgraceful dismissals of high level government officials and even criminal action against political leaders. No such example has been set by the political governments in Bangladesh in the past, but it is expected that the present elected government will create example of stern action against corrupt practices. However the media demonstrated ability to generate outrage among the public that can be channeled productively to control and eradicate corruption. Nobody can undermine the role and power of media in the society for establishing good governance.

However with its powerful role, even the media may get corrupted or come under undue influence. Editors and reporters must be vigilant so that corrupt and unethical journalistic practices do not undermine the power of the media. Media groups, just like professional bodies, need to set journalistic ethical standards and train their reporters adequately to ensure that they are not easily influenced by

corruption. Bangladesh needs modern laws towards ethical journalism to ensure accurate reporting without undue influence or intimidation. Law need to ensure that the media acts responsibly in investigations to avoid slandering business or political leaders without adequate information or with evil motives. Also laws should be enacted to protect the media from law suits and injunctive actions from business houses and politicians who use the courts to muzzle the press. Bangladeshi media has a good reputation that needs to be fiercely protected and improved upon through training of unbiased reporting. Once the media can prove to be unbiased, it gains the ability to champion apolitical, social causes that can benefit the society at large

v. Good Governance: Role of Educational Institutions

Teachers, trainers, professionals, educators have big responsibilities to raise voice for good governance. Teachers can implant hatred against corruptions among the students at an early age. Intermediate and secondary education can inform young minds about the importance of good governance as precondition for development. Education on critical issues like women empowerment, human rights, consumer rights, right to information, freedom of speech etc can help empower a new generation who will come forward to initiate positive reforms towards good governance.

In Bangladesh any one will be shocked to see the growing number of private universities. This is a proof to the growing demand of education. The highest demand for education has been in the Business, Medicine, Law and IT schools. Students are flocking to them because they see the tremendous potential of business education and IT education in a global context. Business schools need to ensure that their students have a comprehensive business education that emphasizes business ethics and law related to the internet. Such is the case for IT education which also needs ethical and legal knowledge regarding internet related crimes. Students taking IT and computer related courses as well as BBA, MBA, MBM students need to be educated on global standards with comprehensive knowledge of social responsibility of business, business ethics, business law in order to be competitive in a global marketplace. It should be mandatory that every curriculum includes at least one course on ethics and international business law. Improvement in the quality of business education will improve entrepreneurial development and business vision of executives and entrepreneurs of Bangladesh.

vi. Good Governance: Role of Anti Corruption Commission

Good governance also means combating corruption, and countries can not be considered having good governance, if they are corrupt. To preserve the integrity of democracy, governments must strive to rid themselves of corruptions and bribery. Corruption destroys economic foundations, impedes the ability of developing countries to attract foreign investment. Corruption hinders the growth of democratic institutions, and concentrates power in the hands of a few having money and muscle. The best way to combat corruption is for governments to be open and transparent. Official Secrecy Act must not be abused. While in certain cases governments have a responsibility to retain secrecy and confidentiality regarding national security and similar issues. Strong laws against corruption and application of such laws and the actions of law enforcement agencies that work against corruption demonstrate a government's commitment for the principle of good governance. Unhindered corruption has the vicious effect of eroding from within all the efforts at building the democratic institutions of good governance. The people aspiration is that the

Independent Anti-Corruption Commission (ACC) will prove to be sufficiently independent and bold to punish corruption in high places of the government. Corruption must be uprooted to help the institutions of good governance function in the way these are intended to. Because where good governance fails democracy does not also survive and where democracy is absent politicians do not rule.

vii. Good Governance: Role of Election Commission

Independent and Non Partisan Election Commission is a precondition for free & fair participative elections to elect public representative to the parliament. Elections, however, are not the only cornerstone to democracy. Accountable leadership and fulfillment of the will of the people are essential to ensuring that elections are a means to a democratic society, not an end in themselves. It is critical that a nation's elections be free and fair in level play ground. This means that every citizen has an equal access and opportunity to compete to become public representative. Voters must have a choice among candidates and that they have a right to information concerning those candidates. Independent election commission must ensure that voters are not put in a coercive helpless situation to choose musclemen or criminals nominated by party A or party B as their representative to the parliament.

G. Conclusion

No body will deny that, in Bangladesh in the past, governance mechanism was far less than satisfactory. Many issues and problems were the barriers to ensure good governance, equity and social justice. Weak watchdog institutions, nepotism, misuse of power, absence of rule of law, non-accountable and non-transparent governments etc. were the common features of our governance which needs to be addressed on urgent basis.

In a developing country ensuring good governance is not easy. Bangladesh after the recent political changes has experienced a big leap towards democracy. It is expected the present government, patriot citizens and other stakeholders in the public as well as the private sector will be able to address the most difficult challenge – fighting corruption. Corruption is a tremendous deterrent to good governance and development, and its burden falls heaviest on the shoulders of the poor people. An effective Anti-Corruption Commission – with strong political backing, can become a credible tool to deter corruption. All stakeholders, individual or institutions, government and non government should help the ACC to be fully operative. If Bangladesh wants to become a country free of poverty and economically strong, where every citizen will enjoy his or her rights and a better quality life, fighting corruption is the most important need. It is the responsibility of every stakeholder in both the public and the private sector to respond to this need towards corruption free, transparent, participatory good governance ensuring equity and social justice.

Although a lot of measures may be taken for ensuring good governance, it is high time to make our parliament a effective one. Public opinion should be mobilized to discourage boycotting of Parliament and make the Parliament fully functional and democratic one

Re-engineering is also required to make the MPs the key actors of the parliament instead of the ministers by making the parliamentary standing committees more powerful, effective and functional. Good governance does not happen by chance, but it is a result of deliberate leadership intention and ambition to structure social and economic interactions to achieve desired national goals. It reflects the leaders

deliberate efforts to "shape their future... to try to structure human interaction—the alternative is anarchy and chaos.

Thus for Good governance, role of individual stakeholders and the private sector cannot be undermined and existing institutions need to be strengthened by laws and regulations. New regulatory institutions need to be created to address gaps in monitoring governance. For ensuring accountability and good governance, it is required to make the parliament effective and functional and center of all debates.

On the other hand, the opposition, the civil society and other social groups and organizations also have the moral obligations to help and co-operate the government in establishing good governance.

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PRIMARY EDUCATION IN BANGLADESH: IMPORTANCE AND CHALLENGES

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Abstract: This paper attempt to draw the picture of the problems and prospects of Primary Education in Bangladesh. During the 5 years cycle of primary education (Age 6+ to 10+), students acquire the basic skill of reading and writing with comprehension and computation, which equip them for the world of work and for attaining further and higher level of education. Universal Primary education is necessary to fulfill the constitutional obligation. Bangladesh is a signatory to the UN convention on "Education for all by the year 2000" and to fulfill it is pledge to the international community universalization of primary education is necessary. In this article we have to find out the historical background, problems and prospects of primary education in Bangladesh.

1. Introduction

Bangladesh government introduced universal Primary education for all just after the independence. The constitution of 1972 realizing the importance of education in national development. In article 17 of Bangladesh constitution it is stated that was said that "The state shall adopt effective measures for the purpose of establishing a uniform, mass oriented and universal system of education and extending free and compulsory education to all children to such stage as may be determined by law; relating education to the needs of society and producing properly trained and motivated citizens to serve those needs; removing illiteracy within such time as may be determined by law."¹

This article clearly expresses the motto of the republic regarding primary education of her mass people. The Constitution of the People's Republic of Bangladesh enjoins upon the Government of Bangladesh the obligation to ensure literacy of all the citizens of the country within the shortest possible time. The Constitution mandates the state to adopt effective measures for establishing a uniform, mass-oriented and universal system of education and extending free and compulsory education to all children as stated in article 17.

From the above obligation it is clear that the only way of minimizing the illiteracy in ensuring primary education for all and it's the only way and most important issue in the field of education and socio-economic development of Bangladesh. As we

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¹ GOB, *The Constitutions of the Peoples' Republic of Bangladesh*, Article No. 17 (Dhaka: Ministry of Law, Justice and Parliament, 1996), pp. 12-14.

observed Bangladesh has a huge population but most of the people are not educated or skilled. Consequently this production capacity is very poor and very often they become burden to the society. So, only initial basic education can help than to be skill and productive. This the importance of primary education in Bangladesh is much more than other countries which belong to same economic level. But there are many challenges to overcome the hazards regarding materializing the primary education for all. So, the importance of primary is limited and unavoidable but the challenges of materializing is also multifactor.

2. Different Aspects of existing education system in Bangladesh

Education in Bangladesh has three major stages- primary, secondary and higher education. Primary education is a 5-year cycle while secondary education is a 7-year one with three sub-stages: 3 years of junior secondary, 2 years of secondary and 2 years of higher secondary. The entry age for primary is 6 years. The junior secondary, secondary and higher secondary stages are designed for age groups 1-13, 14-15 and 16-17 years. Higher secondary is followed by baccalaureate level education in general, technical, technology and medical streams requiring 5-6 years to obtain a Master's degree.²

Gradual development in educational status and increasing access to education with equity and quality is a precondition to human resource development, which in turn paves the way to poverty reduction. In order to remove poverty as a barrier to access to basic education, primary education has been made free and compulsory. Increased public education expenditure as a percentage of GDP rose from 2.7% in 2000 to 3.8% in 2008. Concerted efforts in collaboration with development partners led to significant improvement in the adult literacy rate-from 47% in 2000 to 68% in 2008. Various government interventions and NGO programs raised Bangladesh's development ranking from 143 in 2000 to 128 in 2008. However, most of the above-mentioned successes are vulnerable to external and internal shocks and need to be consolidated.

Another aspect of primary education is constitutional obligation to ensure literacy of all the citizens of the country within the shortest possible time by establishing a uniform, mass-oriented and universal system of education and extending free and compulsory education to all children.

Moreover, Bangladesh is a signatory to the Declaration at the World Conference on Education for All (WCEFA) held in March 1990 in Jomtein, Thailand.³ The Government reiterated its commitments in the World Summit for Children held in New York in September 1990, and in the summit of the Nine High Population Countries held in Delhi in December 1993. The same commitment was reiterated in the EFA ministerial review meeting of Indonesia held in September 1995, Pakistan in September 1997, and China in August 2001. Bangladesh also participated in many seminars and workshops held on Education for All (EFA). The Government of Bangladesh has made commitments in the World Education Forum (Dakar, April 2000) towards achievement of Education For All goals and targets for every citizen by the year 2015.

² Institutional Research, "Improving the Quality of Primary and Secondary Education in Bangladesh: Finding A Way Out", Dhaka: SSRIC, 2008.

³ Lutfur Rahman Khan and A H M Mohiuddin, *Importance of Primary Education* (Mymensingh: NAPE, April 2002), p. 5.

Regarding this GOB created a separate Primary and Mass Education Division in 1992. It has recently been upgraded as a Ministry of Primary and Mass Education in 2003. So, it is observed that the government of Bangladesh has already shown interest to ensure primary education for all theoretically considering the importance of basic education for the socio-economic development of the country by converting mass people into manpower but it has failed to manage and mitigate the challenges in implementing primary education for all. In this article the major difficulties and challenges have been identified through collecting relevant data by applying a defined methodology. After defining the objective a schedule Questionnaire have been applied in order to collect primary data to the concerned respondent and the secondary data have been collected from the review books, journal, Newspaper, Government and non-government publications just after finding out the knowledge gap about primary education in Bangladesh.

3. Objectives of the study

In order to mitigate the study problem this study has been conducted on the Primary education on the following objectives.

- a) To identify the various problems and prospects of primary education in Bangladesh.
- b) To examine historical changing patterns of primary education system in Bangladesh.
- c) To render suggestion in the light of the findings of the study.

4. Literature Review and Methodology

Before defining the methodology and specifying the objective the knowledge gap has been identified after revering the relevant literature. A review of literature of an article the same purpose as a road map and a travel plan for a journey. Actually, it is a very important stage of an article. Therefore, the researcher has tried his best to find out related studies of the article. But as far as his knowledge goes, there is no adequate study on this field.

However, several related research works have been found in the field of education Bailey and some other researchers Mary Jean Bowman and Finis Welch have published a book. The book is confined to analysis of school politics at the level of state government where local body takes the responsibility for the education of mass people in USA.

On the other hand several scholars and researchers of Bangladesh try to define the role of government and other corporate bodies and organizations to ensure and to strengthen the primary education for all. Among them Siddik, Abdullah, Mohiuddin, Rashid, Begum are most remarkable researcher in the field of basic education. However, they failed to linkage the poverty issue and other socio-cultural difficulties with implementing basic education in Bangladesh. But from their study the knowledge gap of the article has been identified.

5. Historical Background of Primary Education

The educational backgrounds of Bangladesh have been selected from the separation of Indian subcontinent i.e., 1947, particularly the primary education system of independent Pakistan. Which appearance in modern time of primary education is reflected to us, It was imported at the linkage time of British civilization. At various level of education, it is divided part by part. The British rule is responsible being

established such a structure of education, the British got the idea of their primary education from the noted revolution of Europe "Ecole Unique". A portion of that they imported to establish and administrative structure here. Not to fulfill the expectation of the people (Chiph from a German Workshop; p.i-434). After the British, there was continuing a conventional education in our country, though several attempts were made to restructure the education system of Bangladesh in general and primary education in particular.

5.a. Pakistan Period

India and Pakistan, two states had been reformed in 1947 as a result of long revolution. As the Bangladesh was long far of 1200 miles was included with Pakistan for so called religious nationalism. The Pakistan reign the one-fourth time of one century the primary education was polluted of all colonial affairs. In the reign of Pakistan the reformation work, which was undertaken for primary education that was built structure and the quality, was the target only.

The first national conference was held in Karachi for reformation of primary education system and re-construction of Pakistan before its inspection. In this conference the provisional East Pakistan government formed East Pakistan Education Committee and the committee passed a recommendation, which in 1931 established a new ordinance. According to that law the free and compulsory primary education had been launched and the ordinance was effective only for two years. The primary education had been promoted for five years than four years according to the law and in class five "Primary scholarship" had been adopted.⁴

In 1957 by the recommendation of "Ataur Rahman Khan Education Commission." The responsibility of conducting primary education had come from the district board to the control of Thana Parishad and the responsibility of government school on the district magistrate. To some selected primary schools the previous education system was cancelled before launching compulsory primary education and few model primary schools had been adopted. As a result, all over East Pakistan the conflict of model and non-model has been started. The Managed Primary School had been launched abolishing model and non-model provision in 1965. The five years plan of three sessions (1955-60, 1960-65, and 1965-70) was implemented. The Primary education was universal and compulsory and several times the time was fixed for five years. But lacking of initiative and necessary finance no single benefit had come to this sector. At that time the allocation was lesser. A few of the allotment were expensed (18%-20%) to the primary education.

It has been recognized for the five years planning (1973-1978) that in 1947-48 the primary school were 29633 in Bangladesh by reducing which has stood 26665. It was found the around 10% schools had been stopped. The education planning of Pakistan government had not been fruitful to the primary education in Bangladesh rather the primary education was widely ruined. So, it had been found that the literacy rate in Bangladesh was 78%-82% since 1951-1961 but the learners had been increased since 26 lac to 60 lac of primary school in 1947-1973. After getting freedom in 1947 the people did not accept so discriminated education plan of Pakistan. From the table below the discriminated education plan of Pakistan government is easily imagined.

⁴ F E Keay, *A History of Education in India and Pakistan* (Calcutta: Oxford University Press, 1959).

Timing	Total expense	East Pakistan	Percentage	West Pakistan	Percentage
1947-48	34.70	12.40	35.73	22.37	64.27
1952-53	104.30	43.60	41.60	60.70	58.20
1956-57	139.30	43.20	32.02	96.10	68.99
1967-68	713.90	348.60	48.83	365.30	51.17

Source: Education statistics of Pakistan in 1947-48 (Rawalpindi: Religious Book Society, 1969) and table 198 and 199 of Pakistan statistics yearbook.

The number of primary school was 24786 in East Pakistan in 1948-49 and the number of learners was 2309058. After eight years the number had been increased in 1966-67 as 28225 and 4268590 gradually. The early increase average in school 191 and for learner's more than one lac. In 1960 for the revolution of people the investment was increased somehow in 1967-68. The per head expense was 4.60 paisa in Pakistan and 1947-48 and in West Pakistan it was 20.72 only. It was Tk. 12.38 and 42.22. The national primary education committee of 1967 has mentioned in a statement that half of eligible learners of the time did not attend schools and was beyond the schools. The severe problem was dropped out. Fifty percent of the children were dropped out within two years of the admission. A small portion (10%-15%) completed fifth class. The fourth-fifth of the population was illiterate. Most of the adult illiterates were included from the dropped out students of then population.⁵

5.b. Bangladesh Period

The human resource of our country should be properly used for the economic development of the country and side by to enjoy the impact of economic development. Through the education, this human resource can be developed properly which is tested in Bangladesh. Being felt the truth the government of liberated Bangladesh had emphasized to reform the education system at the very beginning of liberation. With this view, primary education was recognized for the constitution of Bangladesh as the fundamental right. Mujib govt. first had taken a few remarkable initiatives towards primary education, which helped to make the base later on. The whole primary educational institutions were nationalized and education commission was formed which helped primary education to come forward in various sorts of revolution and changes.

5.b.i. Nationalization of Primary Schools

The government of Bangladesh nationalized 36165 primary schools and incorporated 157742 teachers of those schools as government staff according to the first step of government of Bangladesh in 1973 of *Primary Education Ordinance* and in 1978 under Primary School Requisition Act.

5.b.ii. Composition of Education Commission

An education commission was formed in 1972 headed by Dr. Kudrat-E-Khuda to reform the primary education system and to transform primary education to a modern knowledge; science and technology, which helped to build a strong nation, and the education commission published its report in 1974. The commission suggested extending the duration of primary education from five years to eight years and freeing of cost and compulsory. But for the convenience of implementation up to fifth class within 1980 to 8th class within 1983 to be conceptualized (Open University, 2000).

⁵ Education statistics of Pakistan in 1947-48 (Rawalpindi: Religious Book Society, 1969) and table 198 and 199 of Pakistan statistics yearbook.

A commission was organized in 1998 headed by Dr. Mofiz Uddin and it made some recommendation to reform and to amend the primary education. In 1997 "The National Education Policy" conceptualized but it was not possible to implement the recommendation of them and in 2002 further another National Education Commission was constituted. Besides, Bangladesh government has taken various steps to develop primary education like food for education, stipend for poor students and extending Infrastructural facilities and teaching aids.⁶

Primary education is offered through two types of educational institutions in our country. Government directly manages one and people supported by the government manage another one. In order to make universal literacy program a success, government of Bangladesh has encouraged people to come forward to help government's program by establishing primary school at the private level. People accepted the government's view and started establishing primary school at the private level since 1990s⁷.

At present there are 37672 government primary schools having 14187516 students and 237654 teachers while there are 19999 non-government primary schools having 5355324 students and 101296 teachers in Bangladesh (BANBEIS, 2007).

6. Primary Education and Its Importance

The importance of primary education in our practical life or in every sphere of life can hardly be over-emphasized. A nation cannot make progress if a large section of her people remains illiterate because illiteracy is a curse. Those who are deprived of primary education lag behind in life. Primary education assists to prosper in life. It presents a good nation as well as a prosperous country. Moreover, in a democratic country like ours, it is impossible to neglect the need for primary education. This kind of illiteracy frustrates all section of a country. The primary education can play a vital role in the following areas:

- i. **Importance for improving Human resources:** Those who are deprived of primary education lag behind in life. Primary education assists to prosper in life. It presents a good nation as well as a prosperous country. The number of people who are conscious educationally can play vital role in this field. They should make the people understand the sweet fruit education. Their whole-hearted endeavours can make the programme efficacious.
- ii. **Mitigating global challenges:** Bangladesh is a signatory to the UN convention on "Education for all by the year 2000" and to fulfill its pledge to the international community universalisation of primary education is necessary. Besides, to cope with the challenge of modern world. Be it in agriculture, business or in the field of information technology, education is a must and UPE may help in facing that challenge.
- iii. **Ensuring Humans Right for building Democratic Society:** Primary education Ensuring Humans right for building Democratic Society.
- iv. **For Establishing Social equality and Social Justice:** Primary education ensuring for establishing social equality and social justice.

⁶ *Education Watch*, 2002.

⁷ *Social Science Journal*, 2003.

Finally primary education can ensure social harmony, which is very essential for sustainable development. On the basis of the above mentioned perspectives and socio-economical point of view the importance and necessity of primary education in Bangladesh and as well as in any developing country is limitless. However, the challenges of implementing the and comprehensive basic education is a big question for several aspects as the government fail to over come the barriers since the independence of the country. But there is no denying that without mitigating the challenges of primary education in Bangladesh to build a developed and harmonious society.

7. Challenges of materializing primary education for all

In a country where 60 percent people are illiterate, Universal primary education has, therefore, become the crying need of the time. There are so many challenges in the implementation of universal primary education programme in Bangladesh. A few of these challenges are:

- i. **Poverty:** Poverty is an acute problem in our country. Most of the guardians of rural areas prefer their children to help them in their work rather going to school due to severe poverty. This is a great obstacle in the way of achieving the goal of UPE.
- ii. **Inadequate infrastructure:** As per statistics of primary and mass education division, in 1997, 16.68 million, children were studying in primary schools. But the number of primary schools is much less than required. As a result, about 67 lac students remain out of primary education due to insufficient Infrastructural and physical facilities i.e. lack of school building, teacher, seating arrangement etc. Another report reveals that there is still the need of 400 primary schools in different parts of Bangladesh.
- iii. **Lack of consciousness of guardians:** There are so many guardians in the villages who are yet to realize the importance of education. Since they are illiterate and did not get the light of education, they are reluctant to send their children to school.
- iv. **Unskilled Teachers:** Most of the primary teachers are untrained and unskilled and are little aware of the art of teaching children. As a result, children do not find any interest in schools/learning and leave school early resulting in higher drop out rates.
- v. **Drop out:** One of the greatest problems of UPE programme is the drop out problem. According to government sources, 60% of the children enrolled in primary schools leave schools before finishing class V.
- vi. **Lack of supervision and monitoring:** lack of inspection and monitoring and feed back measures is one of the perennial problems of our primary education. Though the Thana primary education officers are entrusted with this responsibility, the actual performance is far behind than desired. Therefore, the quality of education falls down.

Besides the above mentioned challenges Political instability, cultural conflicts, fatalism, overpopulation, lack of commitment of the national leaders and inadequate, scatters education policy, planning and programme of nongovernmental organizations and government education projects sometime the situation become bad to worse and worse to worsen. So, it requires a comprehensive study base policy and planning for eradicating the illiteracy and basic education problems of Bangladesh. However, the

following suggestions and recommendations may be helpful for the betterment of the basic education system as well as of situation Bangladesh.

8. Recommendations

The Challenges should be mitigate through strengthen the educational activities in different level.

8.a. Policy level: Policy is the root of any program, and the success of any activities mainly depends on effective and programmatic policy, Do the following suggestion are recommended for policy level.

- ❖ For improving the quality of education services the teacher-student ratio should be targeted to reach 1:30 by 2015.
- ❖ For reducing the dropout rate the class timing may be determined locally and the practice of providing Tiffin for the students can be introduced.
- ❖ Teachers should be recruited for teaching specific subjects and their capacity should be increased through subject-based skill training.
- ❖ Teachers should be preferably recruited on the basis of their home village and placed nearest to it.
- ❖ Vacant positions should be filled up by promotion of qualified candidates or direct recruitment. For creating scope of promotion for the teachers a new tier between assistant teacher and head teacher can be created such as assistance head teacher.
- ❖ The salary and benefit structure of the government school teachers should be reviewed with urgency and must be consistent with cost of living.
- ❖ The salary, pension, gratuity of the teachers are not satisfied. So these should be increased, as standard and equal salary structure should be imposed for both of the government and non-government primary school teachers of our country. The differences among the government and non-government primary school teachers in terms of salary should be reviewed.
- ❖ The salary and benefit structure at the entry point as assistant teachers should be determined on the basis of educational qualification.
- ❖ The primary education budget should be increased to meet the higher costs including contingencies, but more so for training and capacity building of teachers and other measures for ensuring higher quality education.

8. b. Administration level: Transparent and accountable administration is the helpful for effective implementing of any program or projects these the following recommendation may be helpful for implementing successful basic education programme.

- ❖ A display board should be hung at the Upazila Education Office informing the duration of completing different tasks to reduce the harassment of teachers by the clerk.
- ❖ An office assistant may be appointed in each school to relieve teachers from being engaged in non-academic activities.
- ❖ The training materials and training allowance of sub-cluster training for the teachers may be distributed through the Upazilla Resource Centers.
- ❖ Teaching learning material should be supplied by vendor selected transparently free from anyone's influence.
- ❖ Gender orientations should be provided to male teachers, guardians and managing committee members to reduce negative attitude towards female teachers.

8.c. School level administration: The final effectiveness is shown in the field of any program. So, a sound and practical steps should be taken in school level administration.

- ❖ Guardians and students should be made aware about their entitlements from school and the pre-requisites for such entitlements.
- ❖ Mother's gathering, SMC, PTA, welfare associations, courtyard meetings and guardians meetings should be arranged regularly for increased interaction between guardians and teachers. The experience and expertise of non-government initiatives can be a source of learning and assistance in this regard.
- ❖ Female representation should be ensured through inclusion of 50% female members in the SMC, parent-teachers' association and welfare association.
- ❖ Training should be provided to the members of SMC, parent-teachers' association and welfare association.
- ❖ Monitoring and supervision by the Upazila Education Office should be increased, but must be objective and professional.
- ❖ Local government units at their respective levels can help energizing the communities to ensure enrollment of all school-age children in primary schools, regular attendance, completion of cycle and reducing drop out or repetition; ensure regular attendance and improved class room performance of teachers, availability of housing facilities, particularly for non-resident female teachers.
- ❖ The salary, pension, gratuity of the teachers are not satisfied. So these should be increased as standard and equal salary structure should be imposed for the government and non-government primary school teachers.

9. Conclusion

In the concluding remark it is mentioning that after analyzing the pros and cons of primary education situation as well as the prospects and challenges of primary education in Bangladesh it is clear that the necessity and importance of basic education is much more useful than, any other country is the world for several reasons; As it is overpopulated, poor, and economically very depended on developed nations. But the present situation is not favorable for implementing the basic education for all. However, there is no alternative of educating the people of this land for sustainable development as well as harmonious prosperous and peaceful country in the work.

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THE DRAINAGE SYSTEM OF RAJSHAHI CITY AND ITS IMPACT ON URBAN ENVIRONMENT

Md. Moshir Rahman*

Abstract: The proper drainage system is preconditioned for a sound and livable city. To ensure hygienic living of city dwellers it is essential to provide proper drainage facilities in that area. Though it is a matter of regret but true that most of our city has no proper drainage management system. For the lack of proper efforts of authority, majority of our municipal area have to keeps in various mismanagement systems. As a result the city people have to live in a sordid condition. They have to suffer a lot for want of basic amenities like water and electric supply, drainage management and sanitation, health and recreation and so on. Among them the lack of drainage facilities is very sensitive as because it has direct impact on human health. The study area of Rajshahi Metropolitan city is mainly affected by lack of drainage comparing with other Metropolitan City in the country.

Introduction

The Drainage system of a city has a great importance as because the city's beauty, health and convenience are mostly depends on it. A sound drainage system is essential to keep a city clean and hygienic. Drainage system can ensure both solid and liquid waste management of a city. The drainage pattern can play a vital role to alleviate water-logging problem and to provide proper sanitation facilities in the city. It is sorrowful to say but real that the drainage system of Rajshahi Metropolitan City is in sordid condition. Although every fiscal year a huge amount of money are allocated in purpose of construction and reform drain but for want of proper planning, the drainage system failed to met its demand. As a result peoples of the city suffer a lot (Ali 2002 p57-63). The environment of the city and the living standard of people are deteriorating as because of leakage and unplanned drainage system (Allimuddin 2002 p 203-209). It creates a lot of problems to the city dwellers and also polluted the environment. Various types of disease are easily spreading in the study area due to lack of proper drainage facilities. Drainage system has a direct impact on human health. To meet the demand of growing people settlement, the city area is automatically expanding. As a result, the demands of drainage facilities are increasing. This issue is very much related with city's whole environment. The drainage system can ensure to remove the waste of city in due time. To solve the water logging problem drainage system play the main role. Actually the good condition of a city is very much depending on its drainage pattern. So to preserve the beauty, remove environmental pollution and ensure hygienic living of the city it need to research more about drainage system.

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Objectives

The main objectives of this study are as follow;

- 1) to know the present condition of drainage system of Rajshahi Metropolitan City.
- 2) to assess the impact drainage system on urban environment
- 3) to ensure a sound living condition of city people by identifying water logging problem and locate way of remedy from that
- 4) Provide recommendation to the authority to take proper step how to bring the whole city under drainage network.

Health Indicator

- 1) Health Environment
- 2) Water logging
- 3) Various pollution
- 4) Spread of disease

Data Source

Both primary and secondary data are used in the study. Primary data are collected through a structured questionnaire survey from the study areas. Secondary data are collected from Rajshahi City Corporation (RCC) Rajshahi Development Authority (RDA), Local Government and Engineering Department (LGED) Rajshahi Branch Office, Urban health center, Rajshahi.

Drainage Master Plan(DMP),Department of Public Health and Engineering (DPHE)office project report in addition to various published documents like journal, thesis etc. The data were collected from November 2006 to May 2007.To meet the objectives of the study and achieve the goal of the research detailed field level investigation and surveys were conducted. For these purpose a total of 228 three types of households (pucca, kacha, semi-pucca) from 30 wards of study area were selected and intensively surveyed through a large number of questionnaire.

Methodology

Using stratified random sampling among the study area are drawn an addition to analysis the nexus statistical software SPSS has been applied. The unequal distribution of drainage pattern of the whole city creates some problems to flow solid and liquid waste properly

Before finalizing the questionnaire survey a pilot survey also has been done to the research area for a short period of time as the pre test of research work. After necessary correction of this pilot survey, the basic questionnaire survey was conducted. The researcher was directly involved to collect data through questionnaire survey. To select the household of survey area a random sampling method were applied due to huge number of household of study area. During surveying emphasis was given to the household of remote area of the city. The information that achieved by the questionnaire survey were manipulated using statistical method. Only the objectives of research related data were taken to analysis nexus of this statistical software method. To get the real picture of Drainage Pattern of Rajshahi Metropolitan City and to compare the condition of different area various types of statistical test were done such as correlation. Both numeric and descriptive type of data are used in those tests. To identify the actual feature of drainage condition of the city proper map and figure are shown. Cartalinx, the spatial data builder software (GIS) has also been used to digitize the maps of study area and to draw the cross-section of drain.

Study Area

The study area of this research is Rajshahi Metropolitan City. It is one of the major divisional head quarters of Bangladesh. It lies between 24° 21' North to 24° 26' North latitude and 88°28' East to 88°38' East longitude (Mahmud 2005 p5-8). This metropolitan area is divided into 30 units of ward. The main river of Bangladesh the Padma flowed beside this city area playing an important role to discharge the drainage waste of whole city. It comprises a total area of 48.05 square kilometer. The population of the investigated area is 5, 69,641 persons according to the census report of 2001 and its density is 7,969 person per square km. This area is known as Barind region. For a variety of reasons this region are facing a lots of problems. The temperature of this study area remain between 8.5°C to 25.25°C during winter season and in summer it fluctuate between 24°C to 42.25°C (Weather office, Rajshahi-2007). The most important Padma river acting as the main source of drainage system of the city's garbage and waste.

Present Drainage Condition of Rajshahi City

The present drainage system of Rajshahi Metropolitan City is not sufficient for its dwellers. The drainage network system plays the main role to discharge the solid and liquid waste of the whole city. But for want of sufficient drain and proper planning this network are failed to play effective role to dropout the wastage from the city (Gupta 1997). The total drainage network of Rajshahi city including 10 primary drains 27 secondary and more then 200 tertiary drains are 132.27 km (RCC-2007). Most of the drains of the city are open and uncovered. As a result various problems are occurring like road accident. Some times the waste of the drains is come out in the street and makes the concerned area unhygienic. The solid waste as well as other materials of the open space falling into the drain and make it logged. As a result most of the drain flows are stopped. The drains that located near the road side are sometimes fill up by soil and filled. The City Corporation authority very often show their negligence to clean the drain in due time. Medicine is not properly sprinkled in the drain. The most objectionable things is that the drain cleaner keep the waste of drain across the road for a long time to dry. As a result the waste again reaches in that drain by the daily act of human and others.

Inventory of major 12 drains of Rajshahi City

Sl. No.	Name of drain	Length (m)	Width (m)	Height of level		Height of land		Slope sec/m	Discharge m/sec
				Start	End	Start	End		
1	Chalna	825	8.22	16.43	16.11	19.00	17.68	0.04	65.23
2	Darusha	600	1.46	17.8	16.59	18.36	18.76	0.02	68.92
3	Kesobpur	2676	1.99	18.31	15.60	19.02	17.76	0.11	72.72
4	Sree Rampur	200	3.33	8.31	7.93	18.91	19.13	0.19	0.02
5	Cercuit House	3545	2.87	6.81	4.57	19.43	16.25	0.04	8.6
6	Dargapara	486	2.31	8.41	13052	18.58	16.18	0.10	20.0
7	Fudkipara	3080	2.34	7.24	5.00	18.31	16.73	0.07	2.1
8	Kumarpara	485	0.55	8.77	7.24	19.19	18.46	0.32	8.2
9	Kalpona	4576	2.7	7.51	3.88	17.18	15.99	0.04	9.7
10	Kharbona	2286	1.4	6.40	6.38	20.51	17.42	0.01	0.98
11	Kazla	5678	3.36	7.23	5.56	18.84	18.02	0.03	9.42
12	Satbaria	4643	10.6	5.80	4.28	20.50	15.03	0.03	8.2

Source: Rajshahi City Corporation-2007

Impact of drainage system on Urban Environment

The drainage system has a direct impact on the urban environment. Most of the city's convenience depends on its sound environment. The water logging problems of a city is mainly occurred due to lack of proper drainage facilities. The study area contains a huge lackage regarding the matter. Due to insufficiency of dustbin, the inhabitants are some times throw their domestic waste in to the drain. The domestic wastes are sometime found in scatter around the dustbin as they are not properly managed. As a result the drain gets a barrier to flow its waste, which lead blockage of drain. Beside this some of the drain, specially which are located near the road are sometimes fill up by soil and blocked its flow. Ultimately creates water logged. This creates an uncomfortable situation of the urban environment.

Impact of drainage system on human health: It examined the potential impacts of drainage system on human health as part of a congressionally mandated study of drainage system of the Rajshahi City. Proper drainage system is important to ensuring good health of a city. As drainage system is deeply related to removing the waste and garbage so it plays the main role to keep the area clean and hygienic. Various types of vital disease like diarrhoea, dysentery, and some other skin and water born disease may spread due to contaminate with drainage water. Required number drain is essential for proper supply of solid and liquid waste. Here it is mentionable that only construction of drain is not sufficient to ensure good health rather it is important to keep them active and flow able. It identified five categories of health outcomes that are most likely to be affected by drainage system because they are associated with surrounding environmental condition are related morbidity and mortality. Health effects of extreme unhygienic events of drainage system like odors, contamination, mixing with drinking water, linking with pond or wet land and easy access of animals and children are the major causes for spreading various types of disease in the concern area. In this way air-pollution-related health effects; water- and food borne diseases; and vector- and rodent borne diseases are also exposed. We concluded that vigilance in the maintenance and improvement of drainage system is essential for the improvement of public health condition and their responsiveness to ensuring a sound and hygienic living in the study area.

Concept about drain: Before going to discuss about drainage condition first we ought to know what drain and drainage system mean. According to RAO.M.S (1995)- Drain -refers to an artificial channel used for carrying off excess water from an area.

Different categories of Drains: According to the Drainage Master Plan of Rajshahi city, there are three categories of drains in the city. These are

- 1) Primary drain;
- 2) Secondary drain and
- 3) Tertiary drain.

There is no any authentic definition of different types of drains. On the basis of their structure and size they are categories in to different types.

- 1) **Primary drain:** Actually Primary drain means the main drain of an area. The drain which consist vast depth and width are normally defined as primary drain. There are 12 primary drains in Rajshahi City whose total length is 44.80km.(Drainage Master Plan pp 61)These are: Chalna, Darusa, Kasobpur, Sreerampur, CircuitHouse, Dargapara, Fudkipara, Kumar para, Kalpona, Khorbona ,kajla, and Satbaria drain.

- 2) **Secondary drain:** Secondary drains are the medium drain. This drain are inter link with primary drain to flow their wastage and water. The total length of secondary drain is 42.69km. (Drainage Master Plan pp 61)
- 3) **Tertiary drain:** Tertiary drains are the small and narrow in size. There are about 200 tertiary drains in the city whose total length is 41.78 km. (Drainage Master Plan pp 61) Hornby A.S (2002) in Oxford Dictionary mentioned a definition of tertiary drain that is "A pipe that carries away dirty water or other liquid waste". He also define drain pipe as
- a pipe that carries rain water from the roof of a building to a drain picture at house.
 - a pipe that carries dirty water or other liquid waste away from a building.

Different Drainage Construction Project:

There are three different Phase of Drainage Project has been taken in Rajshahi City to implement the Drainage Master Plan by allotting 42.80 core taka. Among them two phase has been already completed. The third phase of drainage project has been approved and going to be started.

First Phase Drainage Project: The first phase drainage project was started at 1994 by allotment of 20.38 core taka first time, but finally it turn to taka it 23.06 core after three times amendmend. About 34.75 km primary drain, 15.58 km secondary drains, 79 culverts 30 nos. road-crossing and 2 flood rehabilitation centers was constructed in this project. The whole project was completed in June 2003.

Inventory of first phase Drainage Project

Year	Total cost based on implementation	Estimated cost	Allotted share	Cost (on allotted %)
1993-94			50.00	
1994-95	24.97	24.02		3.91(15.77%)
1995-96	3.02	3.02	250.00	3.19(105%)
1996-97	75.71	75.71		75.71(100%)
1997-98	448.42	448.42	150.00	446.40(99.55%)
1998-99	323.82	323.82	250.00	348.32(107.57%)
1999-2000	180.53	180.53	700.00	153.89(85.04%)
2000-01	547.44	547.44	200.00	548.04(100%)
2001-02	266.27	266.27	270.00	325.24(122.15%)
202-03	436.98	436.98	437.00	377.44(86.37%)
202-03	436.98	436.98	2307.00	2302.83(99.82%)

Source: Planning Branch Rajshahi City Corporation-2007

Second Phase Drainage Project

The second phase Drainage project was started at 1 July 2004 under 215.95 million taka allocated. This project was supervised by LGED through Rajshahi City Corporation. The whole project was finished at 30 June 2006. About 9.40 km primary drains, 9.97km secondary drains and 4 Railway culverts are constructed in this drainage project. The second phase drainage project has implemented under 215.95 million taka through LGED supervised by Rajshahi City Corporation.

Objectives: a) to improve the environmental aspects of the people of Rajshahi City by reduced incident of drainage blockage and water logging areas through provision of proper drainage system within the priority areas. b) to improve the human health and productivity of the living environment throughout the implementation of sustainable and effective maintenance of drainage system.

Item wise Financial and Physical Target of 2nd phase

Name of Project: Construction of Drains to alleviate the water logging problem at Rajshahi City.

Name of agency/division/ministry: Rajshahi City Corporation, Local Government Division, Ministry of LGED.

Sl. N	Total Physical Financial Target				Year-1(2004-2005)			Year-2(2005-2006)		
	Work Component	Qty/unit	Unit cost	Total Cost	Weight of each item	% of item	% of project	Weight of each item	% of item	% of Project
1										
2	Construction of Primary drain	9.40	15.0	141.00	-	-	-	00.65	100	65
3	Construction of Secondary drain	9.97	7.07	70.45	-	-	-	00.33	100	33
4	Widening of Railway Culvert	4	1.12	4.50	-	-	-	00.02	100	2

Source: Rajshahi City Corporation 2007.

Third Phase Drainage Project: Third Phase Drainage Project has been approved on allotting 42 core taka to construct drains in the city. Rajshahi City Corporation has declared about this project through a press conference on last 31 May 2006. Target to implement of this project has estimated on 2020.

Benefit for implementation of this project

The city people of study area have already begun to get benefit after implementation of 1st 2nd phase Drainage Project. The first phase development project was completed in 2003 under which an effective network was developed in the city core by resectioning of 20 km Khal/primary drain and by simultaneous construction of 4 km primary, secondary and tertiary drains. As a result of implementation of first phase project 30% of city area has become free from water logging problem and 35% of city population has been directly or indirectly enjoying the benefits of the project. It is estimated that after completion of 2nd phase Drainage Project 60% city area, where density of population varies from high to medium has been completely free from major drainage problems and as a whole 70% of total city population has been benefited. As a result the environmental aspects of the whole city, i.e the human health and productivity and betterment of the living environment will be improved. After finishing the 3rd phase Drainage Project it has been expect that about 100% of city area will be under good drainage network.

Type of presence of drain in study area: Drainage system plays the main role to remove waste, water logging and maintains sanitation of a city. The city dwellers have to suffer a lot if the drainage system is not well and sufficient. Through a questionnaire survey in study area it has found that there are 64.5% area of the city has drains, 19.5% area has no drain, 2.3% area was in past and 17.8% area under construction. (table 1)

Existence of drain type in research area

Existence of drain type	Number	Percentage
Drain exist	147	64.5
No drain	31	19.5
Exist in past	0.5	2.3
Under construction	45	18.8
Total	228	100%

Source: questionnaire Survey-2007

Types of drain in research area

The level of waste expulsion depends on the drain type. Expulsion level of waste through pucca drain is more than semi-pucca and kacca drain. Through the questionnaire survey of study area it has found that pucca drain has in 29.5% area kacca drain has in 25.4% area and semi-pucca drain has in 45.1% area (table 2).

Drain type of research area

Drain type	Number	Percentage
Pucca	58	29.5
Kacca	50	25.4
Semi-pucca	89	45.1
Total	197	100%

Source: questionnaire Survey-2007

Waste flow type of drain

The main purpose of drain construction is to remove waste and water logging problem. The drainage system may be ineffective if the flows of drain are stopped. The drainage flow may be stop due to various reasons. Among them one of the main reasons is, not to clean drain regularly. Through direct investigation of the research area it has found that 45.1% drains flow regularly, 35.6% drains flow sometimes, and 19.2% drains are not flow yet (table 3)

Waste flow type in research area:

Waste flow type	Number	Percentage
regularly	89	45.1
sometimes	70	35.6
not flow	38	19.2
Total	197	100%

Source: questionnaire Survey-2007

Drain clean type in study area: A good drainage system mostly depends on proper clean of drain. In research area most of drains are not clean regularly. through questionnaire survey it found that 26.4% of drain are clean regularly, 39% of drain are clean some times 28% drain are clean in very few and 11.6% drain are not clean at all (table -4)

Drain clean type	Number	Percentage
regular	42	26.4
sometimes	77	39
very few	55	28
not at all	23	11.6
total	197	100%

Source- questionnaire Survey-2007

Findings

- Insufficiency of drainage system are found in some ward of the city
- Absence of drainage facilities are found in the periphery area of the study area.
- Most of the drains are found uncovered and blocked.
- A linkage of drainage system and with drinking water source is found in some cases.
- Some common disease (specially infectious) like diarrhoea, dysentery, fever, typhoid are very common to contaminate in the area where drainage facilities is insufficient.

Recommendations

As the present drainage system of Rajshahi city is not sufficient and well planned so it keeps a negative impact on its inhabitants. It is badly need to improve this situation because the health and environment of the city are related to this issue. For the improvement of drainage system of the city the following recommendations are given below:

- 1) Firstly it need to identify the drainage facility deprive area and then take proper step to provide such facilities;
- 2) It needs to make a list of priority area, based on where drainage system is in sordid condition and then construct drain gradually;
- 3) Reconstruct or reformat the broken drain;
- 4) To ensure proper flow of drainage waste, it needs to clean the drain regularly;
- 5) It needs to make large dustbin near residential area such as people can easily throw their domestic solid waste;
- 6) It needs to make cover of drain those on which are opened;
- 7) To solve the water logging problem it need to interconnect with one drain to another, such as to pass the rain or excess water;
- 8) Finally it needs to give emphasize on increase of people consciousness.
- 9) It also needs to increase awareness about health disease that may expose due to contact with drainage system. Sewerage is correctly the subset of wastewater that is contaminated with feces or urine, but is often used to mean any waste water. "Sewage" includes domestic, municipal, or industrial liquid waste products disposed of, usually via a pipe or sewer or similar structure, sometimes in a cesspool emptier.

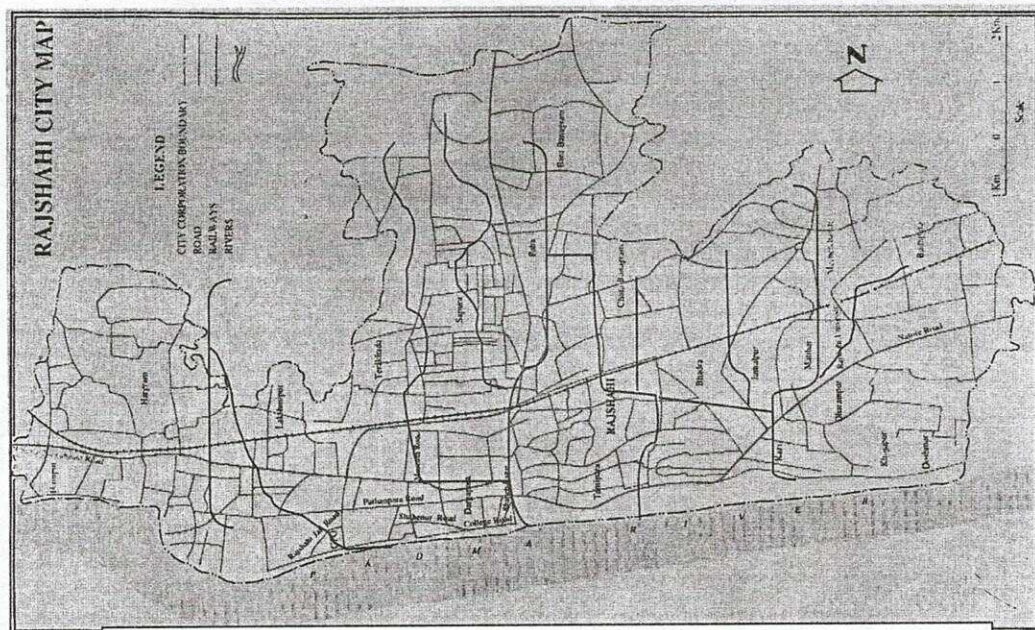
Conclusion

The drainage system is considered as the most important things in modern urban planning. Now a day it is considering as the criteria of a city either it is eligible to live or not. The most essential three objectives of city like beauty, health and convenience are also depend on it. Its importance is increasing due to rapid growth of urbanization. At present a city, without good drainage facilities is hard to imagine. The drainage condition of Rajshahi Metropolitan City is now reached at a standard position comparing one decade before. According to the data of Drainage Master Plan (DMP)-June 2005, there are 132.27 km drains of various categories are constructed in Rajshahi city. It is not enough to provide proper drainage facilities among .6 million people within 48.05 square km area (Drainage Design Report 2005pp17-26). Especially after the implementation of 1st and 2nd phase drainage project about 60% of total area has come under the drainage network. Though the number of drains are not less but due to lack of proper observation or clean most of the drains are failed to serve its function. As a result the drainage system could not fulfill the demand of city's inhabitants. The result is ultimately imposing a bad impact on human health in the study area. If it is possible to ensuring proper drainage system in the city area then it will be possible to minimize spread of some drainage concern disease.

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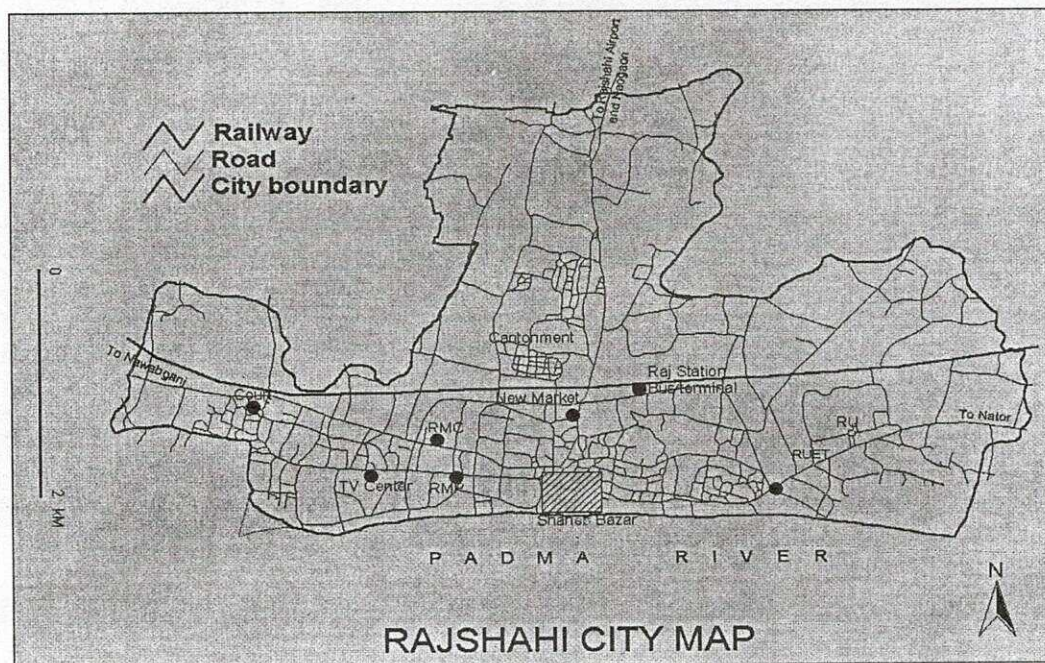
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The major 12 drains in Rajshahi Metropolitan City



Legend

City Boundary ----- Ward boundary ____ Drain _____



LAND USE CHANGE IN PERI-URBAN AREAS OF RAJSHAHI CITY

Md Mizanoor Rahman*

Abstract: A substantial and growing proportion urban population lives in or around cities, including the zone termed the "peri-urban" which has began to assert its influence on cities as viable zone for economic development. The characteristic of Asian urbanization is emergence of a new complex landscape in peri-urban areas, which are characterized by an intensive mixture of agricultural and non-agricultural activities. The similar trend can be seen in all peri-urban areas of Bangladesh. The contribution of peri-urban areas is notable to fulfill the diversified urban demand especially agricultural and non-agricultural products and space for housing that brings change in land use pattern of the areas. In the research an attempt was made to describe the change of land use pattern, its controlling factors and consequences of land use change in peri-urban areas of Rajshahi City. For the study, necessary data, information and maps were collected from secondary sources, and to analysis and represent collected data and information quantitative analysis and mapping techniques have been applied. The research findings indicate that the change in land use pattern is so rapid basically from agriculture to housing and commercial land, which has brought economic transformation of the area.

1. Introduction

Peri-urban characteristics differ on area and built up sector, and will be modified over time. This area gradually achieves the urban characteristics and leaves rural characteristics. Consequently, it consists a large diversity, which shows itself a complicated infrastructural pattern; an intricate system of living-work relationships; a big variety in land value; a very rapid development like rapid changes in the size of built up area, changes in the functionality of the area, and changes in the composition and activities of the population. The land use pattern in peri-urban area is multifaceted and dynamic. Land use change is not only the transformation from non-urban land to urban land, but also exist in the competition between the divers land uses. In fact, the multiplicity of land uses is inevitably described in case land uses in the urban fringe is referred to Firey (1947) wrote about the 'conglomerate of land use', Thomas (1974) mentions 'farming-to-quit' and completely idle land as examples of transitional forms of land use. Paliyon and others (2005) described land uses in peri-urban area classified into four categories: urbanized areas (including all built-up area), agricultural land (paddy fields), vacant land, and other. Having seen that the urban fringe is very attractive for a great variety of users, both from the

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agricultural and the urban point of view, one should not be surprised to find not only many land uses intermingled but also transitional forms of land use (Pryor, 1968). In Bangladesh, the urban land use is intensive compared with the extensive cultivation of agricultural land in peri-urban area. Because most of urban land uses occupy small area with high building density, and for urban agriculture the periphery is a better area due to the farm market economy and proximity to market. This situation invites the urban land use in peri-urban area and the area is intersected by the rapid construction of infrastructure. As a result, the area becomes heterogeneous in plan, building forms, and land and building use; and among its varied land uses are institutions, public utilities, allotment gardens, parks, recreational areas and certain types of industry (Morton and Whitehand, 2006).

2. Study Area

Rajshahi City Corporation (RCC) is one of the fourth city corporations situated in the north-west part of Bangladesh. It is not fully bounded over by its peri-urban area due to location of other urban areas (Nawhata and Katakhal Paurashava), Padma river and rural dominated areas on its boundary. The areas are situated distinctly in three different places i.e. south-west and two different locations on north side (Figure-1). The south-west peri-urban area encompasses of five villages while the north-west peri-urban area contains three villages and north-east peri-urban area includes five villages. However, the total peri-urban area is located under Paba Upazila administrative unit, which consists of 13 villages, and one side is bounded over by the rural area of Paba Upazila whereas another side is bounded over by the Rajshahi City Corporation. The total area of peri-urban of RCC is 16.40 km², which is almost one-third of RCC area.

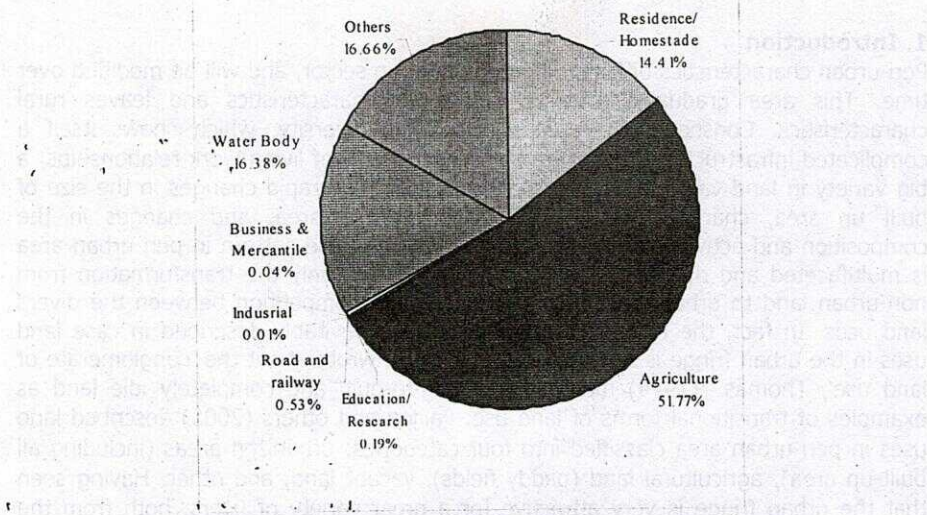


Figure 2 Land Use Pattern of RCC Peri-urban Areas-2001

The study area is almost plain land, is formed by the sedimentation process of Padma River and tectonically it is part of Bengal basin. Southern part is higher than

the northern part. Along side the Rajshahi City protection embankment land is the highest elevated area and the natural ground slope is from south-west to north-east; and the general ground elevation is varied by from 17 meters to 18 meters (RDA, 2004). The area is not normally affected by flood, which increases the land suitability in term of different uses. Moreover, the climate of Rajshahi is sub-tropical monsoon with high temperature, considerable humidity and moderate rainfall, which is in favor of agricultural practices.

The land use pattern of peri-urban area of RCC is mostly occupied by the two main sectors like agriculture (51.77%) and residence/homestead (14.41%) land use, whereas the RCC area is dominated by the residence/homestead land use and it is 33.46% of total area. The surrounding rural area of RCC is controlled by the agricultural land use and 56.12% land is used for this purpose. So, there is opportunity available of having big pieces of land to the investors for using either agricultural or non-agricultural purposes.

3. Objectives of the study

The general objective of the study is to discuss the land use change and its cause-effect analysis in the study area. The specific objectives are as below:

- To discuss the land use pattern of the study area
- To discuss the land use changing pattern and its consequences in the study area
- To identify the factors of land use change in the study area

4. Research Methodology

The study based on both explanatory and explorative concept. In explorative part an effort has been made to find out the factors that influencing the land use change of the area while in explanatory part the land use changing pattern and its consequences have been discussed. Three villages from three peri-urban areas were selected purposively for the study. Only secondary data was used in the study and for that data and necessary maps were collected from relevant tohoshil offices, RDA, and SPARSO. For analyzing collected data different statistical techniques and mapping techniques have been applied.

5. Sample Villages

As it is mentioned that peri-urban areas of RCC consists of 13 villages and out of them three villages have been selected for the study those are Kasiadanga, Aliganj and Kharkharia. Among them Aliganj is the largest village with 2.17 km² area, which is situated in the north-west peri-urban area. On the other hand, Kasiadanga is medium type of village in size is situated in south-west peri-urban area comprises of 1.24 km². Moreover, Kharkharia is another sampled village with total area of .35 km² (smallest) situated in the north-east peri-urban area (Figure 1).

6. Change in Land Use Pattern

The peri-urban, therefore, is the edge in space where the returns to land from traditional and customary urban land uses are approximately equivalent to the returns from traditional and customary rural land uses (Hite, 1998). In peri-urban areas, the more transitional areas are agriculture, housing and commercial land. It is observed that agricultural land gradually has been converting into housing and commercial land significantly (Table 1 & 2) and change is more in recent time than the previous. Table 3 demonstrates the sectoral and periodical land use change in the

study area, and figure 3, 4 and 5 show the land use distribution pattern in the areas from 1991 to 2008.

Table 1 Land Use (in percentage) Pattern during 1991-2008

Name of Village	Agriculture			Housing			Road and Railway			Industry			Commercial		
	1991	2001	2008	1991	2001	2008	1991	2001	2008	1991	2001	2008	1991	2001	2008
Kasiadanga	65	62.17	58.01	9.65	12.01	15.9	.37	.37	.37	0	0	0	.01	.02	.05
Aliganj	60.72	58.10	54.26	9.12	11.83	15.67	.67	.67	.67	0	.02	.02	.04	.05	.07
Kharkharia	60.5	57.86	54.47	8.98	11.62	15.01	.22	.22	.22	0	0	0	.04	.06	.10
Aggregate	62.11	59.42	55.51	9.28	11.87	15.69	.53	.53	.53	0	.01	.01	.03	.04	.06

Sources: Tohosil Office of Kasiadanga and Kharkharia, Rajshahi Development Authority (RDA), SPARRO

In Kasiadanga village, the agricultural land has been decreased whereas the land under housing has been increased gradually to provide the residence of rapid increased population. In 1991, 2001 and 2008 the agricultural land of Kasiadanga village was 65%, 62.17% and 58.01% of total land respectively and land under housing was 9.65%, 12.01% and 15.9% of total land respectively. Besides, commercial and road & railways land use occupy very few areas. But occupied land by different sectors is more than the aggregate situation except road & railway and industry. During 1991-2001 the agricultural land of Kasiadanga was decreased by .28% per year while during 2001-2008 it has been decreased by .42% per year. At the same, housing land has been increased during 1991-2001 by .24% per year and during 2001-2008 by .39% per year. Though, the change in commercial and other land uses is not so remarkable in the area (table-3).

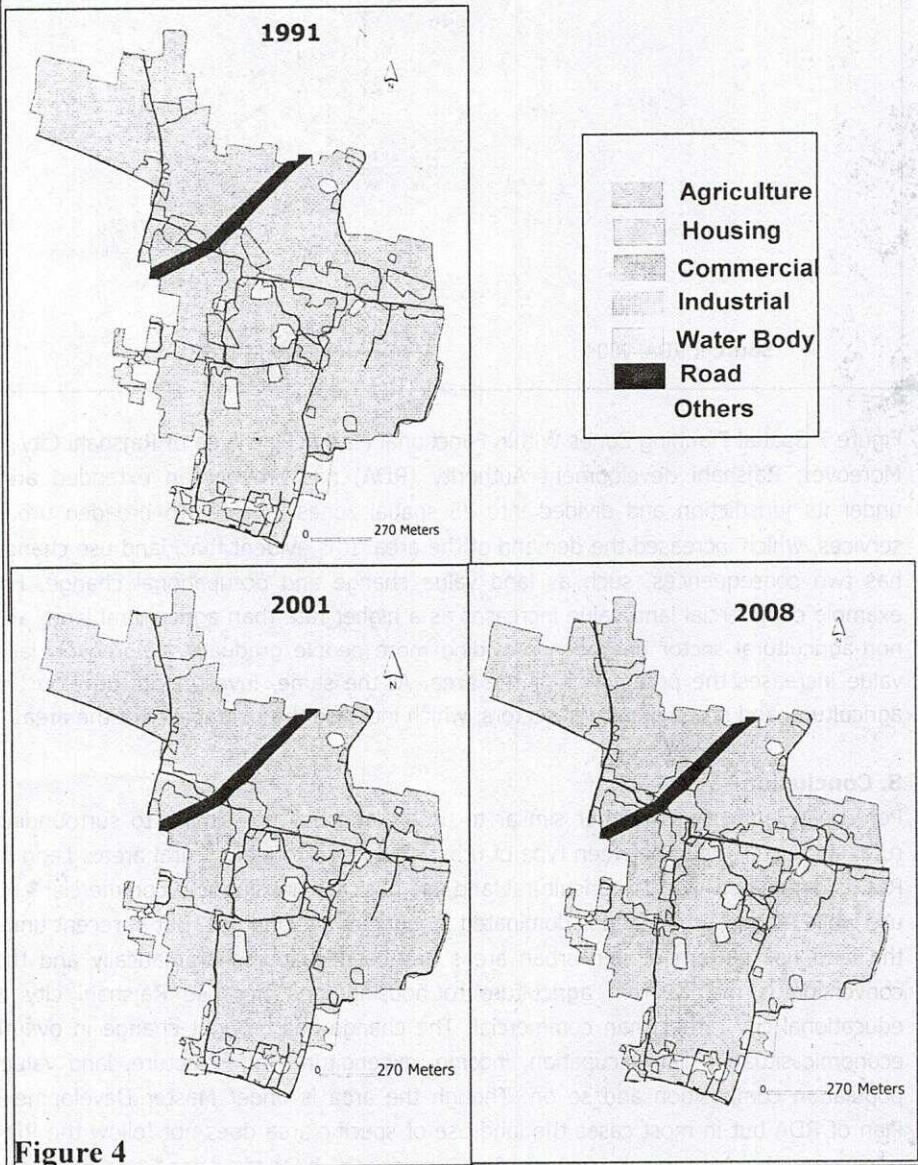
Table 2 Correlation among the land use types

		Housing land	Commercial land	Remarks
Agriculture land	Corr. Value	-.805(**)	-.929(**)	Relation between Agricultural and housing land use change is negative and significant.
	Sig. Value	.002	.000	Relation between Agricultural and Commercial land use change is negative and highly significant.
Housing land	Corr. Value		.663(*)	Relation between housing and commercial land use change is positive but not significant
	Sig. Value		.019	

** Correlation is significant at the 0.01 level

Moreover, similar trend as like Kasiadanga was observed in Aliganj and Kharkharia village. From table-1, it is observed that the agricultural land of Aliganj was 60.72% in 1991, 58.10% in 2001 and 54.26% in 2008. The annual change in agricultural land during 1991-2001 was .26%, which is equal to aggregate situation and during 2001-2008 was .38% that is below the aggregate situation. On the other hand, the land use under housing was 9.12%, 11.83% and 15.67 % in 1991, 2001 and 2008 respectively. The annual change in housing land use during 1991-2001 was more than aggregate situation and during 2001-2008 was equal to aggregate situation. In case of industrial land use, Aliganj is the only village where it was found, and change was more than the aggregate situation during 1991-2001 whereas equal to the aggregate situation during 2001-2008. Furthermore, change in commercial land use was equal to the aggregate situation for both two-time periods (table 3).

LANDUSE MAP OF ALIGANJ VILLAGE (RAJSHAHI PERI-URBAN AREA)



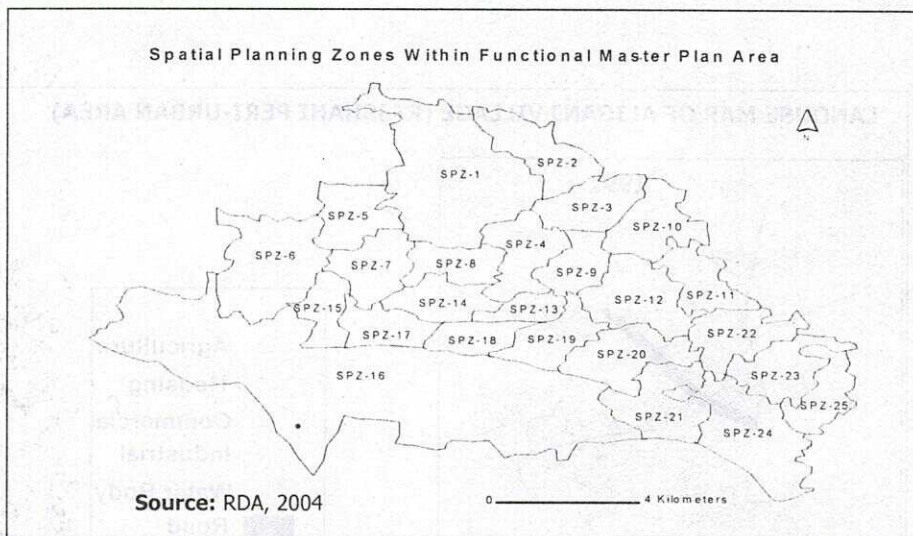


Figure 7 Spatial Planning Zones Within Functional Master Plan Area of Rajshahi City. Moreover, Rajshahi development Authority (RDA) has brought an extended area under its jurisdiction and divided into 25 spatial zones in order to broaden urban services, which increased the demand of the area. It is evident that, land use change has two consequences, such as land value change and occupational change. For example commercial land value increases as a higher rate than agricultural land, and non-agricultural sector has been providing more people gradually. Moreover, land value increases the potentiality of the area. At the same, investments develop the agricultural and non-agricultural sectors, which increase the potentiality of the area.

8. Conclusion

Peri-urban land use is neither similar to urban land use nor similar to surrounding rural land use. It is in-between type of urban and its surrounding rural areas. Land of RCC is dominated by non-agricultural land use basically housing and commercial land use while its peri-urban land is dominated by agricultural land use. But in recent time, the land use pattern of peri-urban areas has been changing dramatically and the conversion is mainly from agriculture to housing land because Rajshahi city is educational city rather than commercial. The change has brought change in overall economic situation like occupation, income, expenditure, infrastructure, land value, population composition and so on. Though the area is under Master Development Plan of RDA but in most cases the land use of specific area does not follow the RDA rules properly. As a result, a diversified, unplanned, haphazard land use has been developed in the area. So, in order to get maximum returns, equal opportunity for the dwellers, equal development of the area a planned land use is utmost needed.

proposal under the Master Plan includes such areas like housing, infrastructure and municipal services, town center, transport, investment and employment, education, health facilities development, open space, social services (RDA, 2004). It can be seen that the infrastructure of the area has been changed especially in metal road, type and number of vehicles, housing status, electricity, communication opportunity and other facilities. As a result, group of resourceful conscious people invest money to the land as investment because the land price of the area is increasing rapidly. In future this land will be used either for commercial purpose or will be sold for economic benefit. For example, Bishal Group has bought 3 acres land in Kharkharia village for shopping center and Amman Group has acquired 5.2 acres land for seed breeding center. Moreover, the land price of the area is also increasing due to conversion of land from agriculture to non-agriculture especially to commercial and housing purpose. Because the price of commercial and housing land is more as compare to agricultural land. Land value also depends on site characteristics, tract location and economic development activities (Vandever, 2008). On the other hand middle and low-income people become interested to be resident here due to more facilities with low price. As a result, people migrates from both urban and rural area to residence here and recent time it is more rapid than the previous that leads the area to get more households as well as population. Besides that natural growth is also including more household and population. It is very simple calculation that more population means more demand in term of every aspect needs to life lead, such as, land for housing, food, infrastructure and facilities. To meet up the increasing demand, a presser is being imposed on land, that brings change in land use pattern and the more affected area is agricultural land, which has been converting into non-agricultural purpose rapidly. Though the general phenomenon in Bangladesh is conversion of agricultural land into non-agricultural land but in peri-urban area it is so rapid that brings diversified employment opportunity as well as change in occupation

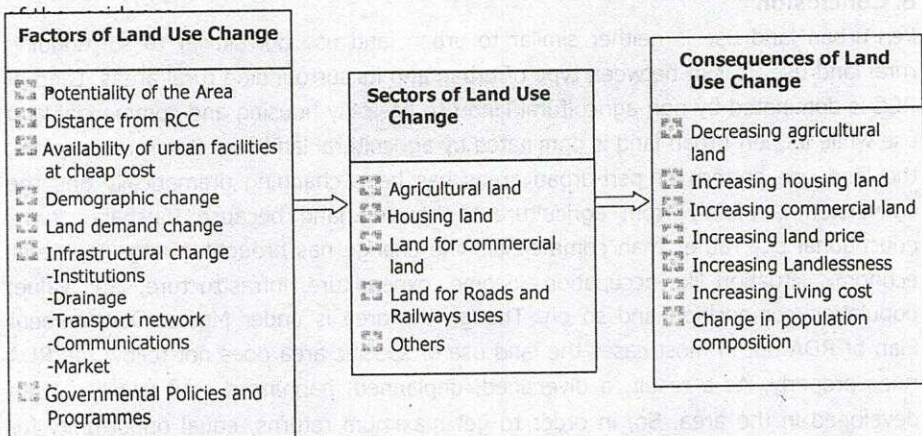


Figure 6 : Factors, Sectors and Consequences of land use change

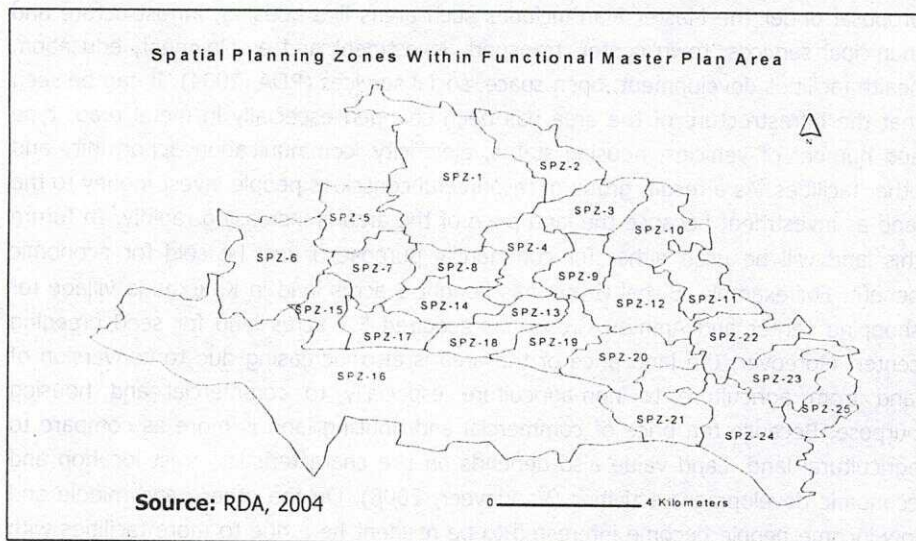


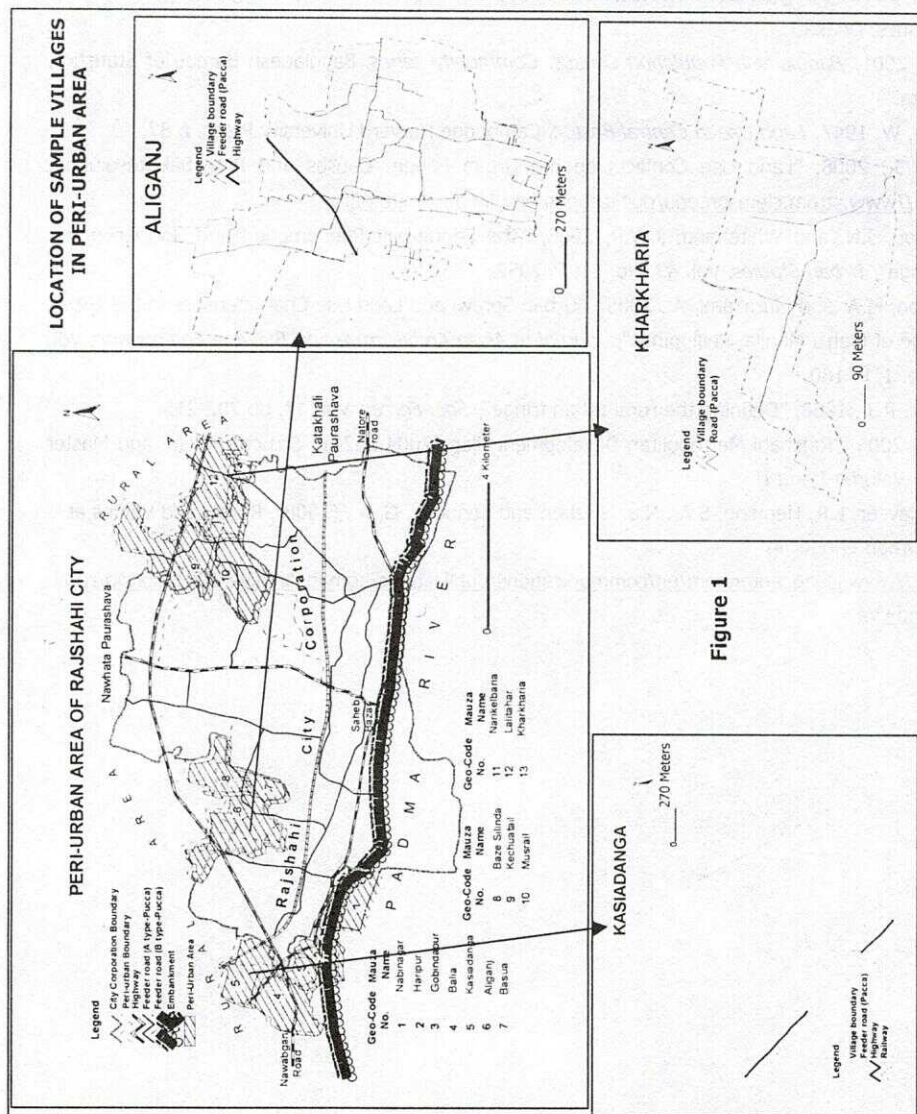
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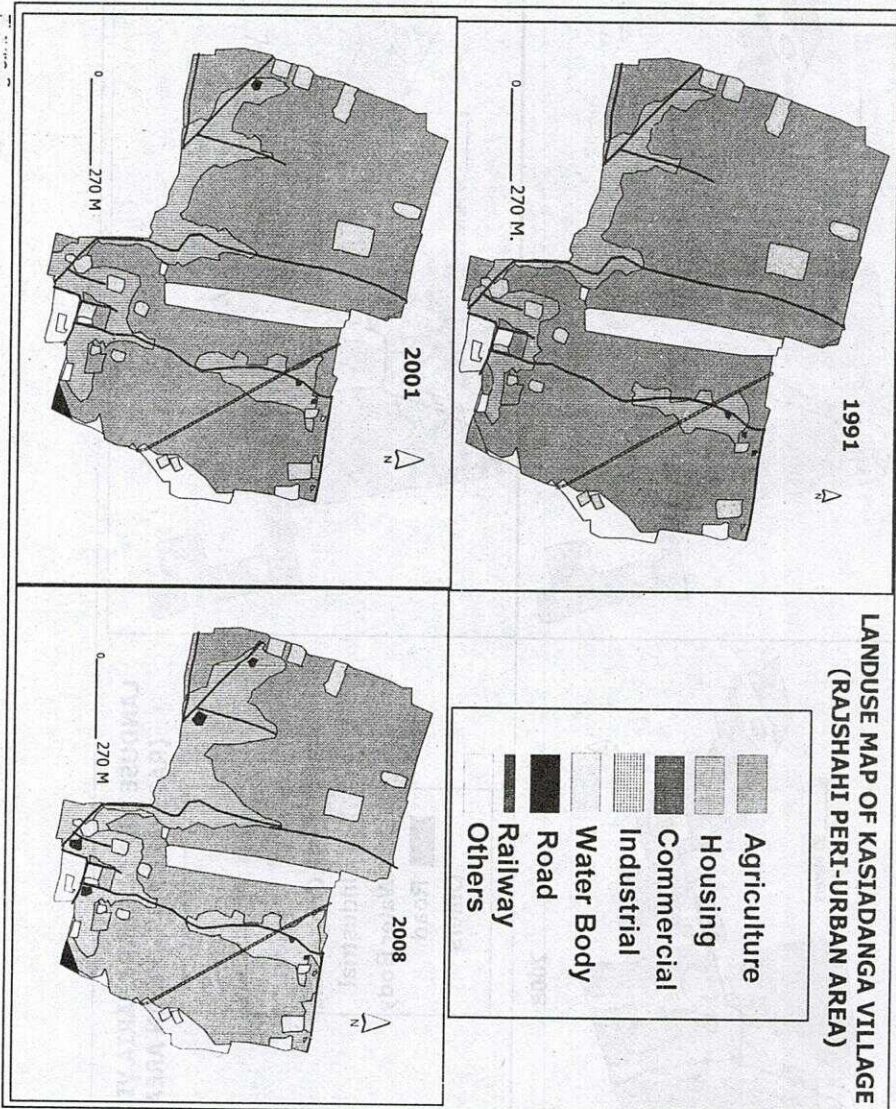
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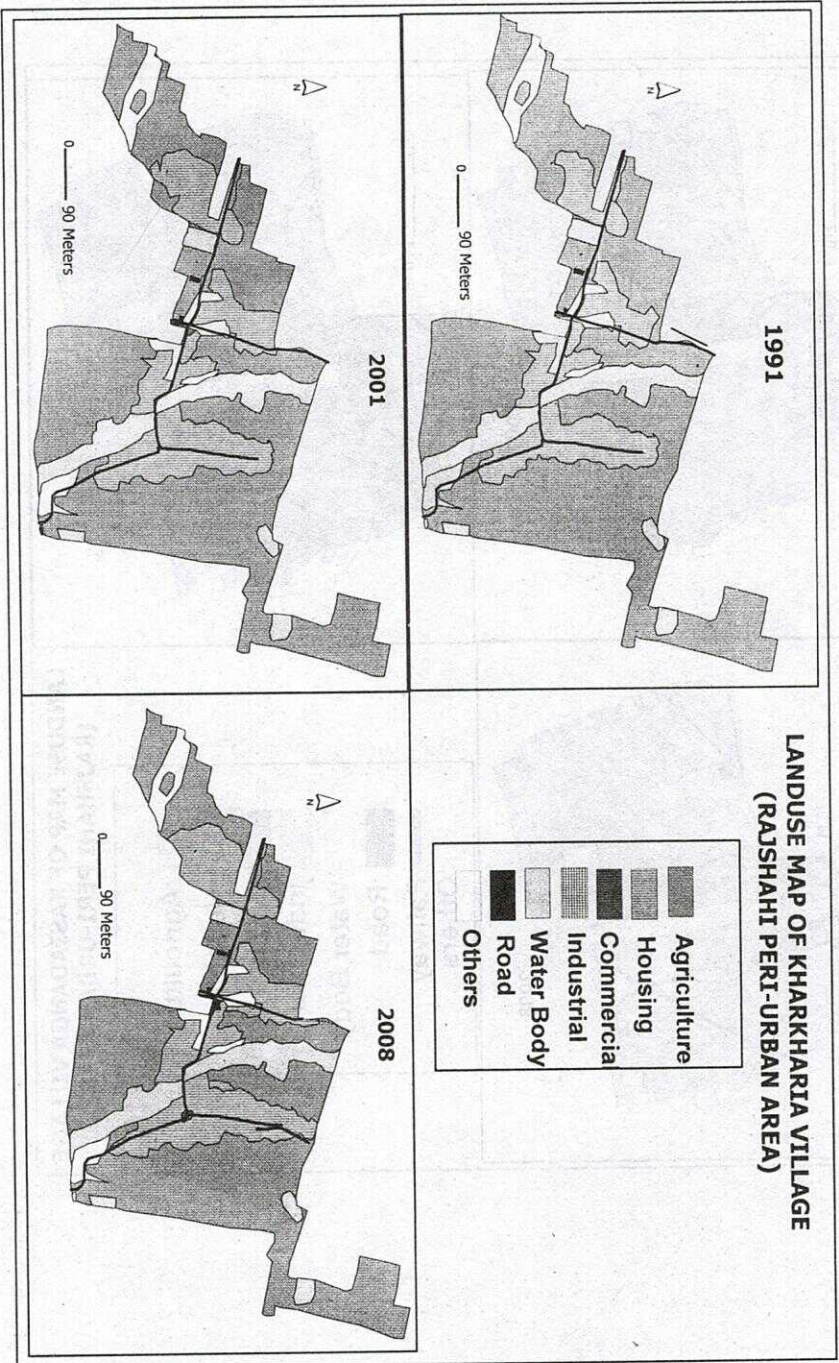
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HAND EMBROIDERY OF WOMEN : A NEW ASPECT FOR MITIGATING 'MONGA'

Zelina Sultana*

Abstract: The term Monga is very familiar to the people of North Bengal. Monga indicates the seasonal chronic food shortage as like as famine situation. All of the people of Monga prone-area are tense about the Monga and the whole year they are trying to do something specially to defeat the Monga situation. Monga is a condition, mainly faced by the poor and the landless agricultural labourers due to lack of employment in the months of September to October. To cope with the situation, people sell their assets, advance labours, take loans at high interest and migrate to urban centres but they hardly defeated to the Monga. The unemployed women in Monga-prone areas are now pursuing some special strategy. This research mainly focuses on the women sectors of Monga-prone area who engaged themselves in hand embroidery and playing a vital role in mitigating Monga.

1. Introduction

Women are the inseparable part of our society. In our country, about half of the total populations are women and most of them are dependent on family head such as father, husband or elder son. The women of North Bengal are dependent on the male member of their family too. Gaibandha, Rungpur, Lalmonirhat, Nilphamary, Kurigram are commonly known as *Monga* affected area. *Monga* is a cyclical food insecurity which occurs during the lean season and it affects the people who are directly involved in agricultural activities. So the men who are directly involved on agricultural activities and the women depend on them are severely affected by *Monga*. Very recently the situation of women of *Monga*-prone area is changed because of active participation of women with the men in economic activities.

The economic activities done by the women of *Monga*-prone area are varied according to their age, social status and economic conditions of their family as well as opportunity of employment. At present the most familiar profession of women is hand embroidery and the female of fifty to seven year age are engaged in hand embroidery. Hand embroidery is the art or handicraft of decorating fabric or other materials with needle and thread or yarn. Embroidery may also incorporate other materials such as metal strips, pearls, beads, quills, and sequins.¹ The women of *Monga* area mainly embroidered *shari* and other clothes. The main focusing area of this paper is hand embroidery and how it will be a strategy to mitigate *Monga* syndrome.

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¹ *Embroidery stitch*, Wikipedia, the free encyclopedia, [http://en.wikipedia.org/wiki/Embroidery_stitch] accessed on 12 February, 2010.

The word, "*Monga*" has been derived from Hindi language "*Mehenga*" meaning "expensive" which indicates high food price, poverty and hunger.² In Bengali, *Monga* is an indicator of seasonal and chronic food shortage which prevails in some Northern districts of Bangladesh. This situation occurs during the Bengali months of *Ashwin* and *Kartik* (mid September to mid November), a period between transplantation and harvest of *Aman* paddy. This extreme situation occurs because of lack of wage employment in agriculture, lack of diversified employment opportunities and too much dependency on agriculture. This situation is further accentuated during flood years or various natural disasters like as riverbank erosion and drought etc.

However, *Monga* is a near-famine situation which affects the northern districts every year. It has forced poor people either to borrow money from *mohajons* at an excessively high interest or to sell their labour in advance at an unusual low rate. I personally surveyed five villages like Koyagolohat, Dologung, Sonakhuli, Baburhat, Porahat of Saidpur Thana in Nilphamari district and find the people of North Bengal follow some strategies to combat this famine situation. Hand embroidery is the most familiar of them. This paper analyzes the term *Monga* and hand embroidery of the women and its role for mitigating *Monga* from North Bengal.

2. Objectives

The general objective of the study is to describe the role of women in northern Bangladesh to mitigate *Monga* by adopting hand embroidery. The specific objectives are:

- To define the local term *Monga* as it is a seasonal phenomenon and delimit the *Monga*-prone areas in northern Bangladesh.
- To review the economic background of the *Monga*-prone areas and to describe the effects of *Monga*.
- To examine the women participation in eliminating the *Monga* by engaging themselves in hand embroidery.
- To understand the present position of hand embroidery, its problem and solution.

3. Sources of Data and Methodology

In view of the objectives adopted for the present study, relevant data have been collected from a range of secondary sources as well as primary sources. This involved collection and study of relevant books, journals, reports, unpublished documents and major national newspapers and it also involved Internet browsing. Quantitative data were derived from the government resources, like the Bangladesh Population Census reports (1981, 1991 and 2001), Statistical Year Book (2001) other relevant reports. Different national daily newspapers focusing on *Monga* incident offered a great deal insights into the problem as the reports dispatched by the local journalist at *Upazila* and Union levels. On the look out for information a Survey on five villages of Saidpur Thana in Nilphamari district are completed in between December 2009 to January 2010 for collecting recent data relating the descriptive subject. On conducting the

² BUP, *Monga* in North Bengal, [http://www.bup-bd.org/index.php?option=com_content&view=article&id=59&Itemid=62] accessed on 2 February 2010.

survey some personal interviews were also collected which would help to understand the present topic of this paper.

4. Meaning of *Monga*

The term *Monga* is purely a Bangla local term which is exclusively used in North Bengal of Bangladesh. Almost every year, the northern part of Bangladesh is affected by a seasonal famine-like situation locally called '*Monga*' or '*ovab*' and literally termed as '*Mora Kartik*'. During the Bangla month of *Arshin* and *Kartik* i.e. mid October to mid November (a period between transplantation and harvest of *Aman* paddy), the marginal and landless farmers face an economic crisis. This crisis stems from lack of non-agricultural employment opportunities since it is the agricultural incline season. However *Monga* is defined by some NGOs and some individuals also. Some of the definitions are discussed for better understanding of *Monga*.

According to the largest Non-Government Organization (NGO), PKSF (Palli Karma-Sahayak Foundation) '*Monga*' is a seasonal famine-like situation or seasonal shortfall that occurs every year in varying degrees of intensity during the Bangla months of *Ashwin* and *Kartik* (mid September to mid November) in the north of Bangladesh, especially in the Greater Rangpur region, covering Kurigram, Gaibandha, Lalmonirhat, Nilphamari and Rangpur districts.³ The oldest NGO working in northern Bangladesh, the Rangpur Dinajpur Rural Services (RDRS) describes it as '... a famine-like situation in which the poor suffer acute deprivation caused by their lack of purchasing power arising from seasonal scarcity of gainful employment'.⁴ According to Disaster and Emergency Response (DER) GROUP *Monga* is seasonal scarcity of employment and hence household incomes leading to lack of access to food amongst mainly rural poor landless families. It occurs almost every year mostly in the Northwestern districts, west of the Brahmaputra, particularly after the planting but before the *Aman* harvest in the months of September, October and November.⁵

Thus Zug defined *Monga* is seasonal food insecurity in ecologically vulnerable and economically weak parts of northwestern Bangladesh, primarily caused by an employment and income deficit before *Aman* is harvested. It mainly affects those rural poor, who have an un-diversified income that is directly or indirectly based on agriculture.⁶ So *Monga* is 'hunger and famine-like situation (that) prevails in north-western regions particularly during the lean season as the poorest do not have access to livelihoods and work.

5. Delimitation and Economic Condition of *Monga*-Prone Area

According to the UNFPA the numbers of poor and extreme poor people are 68.6 m and 45.3 m respectively.⁷ The ratio of poverty in the rural areas is higher than that

³ Kabir, I.J. et al. *PRIME: Steps Towards Second Year of Success*, ed. Jasim Uddin, Dhaka: Palli Karma-Sahayak Foundation, 2007, p. 5.

⁴ RDRS, *Monga Mitigation in Northern Bangladesh: Contextual Analysis, Initiatives and Experiences in RDRS Programs*. Rangpur: Rangpur-Dinajpur Rehabilitation Service, 2006, p. 3.

⁵ *Report from the Special DER (Disaster and Emergency Response Group) Meeting on 'Monga'*, Dhaka: DER Sub-Group Secretariat, 2004, p. 1.

⁶ Zug, S. *Monga* - seasonal food insecurity in Bangladesh - bringing the information together. *Journal of Social Studies*, 2006, pp. 2-3. [http://www.netz-bangladesh.de/pics/download/S_Zug_Article_Monga.pdf] accessed on 12 December, 2009.

⁷ *News Letter*, Dhaka Bangladesh: Awami League Publication, Vol. 2. No. XV. November 19, 2003. [http://www.albd.org/autoalbd/index.php?option=com_content&task=view&id=56&Itemid=37] accessed on 25 February, 2010.

in the urban areas. According to Government Economic Review of 2003, the rate of poverty in urban area is 37%, whereas this is above 53% in rural area. The poverty situation is most severe in Rajshahi Division. The percentages of poor people are 61% in Rajshahi Division which is the northern part of our country.⁸ Their condition is deplorable. Their basic needs including food are never met and they are not getting any job.

In the northern districts of Nilphamari, Rangpur, Lalmonirhat, Kurigram and Gaibandha which together form the Greater Rangpur, are most frequently regarded as the *Monga* affected districts. A Review the spatial-temporal pattern (2005-2006) of the *Monga* situation of the Greater Rangpur district reveals that the most vulnerable upazilas of the *Monga* disaster are Jaldhaka, Kishoreganj, Gangachara, Kaunia, Fulchhari, Sundarganj, Pirgachha, Ulipur, Kurigram Sadar, Chilmari and few others (Table-1). In these upazilas more than a million people are directly or indirectly affected by *Monga*. The economic condition of these areas is not well off and most of the people are living below the poverty line. According to the human poverty index 2003, the *Monga*-prone areas are considered as having high poverty syndrome than other areas of Bangladesh, where the national average poverty index is 42.7 and the *Monga*-prone districts have higher poverty index than that of national average, which is 50.1 (Table-3).

Table 1: Identification of affected upazila in different Districts

Name of Districts	Names of Severely Affected Upazila	Names of Moderately Affected Upazila	Total Area	Total Upazila	Total Monga Affected Population	Total Monga Affected Population (%)
Kurigram	Chilmari	Bhurungamari	276.45sq. km.	9	177,239	53.97
	Rajibpur	Kurigram Sadar				
	Raomari	Nageshwari				
	Ulipur	Rajarhat				
Lalmonirhat		Phulbari	1241.46sq.km.	5	109,872	48.83
	Aditmari	Lalmonirhat Sadar				
	Hatibandha	Patgram				
Nilphamari	Kaliganj		1640.91sq. km	6	58,922	43.19
	Dimla	Domar				
	Jaldhaka	Nilphamari Sadar				
Rangpur	Kishoreganj	Saidpur	2307.78sq.km.	8	72,473	53.13
	Badarganj	Mithapukur				
	Gangachhara	Pirganj				
	Kaunia	Rangpur Sadar				
Gaibandha	Pirgacha	Taraganj	2179.27sq.km.	7	122,662	42.33
	Gaibandha Sadar	Gobindaganj				
	Phulchhari	Palashbari				
	Sughatta	Sadullapur				
	Sundarganj					

Source: Survey by DER in 2004 and 2001 population census (BBS, 2005).

⁸ Ibid

It means the *Monga*-prone areas have more poverty problem than the other parts of the country. As no comprehensive study on a regional comparison concerning economy is available, the Gross Domestic Product (GDP) can give a rough guideline. Table-2 shows that the per capita GDP of these districts is far below the national average and the per capita income of Gaibandha district a *Monga*-prone area is the lowest in whole Bangladesh.

Moreover, about the economic condition of *Monga*-prone area, we can say that as a whole the *Monga*-prone districts are considered as backward districts which bring the underdevelopment in the entire area and make it an economically unprivileged region and in each area people live in struggle and hardship. The rate of population growth is 1.54 percent.⁹ Table-3 also indicates that the *Monga*-prone districts have higher population density than national average. Again the percentage of landless people is very high in the *Monga*-prone area. According to Table 3, it is seen that the *Monga*-prone districts have higher percentage of landlessness than national average, which is only 25.5. On the other hand *Monga*-prone districts have above 40 percent of landlessness. It indicates that the landlessness is one of the main issues of *Monga* situation. So their low income, low land ownership and density of population persuade them to live in the below the poverty line.

Table 2: GDP of the Districts of *Monga* Prone Area (1999/2000)

Districts	Per capita GDP (In taka)	Per capita GDP (% Of national average)	Manufacturing (category of the GDP) (In taka)	Manufacturing (category of the GDP) (%Of national Average)
Gaibandha	12444	67. 2	400	14. 7
Kurigram	13757	74. 3	341	12. 5
Lalmonirhat	13855	74. 8	254	9. 3
Nilphamari	13292	71. 8	263	9. 7
Rangpur	14936	80. 5	820	30.1
Bangladesh	18511	100. 0	2720	100. 0

Source: BBS, 2004.

Table 3: Socio-economic indicators of the *Monga*-prone districts, (1991-2000)

Name of the indicator	Gaibandha	Nilphamary	Rungpur	Lalmonirhat	Kurigram	Bangladesh (Average)
Population Density (per Sqkm)	890	1067	988	977	768	881
Rural population (%)	92.94	86.24	83.29	89	85.9	83.8
Urban population (%)	7.05	13.7	16.7	10.99	14.05	15.7
Poverty(HCI)	50.1	50.1	50.1	50.1	50.1	42.7
Landlessness (%)	40	42	45	43	40	25.5
Dependency Ratio(%)	59.0	55.5	55.2	56.6	59.2	53.7

Source: BBS, 1991; BBS, 1994a; BBS, 1994b; BBS, 1997; BBS, 1999; BBS, 2001.

⁹ BBS, 2004. Statistical Year Book of Bangladesh, 2002. Dhaka: GoB.

6. Effects and Coping Strategy of *Monga*

The overall objective of the *Monga* mitigation should be to contribute the reduction of food insecurity from the *Monga* affected region of Bangladesh by strengthening the *Monga* coping capacity of agricultural day laborers and small marginal farmers through seasonal employment programmes, social transfers and by skill training on income generation and agricultural activities.¹⁰ Normally during *Monga* situation food insecurity, low labour wages, migration or taking loan from NGO's are common phenomena in Northern part of Bangladesh. However the DER Group (2004), in their meeting with the people of *Monga*-prone area summaries some indicators for *Monga* and some of them are similar with my findings. I find out some effects in my field visit such as:

- a) Increased number of Beggars,
- b) Displaced and elderly people of the families are neglected and suffered,
- c) Pregnant, children, lactating mothers including elderly people are suffering from malnutrition,
- d) Rate of diseases increase due to malnutrition and distressed life conditions,
- e) Theft, smuggling and hijacking increase in the *Monga* affected areas,
- f) Unrest and domestic violence tend to increase,
- g) Babies are born underweight and suffer malnutrition from their first days onward,
- h) Increased some pity criminal activities such as stealing of Cows, Goats etc.,
- i) Children depart from their school and engaged in labour,
- j) Prostitution is increased.
- k) Trafficking of women and children is also occurred.
- l) Poor vulnerable people are changing their professions as for example day labours become rickshaw puller for that particular lean season.

Table 4: Coping strategy of *Monga* affected people

Coping strategy	% of Respondents reporting
Government Assistance	65.2
Mohajoni Credit(high interest)	43
Use up Savings	40.2
Migration of earning male Member	34
Sale of assets	27.3
NGO assistance	18.4
Local support	12.5
By eating inferior food	6.6
Advance sale of crops	5.1
Advance sale of Labour	4.7
Samity loan	3.1
NGO loan	2.7

Source: Power and Participation Research Centre (PPRC) Survey, 2005.

During the *Monga* period the financial resources of the poorest are not enough to ensure adequate access to food for themselves and their dependents. Women and children are especially vulnerable at the time of *Monga*. The effects of *Monga* are very severe on the people of North Bangle and the normal strategies to cope with

¹⁰ *Monga Mitigation Project*, European Commission Delegation of the European Commission to Bangladesh, 2009.

[.+33.http://www.eudelbangladesh.org/en/calltender/call_proposal/Guidelines_mmp.doc] accessed on 20 February, 2010.

Monga are varied. According to PPRC Poverty Research in 2005 the people of *Monga*-prone area followed some strategy for coping with *Monga* (Table-4). In my field visit I also find some other strategies common with PPRC Research as well as I find some new strategy to cop with *Monga*. Those strategies are:

- a) Sale of advance labour,
- b) Changing food habits *i.e* from wild sources,
- c) Sale of advance crops,
- d) Sale of assets or home steed land,
- e) Taking loan with high interest from the land lord (*Mohajon*) of the village,
- f) Migrate from rural area to urban area for that particular seasons,
- g) Taking loan from some Non Governmental Organization (NGO),
- h) Conducting illegal business like business of Bangla mod,
- i) Sale of railway parts illegally and
- j) Hand embroidery etc.

Above all processes the last process is the best because the people get benefit by adopting this strategy for mitigating *Monga*. Most of the workers of hand embroidery are young women and children. They are engaged in hand embroidery, commonly known as karchupi shilpo. Most families of those five villages are already established a small bambo machine to continue their cativities and more than 80% of family¹¹ who are landless peasants are established this cottage industries in their home. And actually hand embroidery makes an end of migration of the male and some bad socio economic consequences which are the results of migration such as trafficking, prostitution, sale of child, dowry pressure etc. It also prohibits the advance sale of crops and labour of the *monga* affected people. However, hand embroidery helps them to save an amount by which they can combat with *Monga*.

Case Study - 1

Jomila Begum (56)

District-Nilphamari, Thana-Saidpur

Jomila Begum lives in village Golahat under Saidpur Thana and her husband was a poor shopkeeper. She had five daughters and two sons in her family. In the *Monga* situation her husband Jomsher cannot meet the need of their family. In 1999 Jomsher was died by heart attack. After the dead of her husband it was so difficult for her to bear her family cost. She has done some household work in different families in her own village but in the time of *Monga* she lost her work. For this reason most of the days they passed without food. In the mean time she contact with a lady who supply the cloths for hand embroidery. Jomila did not know the process of hand embroidery and at first she observed how those types of work have done. After few days of learning she started to do that. Day by day she improves her financial condition with the help of her family members. She gave married her three daughter. Every week her family earns 1200Tk. which is enough for her family. Now Jomila Begum is a model in her locality to mitigate poverty at the time of *Monga*.

Sources: Personal interview with Jomila on 4th December 2009 at Golahat, Saidpur.

7. Hand Embroidery at a glance in *Monga*-prone area

Hand embroidery means decorating any materials with needle and thread or yarn. *Monga* affected areas were once well known as the 'Benarasi villages' in the district as it produced luxury fabrics like Benarasi and Katan. When the Benarasi industry had faced challenges the Benarasi workers of Saidpur upazila learnt the art of hand

¹¹ Estimated by the present Researcher.

embroidery to stay afloat. As the area was known for expensive and intricate handwork, the trade rapidly kicked off. Women used to undertake handwork on a small scale at their homes, by taking private orders for pieces. But now, a majority of the women in the village are engaged in hand embroidery they do handwork on katan, georgette, tissue material and saris of other fabrics using chumki, jori, beads, stones, thread and sequins. Depending on designs they usually need 2-5 days to complete work on a single sari. And depending on design they get 200 Tk to 300 Tk per Shari whether the businessman sales 1500Tk to 5000Tk per shari. The work of hand embroidery is not completed in one stages. In the first stage a shari is fabricked by them but they are not paid for this fabric and latter they make the designe by cotton and then they use jori or chumki on the shari according to the demand of the middleman. The middle man collects shari from the local businessman and then supply to the women for embroidery. Most of the women save a greater part of their income for the *Monga* period. The other member of their family also help them. This new profesion of women reduced the migration of male member and some consequences of migration also.

However the present picture of hand embribery is not satisfactory. Some problems pull down the success of hand embroidery. This welknown profesion of women is now in danger and under some threats. That is their products are not comparetivly good and modern with the products of machine embroderly and cannot meet the demand of the present customer. The hand embroidery is now lost its past popularities. In my field vist I have found out a sets of shortcomings for this situation such as:

- a) Lack of money for buying new and improved machine to continue their activities,
- b) Lack of proper training,
- c) Not satisfactory payment,
- d) Same payment for all types of designs,
- e) They are not paid in due time,
- f) Unprofessional attitude of the middleman as well as the worker women,
- g) Prize variation is high i.e the businessmen have done abnormal benifit,
- h) Lack of publicity of their work,
- i) Lack of own initiative for want of money,
- j) Lack of proper entrepreneur in the local area,
- k) No NGO's help them to promote their bussiness,
- l) Increasing smuggling of Indian sharies are another threat of hand embroidery because prize of Indian sharis are less than their hand embribery sharies,
- m) The business of hand embroidery is running indisciplined way.

Case Study – 2

Parvej (28)

District-Nilphamari, Thana-Saidpur

Parvej who lives in Sonakhuli village in Saidpur Thana. He had a happy family with two sons and a wife. After migrating in Dhaka city he learnt hand embroidery and also earned some money by which he bought a machine for hand embroidery in the year 2000 and started his business. His wife also helps him in doing his business. He took order from the businessman of Dhaka city and also supply to him after completing the required order and got his payment full. But day by day the payment became irregular i.e, he cannot get full payment. The businessman paid him very little and he failed to buy the cotton for his work for this reason he left this hand embroidery business and turned into a rickshaw puller.

Source: Personal interview with Parvej on 6th December 2009 at Sonakhuli, Saidpur.

Thus the above reasons impact negatively upon the hand embroidery of women in *Monga*-prone area. With the discussion of the people of that local area I have found out some way of solution to remove the existing problems regarding hand embroidery. Such as:

- a) To improve their financial condition so that they can buy their necessities for hand embroidery,
- b) Government should arrange proper training for them,
- a) Ensure a reasonable payment regarding the design,
- b) To smoothen this business the system of middleman should be removed,
- c) Established a separate market for the products of hand embroidery,
- d) Increase the publicity regarding their product,
- e) Encourage the local entrepreneur to spread that business,
- f) NGO should help them by giving loan with low interest,
- g) Government should give financial aid or loan without interests,
- h) Smuggling should be controlled,
- i) The business should be continued in a prescribed manner.

However, the hand embroidery of women in *Monga* area will be a new hope for mitigating *Monga* from *Monga*-prone areas. The most vulnerable sector *i.e.*, the women of that area now engaged in a profession which removes their poverty to a great extent. As the girl earns a handsome income, the dowry pressure is also decreased from that area. This very effective work of women is losing its popularity for some reasons. If the shortcomings can be removed by following required suggestions *Monga* can be mitigated.

8. Concluding Remarks

About seventeen thousand people are living in those five villages. At least 90% families are faced *Monga* in the Bangla month of Arshin and Kartik.¹² Undoubtedly hand embroidery of women brings a new hope for the people of that villages but this is now facing some problems. Actually extreme poverty has been reduced from Saidpur Thana by adopting this new profession. The most encouraging matter is participation of women of that particular area in the economic activities. And for this reason the ratio of migration of male member from that area is very low. However, hand embroidery would be a model profession for the other *Monga*-prone area of our country and it may be a better strategy for mitigating *Monga*.

The hand embroidery is a popular profession of the women in *Monga* area. As this work is easy and can be done with a small capital, the women can involve themselves very easily. The women become more economically independent in that area. They financially help their family as well as in our country. But some drawbacks work as a bar to flourish this profession. The best possible way of resolving the problem facing the poor in *Monga*-prone areas is self-employment that can only be encouraged through a well-knit and need-based micro-credit programme. The government and the NGOs having honest intention of helping the poor do need to join hands to put in place such a programme. People of the Northern districts are looking some hope of defeating *Monga* by hand embroidery. If Government carefully deals with those drawbacks and help them, this profession will be a great solution for mitigating *Monga* from the *Monga* affected areas.

¹² Estimated by the Researcher.

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POLITICAL CULTURE IN BANGLADESH

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Abstract: The political culture approach has become an important tool for the understanding of political systems in contemporary political analyses. There is a relatively homogeneous political culture in a stable political system. The political culture in Bangladesh is uncongenial, low and fragmented. In the present study the political culture of Bangladesh has been analyzed and evaluated.

Introduction

The concept 'political culture' has now become a very popular phenomenon. Political scientists and scholars are more interested in learning political culture of a political system. The political culture approach has acquired an important tool for the understanding of political systems in contemporary political analyses. The concept of political culture has made important contribution to the development of modern political theory.¹ The theory of political culture represents a significant advance in the direction of integrating Psychology and Sociology with Political Science to produce a richer and fuller understanding of politics.

The political culture of a nation refers to the basic attitudes and orientations of its people towards the political systems. The loyalty of the people to the political system, their reaction to the political events and their faith on the fundamental issues and form of the political system, are some of the important variables of studying a nation's political culture. The focus of political culture studies is less on the formal and informal structure of politics, governments, parties, pressure groups and so on, or on the actual pattern of political behaviour observed within a society, but rather on what people believe about these structures and behaviours.²

The content of political culture differs from society to society. Different political cultures tend to emphasize on different themes. Similar qualities of political cultures have also been related to a common type of political system. Political culture has some sociological components like values, beliefs and emotional attitudes of the people towards their political system. In different political systems they develop the values, beliefs and attitudes based on their history and the process of socialization. Geography has its own part in laying the foundations of a political culture in a political system. Socio-economic factors also play a vital role in determining the political culture of a society.

Bangladesh is a newly independent unitary state. The people of this country struggled against their foreign rulers and fought the War of Liberation with the aim of

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¹ Das, H.H. and Choudhury, *Introduction to Political Sociology*, (New Delhi: Vikas Publishing House Pvt. Ltd., 1997), p.102.

² Dowse, R. and Hughes, Johan, A., *Political Sociology*, (London: John Wiley and Sons, 1972), p.227.

establishing democratic society and practicing democracy. To this end Bangladesh started its journey with the west minister type of parliamentary democracy. But like other societies of the Third World the practice of democracy in Bangladesh faced the various limiting factors as depicted earlier and the country fell prey to authoritarianism and army rule. But the cherished desire of the people for establishing democracy in the country was once again revealed through the spontaneous Mass Upsurge against the authoritarian rule in 1990 and subsequent option for parliamentary democratic system, which has been working for more than fifteen years. The procedures of democracy are clearly established in Bangladesh but its substance is yet to be achieved. The degree of political participation of the people, the quality of debate in the parliament and availability of real political choice are often questionable. The fragility of democratic process in terms of standard of governance and human security still persists and political instability and corruption are yet to be reversed. The institutions of governance need to be strong, efficient and responsive.

Ethnic linguistic, religious, regional or economic divisions among the population which are generally considered to be the principal causes of conflict in a plural society, do not seem to pose any serious threat to the national political system in Bangladesh. The vast majority of the people belongs to the same ethnic, linguistic and religious group and is attached to the same geographic unit. Yet there are serious conflicts in the society. It is historical cleavages tempered by ideological differences between various political groups belonging to the same linguistic and religious community that appear to be the most potent source of political violence and instability in Bangladesh.

So, the smooth running of the democratic government and for the stability of the political system, it is very necessary to examine the political culture of Bangladesh.

Objectives of the Study

The aim of this study is to present brief idea about the nature of political culture in Bangladesh. The objectives of the study are:

- (i) To examine the political culture in Bangladesh.
- (ii) To identify the nature of political culture in Bangladesh.

Methodology of the Study

This paper is based on empirical and analytical approach. Secondary sources have been used extensively and intensively in the study. Relevant books of eminent political and social scientists, concerned published and unpublished research works, journals, periodicals and newspapers have been included as secondary sources.

Political Culture: Conceptual Framework

Political activities and behaviour mold political culture. A political culture is composed of the attitudes, beliefs, emotions and values of society that relate to the political system and to political issues.³ Political scientists define political culture in terms of values, norms, beliefs symbols, customs, conventions, ethos etc. According to Lucian Pye, "Political culture is shaped by the general historical experience of a country and also by the private and personal experiences of the individuals. It is

³ Kavanagh, D., *Political Culture* (London: Macmillan, 1972), pp.9-19.

because the individuals first become the members of society and then the polity. Political culture is gradually on the cumulative orientations of the people towards their political processes.⁴ Sidney Verba noted political culture as a 'system of empirical beliefs, expressive symbols and values', which defines the situation in which political action takes place. It provides the subjective orientations to politics. It encompasses both the political ideas and the operating norms of the polity.⁵ T.R. Nanda explained it as "it is the totality of ideas and attitudes towards authority, discipline, governmental responsibilities and entitlements and associated patterns—culture transmission, like the education system and even family life".⁶ Almond and Verba said that 'the term political culture refers to specifically political orientations-attitudes towards the political system and its various parts and attitudes towards the role of the self in the system'.⁷ A.K. Mukhopadhyay argued, "Political culture refers not to what is happening in world of politics, but what people believe about those happenings. And these beliefs can be of several kinds: they can be empirical beliefs about what the actual state of political life is; they can be beliefs as to the goals or values that ought to be pursued in political life; and these beliefs may have an important expressive or emotional dimension."⁸ According to S.E. Finer, "Political culture relates largely to the legitimacy of rulers and political institutions including procedures."⁹

Thus 'political culture' refers to the values and norms concerning political life and the beliefs people entertain about political legitimacy. Such values, norms and beliefs are reflected in people's attitudes and orientations toward political action, institutions and processes.¹⁰ Political culture is a shorthand expression to denote the emotional and attitudinal environment within which the political system operates.¹¹

Almond and Verba referred three types of political culture, such as the parochial, the subjective and the participant. In simple traditional societies where the political actors combine economic and religious roles with political powers and specialization of functions is not encouraged, it is branded as parochial political culture. Where there is a high frequency of orientations to the system as a whole and to its specifically output aspects, it is known as a subject political culture. The participant political culture in which the members of the society tend to be explicitly oriented to the system as a whole and to both the political and administrative structures and processes. These three types of political culture may appear different in the analysis but not in practice. So, they again suggested that all political cultures are indeed

⁴ Pye W. Lucian, *Aspect of Political Development* (Boston: Little Brown & Company, 1966), p.7.

⁵ Pye W. Lucian and Sydney Verba, *Political Culture and Political Development* (New Jersey: Princeton University Press, 1972), pp.513-16.

⁶ T.R. Nanda, *Dictionary Political Science* (New Delhi: Anmol Publications Pvt. Ltd., 1993), p.387.

⁷ G.A. Almond and Sydney Verba, *The Civic Culture* (New Jersey: Princeton University Press, 1963), p.13.

⁸ A.K. Mukhopadhyay, *Political Sociology* (Calcutta: Ananda Press & Publication Pvt., Ltd., 1977), p.87.

⁹ S.E. Finer, *Comparative Government* (London: Allen Lane, Penguin Press, 1970), p.3-41.

¹⁰ Ali Ashraf and L.N. Sharma, *Political Sociology: A New Grammar of Politics* (India: University Press Ltd., 1995), p.135.

¹¹ S.N. Ray, *Modern Comparative Politics, Approaches, Methods and Issues* (New Delhi: Prentice, Hall of India Private Limited, 2003), p.97.

mixed such as, the parochial subject culture, the subject participant culture, the parochial participant culture, the civic culture, which includes elements from the three 'pure' types of political cultures. Besides, Myron Weiner stated two types of political culture in India, such as: "mass" and "elite" political culture. Political cultures have been classified by S.E. Finer into four distinct types, namely, mature, developed, low and minimal political cultures.

Political Culture in Different Political Systems

A political culture, whether diverse or homogeneous is a product of many interrelated factors. Despite the vast frontiers of social diversities, the U.S.A. gradually developed the culture of the 'melting pot' and since the Civil War in 1865 the people of U.S.A have never looked back. The factors of diversity and the divisive forces were subdued by the process of modernization, industrialization and secularization of the polity in the U.S.A. The ideological base provided by the American constitution nourished and nurtured the values of liberty and equality. American democracy provided wide participation of the people in the decision-making process. As far as the attitude of the people is concerned, in the U.S.A., 85% of people have a feeling of pride for their political institutions. This homogeneous political culture has created a strong support base for the political system.

In Britain, the older values have been merged into modern attitudes. Thus there has been unbroken continuity in political culture. Its undisturbed growth can be traced to the absence of violent political upheaval or domination by the foreign power. During the early 1990s there was dissatisfaction with the way the country was governed and weaker attachment to the institutions and processes of government. There was substantial discussion of reforming political institutions and more support for political innovations such as membership of the EU, changes in the electoral system and for a strengthening of civil liberties. However, there was at that time still a fundamental consensus on the major aspects of the political system and lack of support for revolutionary changes, so that we can say that degree of consensus exists. France offers a sharp contrast in historical development. The revolution of 1789 violently overthrew the existing political structures and the political conflicts and antagonisms of the nineteenth and twentieth centuries may have been largely determined by the attitudes, values and beliefs formed by that revolutionary upheaval.¹² The very existence of Canada as we now know it is threatened by the deep differences between the Anglophone and Francophone communities.¹³ This is true even though Canada has successfully assimilated numerous immigrants from other European and many Asian societies and had made progress in addressing the grievances of its indigenous peoples.

The German political culture presents interesting contrasts. Germans profess to be very interested in politics, possess impressive political knowledge and consume a great deal of political media, but while electoral turn-out is high, other types of political activity are less common, and even after decades of democracy Germans remain less likely than Americans to believe that they have the ability to influence the government.¹⁴ In Germany, however, there seem to be marked generational

¹² Alan R. Ball and B. Guy Peters, *Modern Politics & Government* (London: MacMillan Press Ltd., 2000), p.71.

¹³ R.A. Dahl. *Democracy in the United States* (Boston: Little Brown, 1981), p.207.

¹⁴ L.J. Edinger, *West German Politics* (New York: Harper Collins, 1986), pp.95-100.

differences in political culture, with younger people being more participatory and also perhaps less accepting of the authority of the state than are their elders.¹⁵

In the former Soviet Union, where there was a communist political system, the political culture was described as participatory. The Soviet citizens were required to take part in the political process and to be conscious of the various activities of the government. They were encouraged to join political groups which take active part in politics. But everything was being done according to set rules and norms, which were fixed by the government and the ruling elite, expected obedience from the people to the various directives issued by the government. This is true of most communist political systems where, through a rigorous process of socialization, the people are required to internalize the values, beliefs and ideologies of the political system. In India, although socialism and secularism provide the psychological and ideological foundations for its political culture, the predominance of the agricultural sector in the economy of the country, plays a great role in influencing its political culture. Indian political culture is also influenced by the role of charismatic leadership, casteism, communalism, regionalism, religion and violence.

There is a relatively homogeneous political culture in a stable political system and in such a system there is general agreement about the limits and functions of politics. Due to fragmented political culture and the absence of common orientation among the people towards political action, there is confusion and chaos in the transitional societies. The masses do not possess stable psychological orientations.

Political Culture in Bangladesh

Bangladesh is one of the developing countries of Third World. The legacy of British colonialism and internal colonization by Pakistan, its external economic dependency, its helpless 'peripherality', geo-political situation and external penetration, meager resources, population explosion, unsuccessful development strategies all contribute to making it as third world nation.¹⁶ It earned her independence through a nine-month bloody war. After the victory the nation dreamt at the establishment of a modern participatory democratic country. But irony is that the governments of the independent Bangladesh failed to handle the state apparatus efficiently and with a vision in respect of performing the work of state building and nation building.

Socio-economic structure is an important factor in the determination of political culture. Bangladesh is economically and industrially a backward country. Majority people of Bangladesh live in the rural areas. They are mostly illiterate and apathetic to political system and expect nothing from it. Their political ideas or attitudes are mainly determined by their religious beliefs or values. They take more interest in local issues and local politics than the national politics. On the other hand, there are people living mostly in the urban area who appear to be more articulate in their expression belong to elite political culture.

In Bangladesh peaceful transformation of power could not take place. Regime changes either by military intervention or by mass upheaval resulting the strained relation between ruler and the ruled. Another feature of Bangladesh politics is the existence of charismatic leadership. Due to long colonial rule, internal colonialization, suppression and oppression by the authoritative regime, the people of Bangladesh is affectively oriented for which they develop a culture of protest movement which led by a few parties or a single party or a leader. Thus the charismatic leadership seems

¹⁵ J. Thomassen, 'Support for Democratic Values', in H.D. Klingemann and D. Fuchs, *Citizens and the State* (Oxford: Oxford University Press, 1995); J.M. Mushaben, *From Post-War to Post-Wall Generations* (Boulder, Co: Westview, 1998).

¹⁶ Dilara Chawdhury, *Constitutional Development in Bangladesh: Stress and Strains* (Dhaka: University Press Ltd., 1995), p.17.

to grow in absence of democratic institutions where people never could participate freely. So, they dislike governmental authority and evaluate it illegitimate which manifests the character of subjective political culture. The charismatic leaders influence individuals and also party's attitudes and behaviour. Here people are oriented affectively, which include the subjective political culture.¹⁷

Respect and support for hereditary leadership is an important feature of political culture of Bangladesh. The people of Bangladesh by nature have emotional attachment and deep respect for the hereditary leaders and their image play a great role here. As for example, Begum Khaleda Zia or Sheikh Hasina became the leader of their parties because of their heredity. They had no party involvement and also they did not like to join in the party. But they had to change their opinions to prevent the disintegration of their parties.¹⁸

Political ideology is a kind of belief and behaviour that is related to decision-making but it is hardly appeared into the political parties as well as among the leaders in Bangladesh. The state launched with an ideology of socialism through parliamentary democracy, which was changed within two and half year. Political leaders very often change their party and party loyalty to achieve their selfish ends. Inconsistency is found in their beliefs and behaviour or actions.

People generally behave in accordance with their belief system while making a political choice. In this connection a research was conducted on our political culture to find out the causal relation between citizen's belief system, party preference and voting behaviour in Bangladesh. The finding was 74% (respondents) believe that politics and religion should go together while 23% opined that politics should be independent of religion. This belief is similar to their belief in case of choice of party. Among the respondents 74% expressed opinion for religious parties and 23% were in favor of secular parties.¹⁹ Almost all the respondents said that their choice was made on the basis of their liking for the leader of the political party. Knowledge about the ideology, programs and organizational structure of parties was minimum. Majority of the respondents' believes that religious parties are good but they do not vote for religious party.²⁰

It has been seen that major political parties in Bangladesh are leader-centric. The leaders of the parties are authoritarian in nature. They virtually impose their will and decisions on the rank and file members of the party. The leaders of the central party organizations dominate over the local leaders. Factionalism is one of the common features of Bangladesh politics.²¹ All the major political parties face more or less internal conflicts. There are also conflicts and confrontations at the personal level.²² Due to such internal weakness political parties in Bangladesh could hardly mobilize the people in favour of their programs so as to influence the decision making process of the government. The weaknesses are also creating wide gap between political parties and the masses, which ultimately gives birth to agitate politics like

¹⁷ M. Hasan Sarowardy, *People's Participation in Bangladesh Politics: A Study of June 1996 Parliamentary Election* (An Unpublished Ph.D. Thesis), University of Rajshahi, Rajshahi, 2000, p/106.

¹⁸ Riva Shahriar, *Organization, Policies and Programs of The Bangladesh Awami League and The Bangladesh Nationalist Party: A Comparative Study* (An Unpublished M.Phil Thesis), University of Dhaka, Dhaka, 1999, p.12.

¹⁹ Abdul Bayes and Anu Mahammed (eds.), *Bangladesh at 25: An Analytical Discourse of Development* (The UPL, 1998), pp.210-211.

²⁰ *Ibid.*

²¹ Golam Hossain, *General Ziaur Rahman and the BNP* (Dhaka: UPL, 1988), p.51.

²² Md. Fazlul Ali, *Relationship Between Politicians and Civil Servants in Bangladesh: A Study of Maulvibazar District* (An Unpublished Ph.D. Thesis), (Institute of Bangladesh Studies, Rajshahi University, Rajshahi, 2004), p.68.

Hartal (general strike), Oborodh (creating obstacles) and may other direct action programs. As a result political stability in Bangladesh has been far cry.²³

The alliance or coalition of different political parties is an important phenomenon in parliamentary politics. Common interest is the basis of political coalitions against common opponents. To organize political alliance seems to be another important feature of political culture in Bangladesh. Since 1991, Bangladesh has witnessed the consolidation of a viable two party system. This system is anchored by the Awami League and the B.N.P.²⁴ The national elections of Bangladesh are sure to be dependent upon the election alliance or party alliance in the days to come and the parties with synonymous ideals or ideology will be confined to a two-way election in a polarized section. Parties of the same manifesto or like-mindedness of the political trends will inspire them to be united gradually and will try to strengthen their own position in their respective field. It would be tough for anyone of the political parties to go ahead alone or directly into the formation of government.

In any democratic society, participation of the people in the government is of paramount important.²⁵ Political parties tend to create an intellectual climate appropriate to the functioning of the democratic institutions and make the government really participatory in character.²⁶ The level of political participation in Bangladesh is very low. People participate in politics by demonstration, election, violence etc. In Bangladesh this participation almost is not meaningful. At the period of election many people sell their votes in return of money. Economic insolvency might be responsible for this. Democracy is the matter of compromise, cooperation and coordination. But in Bangladesh uncompromising and intransigent attitudes among the politicians is very common. Egoism and the lack of tolerance spoil our good atmosphere of political culture. Ironically our politicians fail to come to consensus even in the case of national significant issues. So, the development policies can never be successful in Bangladesh.²⁷

One of the notable features of our political culture is that there developed a habit of the opposition parties particularly of main opposition to boycott the parliament with a fragile and lame excuse as if they are not interested to remain in opposition bench. After election the party, which is identified as the-main opposition, always rejects the election result. This is bad sign for our political culture. Another habit has been developing in our political culture: opposition parties always get ready to oppose. They never think of supporting or appreciating the good deeds or the constructive work of the ruling party. As a result they want to keep the political atmosphere and environment uncertain and unstable calling disrupting hartal and unreasonable political violence and strikes.

Political parties often regarded the election campaign as a 'sangram' to achieve certain political 'cause'. And in course of 'sangram' politics the ruling party while brand the opposition parties as anti-state to restrict their activities, the opposition parties brand the ruling party as a 'anti-people', anti-democratic' and organize general strikes and disorderly demonstrations to protest government actions. It perhaps due

²³ Justice Mustafa Kamal, *Bangladesh Constitution: Trends and Issues* (Dhaka: University of Dhaka, 1994), p.10.

²⁴ Rehman Sobhan, "Bangladesh on the Treshold of the Twenty First Century: An Agenda for Change", in A.M. Chowdhury and Fakrul Alam (eds.), *Bangladesh on the Threshold of Twenty-First Century* (Dhaka: Asiatic Society of Bangladesh, 2002), pp.3-4.

²⁵ Md. Anisur Rahman, *Elections in Bangladesh: Role of the Election Commission* (An Unpublished Ph. D Thesis), (Institute of Bangladesh Studies, Rajshahi University, Rajshahi, 2006), p.53.

²⁶ Giovanni Sartori, *Democratic Theory* (Calcutta: Oxford and IBH Publishing Co., 1965), p.120.

²⁷ Riva Shahriar, *op.cit.*, p.13.

to colonial legacy, which has produced demonstrative and agitate character in political culture, the ruling elite behave in a way as they did during freedom movement. Mass media had always been under the control of the government and on many occasions opposition newspapers were banned and their news had been censored. The government frequently used repressive measure to limit the activities of the opposition parties and their leaders and workers were harassed and imprisoned.²⁸ This was followed by use of force and threat in which politics had always been less open, less competitive and more violent which facilitates the presence of musclemen and as a consequence limits partisan identity in politics except very few who are committed to politics as a carrier.²⁹

Another important feature of the political culture of Bangladesh is prevalent of suspicion and jealousy among the politicians.³⁰ Sheikh Hasina, daughter of Sheikh Mujib and the chief of AL, suspect that General Ziaur Rahman was involved in August 1975 coup in which Sheikh Mujib the founder of Bangladesh was assassinated. In the same way Begum Khaleda Zia, wife of late President Zia, the chief of BNP, thinks that General Ershad was involved in March 1982 coup in which Zia was assassinated. On the other hand Jammāt-I-Islami is alleged for collaboration in the liberation war and was banned by AL regime but was revived by Ziaur Rahman government.³¹ Sometimes people feel ashamed an embarrassed to hear the unsuitable and nasty words from the political leaders even from the top class politician of the parties. It is supposed they are revengeful to their political enemies.

Conclusion

In conclusion it can be said that political culture is highly concerned with rights and privileges among different classes of people. In the absence of democratization of power and common orientation among the people towards political action, political culture cannot flourish. We might say that the political culture in Bangladesh is very uncongenial, low and fragmented. Further it could be characterized by fierce competition, ascribed leadership, lack of commitment, political unconsciousness, legitimacy crisis, politics of agitation, influence of money and muscle power, criminality, corruption, strike and violence, lack of consensus and lack of tolerance to opposition. These factors should be eliminated. The existing character of the political leaders should be changed. Leadership should be strengthened to resolve conflicts, clashes and strives. Politicians should be sincere and they have full political commitment to change the fate of the nation positively. Moreover, the nation building forces have to be strengthened and a proper psychological and ideological base has to be created for the development of a homogeneous political culture in Bangladesh.

²⁸ M. Hasan Sarowardy, *op.cit.*, p.108.

²⁹ Rounaq Jahan, "Electoral Political Culture in Bangladesh", *BISS Journal*, Vol.6, No.8, pp.168-169.

³⁰ Al Masud Hasanuzzaman, *Role of Opposition in Bangladesh Politics: An Assessment* (An Unpublished Ph.D Thesis), University of Dhaka, Dhaka, 1995, p.52; James J. Novak, *Bangladesh: Reflections on the Water* (Dhaka: University Press Ltd., 1994), p.50.

³¹ M. Hasan Sarowardy, *op.cit.*, p.106.

READABILITY OF CORPORATE ANNUAL REPORTS

Md. Shariful Islam*

Abstract: The present study aims at analyzing and comparing readability of corporate annual reports of Private Commercial Banks (PCBs) of Bangladesh. It is observed from the study that the texts of corporate annual reports are difficult or very difficult to read. The current study does not observe any significant difference in readability of corporate annual reports between years. This indicates that the corporate annual reports of the PCBs in Bangladesh are persistently maintaining the poor readability over years. It is also observed from the study that readability of different text sections of corporate annual reports is significantly different from each other. One of the important findings of the study is that larger PCBs of the country have tendency to use difficult languages in their corporate annual reports, while the study did not find intention of the management to use poor readability as a tool to suppress poor performance.

Introduction

Scandals like Enron, Worldcom, Xerox, etc. shattered the corporate world at the beginning of this century. At the same time these events adversely affected the investors trust on corporations and corporate financial reporting (Waggoner and Fogarty, 2002; Murray, 2004; Watson, 2005; Hynes and Bexley, 2003). Measures have been evident to regain the trust of the investors (Murray, 2004; Minow, 2002). As researchers suggest identifying loopholes in the corporate financial reporting in the form of annual reports as a measure to improve the corporate financial reporting practice, regulatory agencies around the world focused on the corporate governance.

A number of studies have been conducted on the amount of time spent in reading annual reports (Badaracco, 1988; Rezaee and Porter, 1993; Epstein and Pava, 1994; Oliver, 2000; Curtis, 1982; Wilton and Tabb, 1978). Though these studies provide controversial results about time spent on different sections of corporate annual reports it is found in many research that the most widely read section of corporate annual report is the executive's letter to the stakeholders (Hynes and Bexley, 2003; Curtis, 1982), mainly attributed as texts which differs from quantitative figures presented in financial statements. But unfortunately text sections of corporate annual reports received relatively lesser attentions from regulatory agencies of accounting and from scholars (Yuthas, Rogers & Dillard, 2002). As a result it is possible that the chapters or sections of the corporate annual reports which are mostly read by the readers have been remained problematic.

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A group of researchers focused on the 'readability' of the texts in corporate annual reports and others. Readability expresses the degree of difficulty of language and its structure (Still, 1972). Readability tries to match reader and text and tries to assess the ease to comprehend. It is an area of interest of the researchers to explore the association between readability of the corporate annual reports and the performance of the respective companies. Researchers observed positive association between poor readability of the annual reports and poor performance of the companies (Kohut and Segars, 1992; Subramanian, Insley & Blackwell 1993; Thomas, 1997; Smith and Taffler, 1992 a,b). Management often tries to suppress bad news consciously or unconsciously through obfuscation or poor readability (Adelberg, 1979). Enron's communications during its immediately preceding three years before collapse were examined and found that while the company's performance began to sink, its financial reports, letters to shareholders and speeches by top executives became more laden with ambiguous words and sentences (Gonsalves, 2003). Therefore, readability of the corporate annual reports is one of the areas where the researchers should focus on and rightly so it has become one of the major issues in recent years.

Sources of Data and the Sample

The current study aims at finding out the readability of corporate annual reports of the Private Commercial Banks (PCBs) listed on the Dhaka Stock Exchange (DSE). Annual reports of PCBs which were published in English both in the year 2004 and 2005 have been used for the purpose. On December 2006 number of commercial banks enlisted in the DSE was 24 (Monthly Review, 2007). Out of them Rupali Bank Ltd. was under process of privatization. Seven of them published annual reports in Bangla. Since the study aims at assessing the readability of annual reports of PCBs, Rupali Bank Ltd. was excluded from the study. Again, since the formulas used in this study for the readability test are applicable on English language, annual reports that were published in Bangla were also excluded from the study. Corporate annual reports of 4 PCBs were not available for both the year 2004 and 2005. Therefore, they have also been excluded from the study. Finally, corporate annual reports of 12 PCBs for the year 2004 and 2005 have been selected for the study.

Readability Assessment Tools and the Texts

Though a number of readability assessment tools are available (Lewis, Parker, Pound & Sutcliffe, 1986), Flesch test (1948) and Lix test (1968) have been used for this study. Flesch test has been selected because it is the most popular and widely used tool for readability test (Clatworthy and Jones, 2001). Moreover, this test is straightforward and easy to apply (Watson, 2005). On the other hand, Lix test has been used because of its suitability for measuring readability of technical languages such as accounting (Lewis *et al*, 1986).

Readability of four text sections such as Chairman's address, Directors' report, Notes to the accounts and Auditor's report of the corporate annual reports has been assessed. For each readability tool, a passage of 100 words generates acceptable measure (Lewis *et al*, 1986). Here two 100 words passages have been selected from the Chairman's address that contain 'discussion on performance in the current accounting year' and 'discussions on future plan'. Then the scores obtained from the two passages have been averaged to find the readability scores of the Chairman's address. Similar approach have been used on three 100 words passages from

introduction, discussion on bank's operation and the concluding remarks of the Directors' report. Two 100 words passages have been used from the Notes to the accounts that discuss 'the bank and its activities' and 'basis of accounting'. A single passage of 100 words has been selected from the Auditor's report for assessing the readability. To get the overall readability scores of the annual reports, the individual scores of the four categories of texts such as Chairman's address, Directors' report, Notes to the accounts and Auditor's report have been averaged.

Hypotheses

Difference in Readability of Text Extracts for Different PCBs

Although not all studies give mean Flesch scores or transmit their results in comparable terms, the readability studies of annual reports generally concur that the reports are difficult or very difficult to read. Using the Flesch test's results as a benchmark, the most difficult reports to read are the 1974 reports tested by Dolphin and Wagley (1977) and the Auditors' reports tested by Barnett and Loeffler (1979); while the easiest are the Chairman's narratives of Bulmers, a UK company (Jones, 1988). However, previous studies found that reading ease differs in corporate annual reports (Healy, 1977). Pashalian and Crissy (1950) argued that readability of corporate annual reports should vary. Hynes & Bexley (2003) found that company A's excerpt was easier to read than company B's excerpt. In a study Dey (2000) found that, reading ease of annual reports of multinational corporations is higher than the reading ease of public limited companies of Bangladesh. Therefore, the first group of hypotheses of the study is as follows:

- H₀₁ There is no significant difference in overall Flesch scores provided by corporate annual reports of PCBs in Bangladesh.
- H₀₂ There is no significant difference in overall Lix scores provided by corporate annual reports of PCBs in Bangladesh.

Difference in Readability of Text Extracts for Different Years Annual Reports

A number of studies touched the issue to see whether readability of annual reports is changing or not. Courtis (1986) found that readability of annual reports of 1982 is higher than readability of annual reports of 1983. But the mean Flesch score of 1982 and the mean Flesch score of 1983 are not significantly different at 5% level of significance. The observation was same both in case of Chairman's address and Footnotes. Though most of the studies did not show the significance of difference in readability scores over years, they showed that the readability of annual reports is declining over time (Courtis, 1995; Jones, 1988; Soper & Dolphin, 1964). Therefore, second group of hypotheses of the study is as follows:

- H₀₃ There is no significant difference between overall Flesch score 2004 and overall Flesch score 2005 of corporate annual reports of PCBs in Bangladesh.
- H₀₄ There is no significant difference between overall Lix score 2004 and overall Lix score 2005 of corporate annual reports of PCBs in Bangladesh.

Difference in Readability of Text Extracts for Different Readability Formula

Jones and Shoemaker (1994) observed that out of 32 readability studies, only 11 studies used more than one readability formula. The number is far below in case of readability studies conducted on annual reports. This small number of studies gave controversial results. In the study of Smith and Taffler (1992b) both Flesch and Lix formula gave similar result. Courtis (1986) found that Flesch score and the Fog index are giving similar score. He did not find any significant difference in the two scores. While, Lewis, *et al.* (1986) observed different outcome. In his study Flesch score showed a slight increase in difficulty, Dale-Chall showed increasing difficulty, while, Kwolek showed decreasing difficulty in one period and increasing difficulty in another. Thus different readability formulas do not ensure similar outcome. Therefore, I draw the following hypothesis for this study:

- H₀₅ There is no significant difference in overall Flesch reading ease and overall Lix reading ease of corporate annual reports of PCBs in Bangladesh.

Difference in Readability of Different Text Extracts

Previous studies suggest that readability of different sections of texts of corporate annual reports is different. Parker (1982) compared the readability of Chairman's address with Footnotes of annual reports and found significant difference in readability in these two categories of texts. Courtis (1986) found that Footnotes are more difficult than Chairman's address. Therefore, my fourth group of hypotheses is as follows:

- H₀₆ There is no significant difference between Flesch scores of different text extracts provided by corporate annual reports of PCBs in Bangladesh.
H₀₇ There is no significant difference between Lix scores of different text extracts provided by corporate annual reports of PCBs in Bangladesh.

Association between Readability of Annual Reports and Performance of PCBs

A number of studies address this issue with varying results. Courtis (1986) tried to find out whether management attempts to use tougher language when corporate profits decline and risk increases. However, he finds no systematic relationship between the readability score of a corporation's annual report and a corporation's level of risk and return as measured by current ratio, leverage, earnings variability, and rate of return on assets. Jones (1988) uses several hypotheses on the readability of the chairman's narratives in one UK company's annual reports over time. He tried to test the view that, managers consciously or unconsciously convey poorer results in a more difficult writing style. He finds no strong support for this view as measured by the correlation between readability and net profit on sales and return on capital. However, the research suggests that readability and sales are significantly negatively correlated. This confirms that as a firm grows in size annual reports become more sophisticated and difficult to read. Jones also finds a significant decline in readability after the company was listed on the London Stock Exchange.

Baker and Kare (1992) find no relationship between the Flesch score and net profit, but they do find a 95 percent correlation between the Flesch score and return on equity. Smith and Taffler (1992 a,b) in a comparison of failed with non-failed firms find that the Lix and Flesch tests are predictors of corporate failure and that corporate failure is significantly correlated with more difficult syntax. Smith and

Taffler (1992 a) conclude that "poor readability is associated with poor performance and ease of readability with financial success."

In another study, Subramanian *et al.* (1993) find significant relationships when testing 'good' or 'poor' performance of corporations against readability. In particular, their analysis shows that the annual reports of good performers are significantly easier to read than those of poor performers. These results are consistent with Smith and Taffler (1992a,b) but at variance with Jones (1988) and Baker and Kare (1992).

In the present study an attempt has been made to find out whether there is any association between readability of the corporate annual reports of PCBs with their financial performance and corporate size. Paid up capital, number of branches, amount of deposits and amount of loans and advances has been used as variables that measure the size of the PCBs. On the other hand, net profit after tax and Earnings Per Share (EPS) have been considered as variables that measure financial performance of the PCBs.

Since the relationship between Lix score and the readability is negative, i.e., higher the Lix score, lower the readability and vice-versa, the current study does not use Lix score for examining the association between readability and financial performance or size. Therefore, Flesch score has been used to examine the association between readability of annual reports and financial performance or size of the PCBs. Therefore, the fifth group of hypotheses of the study is as follows:

- H₀₈ There is no significant association between overall Flesch score of corporate annual reports and paid up capital of PCBs in Bangladesh.
- H₀₉ There is no significant association between overall Flesch score of corporate annual reports and number of branches of PCBs in Bangladesh.
- H₁₀ There is no significant association between overall Flesch score of corporate annual reports and amount of deposits of PCBs in Bangladesh.
- H₁₁ There is no significant association between overall Flesch score of corporate annual reports and amount of loans and advances of PCBs in Bangladesh.
- H₁₂ There is no significant association between overall Flesch score of corporate annual reports and net profit after tax of PCBs in Bangladesh.
- H₁₃ There is no significant association between overall Flesch score of corporate annual reports and Earnings Per Share (EPS) of PCBs in Bangladesh.

Findings : Readability of Annual Reports from Different PCBs

An attempt has been made to find out whether there is any significant difference in readability scores between corporate annual reports of different PCBs by conducting one sample *t* test. Table 1 shows that mean, std. deviation and std. error mean of overall Flesch score are 31.17, 3.84 and 1.10 respectively. On the other hand mean, std. deviation and std. error mean of Lix score of overall Lix score are 60.95, 2.84 and 0.81 respectively. Table 2 shows the Accept/Reject decision of null hypotheses *H₀₁* and *H₀₂*. Null hypotheses *H₀₁* and *H₀₂* are rejected at 5% level of significance. Thus, both Flesch scores and Lix scores of overall text of corporate annual reports of different PCBs are significantly different. In other words, readability of the corporate annual reports of PCBs is significantly different from each other.

Table 1 One-Sample Statistics of Flesch and Lix Score

Variables	N	Mean	Std. Deviation	Std. Error Mean
Overall Flesch Score	12	31.17	3.84	1.10
Overall Lix Score	12	60.95	2.84	.81

Table 2 One-Sample Test of Flesch and Lix Score

Variables	Test Value = 0						Decision
	t	df	Sig. (2-tailed)	Mean Difference	95% Confidence Interval of the Difference		
					Lower	Upper	
Overall Flesch Score	28.11	11	.00	31.17	28.73	33.61	H_{01} rejected at 5% level of significance, i.e., difference is significant.
Overall Lix Score	74.35	11	.00	60.95	59.15	62.76	H_{02} rejected at 5% level of significance, i.e., difference is significant.

Readability of Annual Reports from Different Years.

Table 3 shows that null hypotheses H_{03} and H_{04} are accepted at 5% level of significance. Therefore, there is no significant difference in overall Flesch score 2004 with overall Flesch score 2005 and overall Lix score 2004 with overall Lix score 2005. This result is similar to that of Curtis (1986).

Table 3 Paired Samples Test of Flesch and Lix Score

Pairs	Paired Differences					t	df	Sig. (2-tailed)	Decisions
	Mean	Std. Dev.	Std. Error Mean	95% Confidence Interval of the Difference					
				Lower	Upper				
Overall Flesch Score 2004 - Overall Flesch Score 2005	1.95	3.99	1.15	-.57	4.49	1.69	11	.11	H_{03} accepted at 5% level of significance, i.e., difference is not significant.
Overall Lix Score 2004 - Overall Lix Score 2005	.083	2.23	.64	-1.33	1.50	.12	11	.90	H_{04} accepted at 5% level of significance, i.e., difference is not significant.

Flesch Versus Lix Reading Ease

An attempt has been made to find out whether there is any significant difference in the result of the Flesch and Lix. Since the scoring of the Flesch and Lix is opposite, Flesch and Lix reading ease score instead of Flesch and Lix score have been used for this purpose. Table 4 shows that null hypothesis H_{05} are rejected at 5% level of significance. Therefore, significant difference is observed between Flesch and Lix reading ease of overall text.

Table 4 Paired Samples Test of Flesch Reading Ease and Lix Reading Ease

Pairs	Paired Differences						t	df	Sig. (2-tailed)	Decisions
	Mean	Std. Dev.	Std. Error Mean	95% Confidence Interval of the Difference						
				Lower	Upper					
Overall Flesch Reading ease - Overall Lix Reading ease	.58	.51	.14	.25	.91	3.92	11	.00	H_{05} rejected at 5% level of significance, i.e., difference is significant.	

Readability of Different Categories of Texts

This study assesses readability of four text sections such as Chairman's address, Directors' report, Notes to the accounts and Auditor's report of the corporate annual reports. At the same time an overall score has been computed by averaging the scores of the previously mentioned four sections. An attempt has been made to find whether there is significant difference in the five readability scores including the average of the four sections. It is observed from the Table 5 that null hypothesis H_{06} is rejected at 5% level of significance. Therefore, there is significant difference in Flesch scores of different text extracts. This result is similar to that of Parker (1982) and Curtis (1986) where the study observed significant difference in readability among different text extracts. Similar result is observed in Table 6. It is observed from the table that null hypothesis H_{07} is rejected at 5% level of significance. Therefore, there is significant difference in Lix scores of different sections of text extracts too.

Table 5 One-Sample Test of the Average Flesch Score of Different Text Extracts

One Sample Statistics	One Sample Test Results	Decision
N = 5 Mean = 32.29 Std. Deviation = 6.69 Std. Error Mean = 2.99	$t = 10.79$ $df = 4$ sig. (2-tailed) = 0.00 Mean difference = 32.29	H_{06} rejected at 5% level of significance, i.e., there is significant difference in Flesch scores of different sections of text.

Table 6 One-Sample Test of the Average Lix Score of Different Text Extracts

One Sample Statistics	One Sample Test Results	Decision
N = 5 Mean = 60.67 Std. Deviation = 4.93 Std. Error Mean = 2.20	$t = 27.49$ $df = 4$ sig. (2-tailed) = 0.00 Mean difference = 60.67	H_{07} rejected at 5% level of significance, i.e., there is significant difference in Lix scores of different sections of text.

Readability and Performance of Companies

Table 7 presents Spearman's correlation between Overall Flesch score of corporate annual reports and paid up capital, number of branches, deposits, loans and advances, net profit after tax and Earnings Per Share (EPS) of PCBs. This table also shows accept/reject decisions of the association test of overall Flesch score of corporate annual reports with paid up capital, number of branches, deposits, loans and advances, net profit after tax and EPS of PCBs. Table 7 shows that, correlation coefficient of overall Flesch score with paid up capital is -.07 with sig. (2-tailed) 0.81. This indicates that overall Flesch score has negative correlation with paid up capital of the PCBs, which is not significant enough. Therefore, null hypothesis (H_{09}) is accepted at 5% level of significance.

Table 7 also shows that, correlation coefficient of overall Flesch score with number of branches is -.67 with sig. (2-tailed) 0.01. This indicates that overall Flesch score has significantly negative correlation with Number of branches of the PCBs. Therefore, null hypothesis (H_{09}) is rejected at 5% level of significance.

It is also observed from Table 7 that, correlation coefficient of overall Flesch score with deposits is -.711 with sig. (2-tailed) 0.01. This indicates that overall Flesch score has negative correlation with deposits of the PCBs, which is also significant. Therefore, null hypothesis (H_{10}) is rejected at 5% level of significance.

Correlation coefficient of overall Flesch score with loans and advance is -.61 with sig. (2-tailed) 0.03. Therefore, there is negative correlation between overall Flesch score and the loans and advance of the PCBs, which is significant at 5% level of significance. Thus, null hypothesis (H_{11}) rejected. The above findings of the study reconfirms the findings of Jones (1988) where the researcher observed that as a firm grows in size, annual reports become more sophisticated and difficult to read.

Table 7 shows that, correlation coefficient and sig (2-tailed) of overall Flesch score with net profit after tax are -.49 and 0.10 respectively. This means that overall Flesch score and net profit after tax of the PCBs are negatively associated. But the negative association is not significant at 5% level of significance. Thus, null hypothesis H_{12} is rejected. The result is similar to that of Baker and Kare (1992) where the study did not find relationship between the Flesch score and net profit.

It is also observed that, overall Flesch score and EPS have insignificant negative correlation with correlation coefficient and sig. (2-tailed) -.53 and 0.07 respectively. Therefore, null hypothesis (H_{13}) is rejected at 5% level of significance.

Recommendations

The present study observes that the text contents are becoming more and more important in terms of coverage in the whole report. Therefore, it is worth getting attention of the regulatory authorities as well as the personnel involved in preparing the reports. Readability of the chairman's address, director's report and auditor's report are difficult or very difficult to read while the notes to the accounts are very

difficult in both of the years. Therefore, special attention should be given in improving the readability of these text sections especially of the notes to the accounts.

The present study observes significant difference in readability among the annual reports of the PCBs in every category of texts such as chairman's address, directors' report, notes to the accounts and auditor's report. For the sake of better reporting practices and for ensuring the comparability of the corporate annual reports, the accounting regulatory agencies should try to bring uniformity in readability of corporate annual reports of PCBs.

At the same time significant difference has been observed in readability of different text extracts such as chairman's address, directors' report, notes to the accounts and auditor's report of annual reports. Therefore, accounting regulatory agencies should ensure uniformity in readability of different text extracts of annual reports of PCBs.

Table 7 Accept/Reject Decisions of Association Test

Variables		Overall Flesch Score	Accept/ Reject Decisions
Paid up Capital	Correlation Coefficient	-.07	H_{08} accepted at 5% level of significance, i.e., there is no significant association between Overall Flesch score and the Paid up capital of PCBs.
	Sig. (2-tailed)	.81	
Number of Branches	Correlation Coefficient	-.67(*)	H_{09} rejected at 5% level of significance, i.e., there is significant association between Overall Flesch score and the Number of branches of PCBs.
	Sig. (2-tailed)	.01	
Deposits	Correlation Coefficient	-.71(*)	H_{10} rejected at 5% level of significance, i.e., there is significant association between Overall Flesch score and the Deposits of PCBs.
	Sig. (2-tailed)	.01	
Loans and Advance	Correlation Coefficient	-.61(*)	H_{11} rejected at 5% level of significance, i.e., there is significant association between Overall Flesch score and the Loans and advances of PCBs.
	Sig. (2-tailed)	.03	
Net Profit After Tax	Correlation Coefficient	-.49	H_{12} accepted at 5% level of significance, i.e., there is no significant association between Overall Flesch score and the Net profit after tax of PCBs.
	Sig. (2-tailed)	.10	
Earnings Per Share (EPS)	Correlation Coefficient	-.53	H_{13} accepted at 5% level of significance, i.e., there is no significant association between Overall Flesch score and the Earnings per share (EPS) of PCBs.
	Sig. (2-tailed)	.07	

Correlation is significant at the 0.05 level (2-tailed).

Suggestions for Further Research

Generally, it is neither possible nor desirable for a research to deal with a large number of issues. The present study aims at analyzing and comparing the readability of text sections of corporate annual reports of PCBs of Bangladesh to the individual investors. Considering the time and budget constraint, annual reports of all types of banks such as NCBs, FCBs and PCBs could not be examined. Even annual reports of

all the PCBs could not be examined in this study. 12 PCBs that were enlisted in DSE on December 19, 2006 and that publish annual reports in English have been considered for the study. Again annual reports of only two years (1994 and 1995) have been examined in this study. Therefore, it is expected that the present study would motivate in further researches in the area of readability of corporate annual reports in the banking as well as non-banking sectors in Bangladesh.

Conclusion

In the present study it has been observed that, text sections are very important in corporate annual reports of PCBs. Despite of the wide coverage of text sections in the corporate annual reports, the texts are difficult to read for individual investors. One of the important findings is that, Notes to the accounts, which contain explanations of some important issues of the major financial statements of the annual reports, are very difficult to read. In most of the cases it is observed that, Notes to the accounts are the most difficult section to read.

Analysis of annual reports of individual PCBs also shows that, the annual reports are either difficult or very difficult to the individual investors. Average Flesch score shows that, text of 7 PCBs out of 12 are difficult while the rest 5 are very difficult. The scenario is worse in average Lix score. It has been observed that annual reports of all the 12 PCBs are very difficult to read. Findings of the current research indicate that, larger PCBs have tendency to use difficult languages in their corporate annual reports. This could be one of the reasons of the poor readability of corporate annual reports of the PCBs in Bangladesh.

Readability of annual reports of individual PCBs also vary significantly from each other. That hinders the comparability of corporate annual reports of PCBs to individual investors in decision-making process. Significant difference has also been observed in readability of different text sections of the study.

Therefore, the present research suggests more attention for the text sections of the corporate annual reports of PCBs. The study argues for enhanced readability of the texts of the annual reports, so that the individual investors could comprehend them with more ease. Immediate attention should be paid on the Notes to the accounts, which is currently suffering from worst readability. At the same time, the accounting regulatory agencies of Bangladesh should adopt 'Plain English' in corporate annual reports so that uniformity in readability could be ensured in every annual report and in every part of the annual reports. This step may also discourage the larger PCBs in using difficult languages in their annual reports.

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ORGANIZATION DEVELOPMENT: MODELS AND THEIR IMPLEMENTATION IN BANGLADESH

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Abstract: Organization Development is a planned, organization-wide, and managed from the top, to increase organization effectiveness through planned interventions in the organization's processes. It is an organizational management strategy which guides about how people and organizations function and how to get them to function better. It follows knowledge from behavioral science disciplines like Psychology, Social Psychology, Sociology, Anthropology, and Organizational Behavior. The programs are long term planned sustained efforts. Such efforts must own a leader identifies and undesirable situation and seeks to change it

Introduction

Kurt Lewin played a key role in the evolution of OD. Early of World War II, Lewin made an experiment with a collaborative change process based on a three-step process of planning, taking action, and measuring results. Lewin experiment showed that problems of leadership, structure, status, communication, and self-serving behavior typically arise in a group. On the other hand, members of the group composed of individuals from different organizations, situations, and backgrounds have an opportunity to learn something about them and to practice such skills as listening, observing others, and functioning as effective group members. A major difficulty developed, however, in transferring knowledge gained from these. This required a transfer between two different cultures, the relatively safe and protected environment and the give-and-take of the organizational environment with its traditional values. From this realization that culture was an important factor in influencing group members (along with some other developments in the behavioral sciences) emerged the concept of OD.

An organization was considered to be much like a stable machine comprised of interlocking parts. It is a planned, top-down, organization-wide effort to increase the organization's effectiveness and health. According to Warren Bennis, OD is a complex strategy intended to change the beliefs, attitudes, values, and structure of organizations so that they can better adapt to new technologies, markets, and

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challenges.ⁱ Warner Burke emphasizes that OD is not just "anything done to better an organization"; it is a particular kind of change process designed to bring about a particular kind of end result. OD involves organizational reflection, system improvement, planning, and self-analysis.ⁱⁱ

The term "OD" is often used interchangeably with Organizational effectiveness, especially when used as the name of a department or a part of the Human Resources function within an organization. OD is a growing field that is responsive to many new approaches where two or more people working together toward one or more shared goal(s).ⁱⁱⁱ Development in this context is the notion that an organization may become more effective over time at achieving its goals.

OD is a long range effort to improve organization's problem solving and renewal processes, particularly through more effective and collaborative management of organizational culture, often with the assistance of a change agent or catalyst and the use of the theory and technology of applied behavioral science.^{iv}

OD is a contractual relationship between a change agent and a sponsoring organization entered into for the purpose of using applied behavioral science in a systems context to improve organizational performance and the capacity of the organization to improve itself.

OD is an ongoing, systematic process to implement effective change in an organization. It is known as both a field of applied behavioral science focused on understanding and managing organizational change and as a field of scientific study and inquiry. It is interdisciplinary in nature and draws on sociology, psychology, and theories of motivation, learning, and personality.^v

Today's organizations operate in a rapidly changing environment. Consequently, one of the most important assets for an organization is the ability to manage change -- and for people to remain healthy and authentic.

Definition of OD

OD is the attempt to influence the members of an organization to expand their candidness with each other about their views of the organization and their experience in it, and to take greater responsibility for their own actions as organization members. The assumption behind OD is that when people pursue both of these objectives simultaneously, they are likely to discover new ways of working together that they experience as more effective for achieving their own and their shared (organizational) goals. When this does not happen, such activity helps them to understand why and to make meaningful choices about what to do in light of this understanding.^{vi} Experts might agree that the following definitions of OD represent the major focus and thrust of many of today's OD practitioners. "OD is a system-wide application of behavioral science knowledge to the planned development and reinforcement of organizational strategies, structures, and processes for improving an organization's effectiveness."^{vii}

"OD is a body of knowledge and practice that enhances organizational performance and individual development, viewing the organization as a complex system of systems that exist within a larger system, each of which has its own attributes and degrees of alignment. OD interventions in these systems are inclusive methodologies and approaches to strategic planning, organization design, leadership development, change management, performance management, coaching, diversity, and work/life balance."^{viii}

Objectives of the Article

This paper is written with the following objectives:

- i. To study the recent development in the literature of OD
- ii. To explore the concept and Model of OD
- iii. To examine the status of OD in Bangladesh and
- iv. To provide some suggestions.

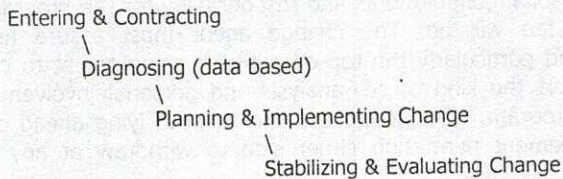
Methodology of the Study

The study approach was explorative and qualitative, rather than quantitative and empirical. The pillars of the study were secondary data. In order to prepare this article, the researcher has gone through extensive literature reviews available in the Libraries' books, journal articles, thesis, dissertations, newspapers, and magazines. Main dependency was on the existing international literature in the relevant field based on various websites. The objectives were set in a manner that enables to open up avenues for further research in the field investigated, rather than draw any definitive inferences.

The study has some limitations. These limitations arise from financial, logistics, and time insufficiency. Acquisition of necessary data and application of suggestions provided may suffer from lack of accuracy. The usage of the study findings should be cautious due to the fact that it is only conceptual rather than tested against empirical data.

Model of the OD Process^{ix}

There are many versions of an overall model of the OD process in the literature; however, all are basically variations on the model outlined below. We will use the following four-stage model of the OD process as a fundamental, orienting structure throughout the course:



Note that, although this is shown as a single cycle in the diagram above, there normally is considerable overlap, feedback, and cycling back among all of the stages. For example, during data collection and diagnosis, frequently new issues are identified that require a revision of the contracting, or during planning and/or implementing change, there will be identified needs for additional data gathering and diagnosis. The OD process is not a simple, linear, one-pass process.

Modern development

In recent years, serious questioning has emerged about the relevance of OD to managing change in modern organizations. The need for "reinventing" the field has become a topic that even some of its "founding fathers" are discussing critically. With this call for reinvention and change, scholars have begun to examine organizational development from an emotion-based standpoint. Due to downsizing, outsourcing, mergers, restructuring, continual changes, invasions of privacy, harassment, and abuses of power, many employees experience the emotions of aggression, anxiety,

apprehension, cynicism, and fear, which can lead to performance decreases.^{xxx} In order to heal the trauma and increase performance, O.D. practitioners must acknowledge the existence of the trauma, provide a safe place for employees to discuss their feelings, symbolize the trauma and put it into perspective, and then allow for and deal with the emotional responses. One method of achieving this is by having employees draw pictures of what they feel about the situation, and then having them explain their drawings with each other. Drawing pictures is beneficial because it allows employees to express emotions they normally would not be able to put into words. Also, drawings often prompt active participation in the activity, as everyone is required to draw a picture and then discuss its meaning.

The major goals of OD:

- a) To improve the functioning of individuals, teams, and the total organization.
- b) To teach organization members how to improve their functioning. Wendell, L. French & Cecil, H. Bell, hold the ideas to at OD deals with the gamut of people problems & work system problems like low morale, low productivity, poor quality, interpersonal conflict, inter group conflict, inadequate alignment among the strategies, structure and culture etc. Individuals, teams, organizations failure to cope with their potentials. There is demand for OD.

Characteristics of OD

a) Contractual Relationship

Although neither the sponsoring organization nor the change agent can be sure at the outset of the exact nature of the problem or problems to be dealt with or how long the change agents' help will be needed, it is essential that some tentative agreement on these matters be reached. The sponsoring organization needs to know generally what the change agent's preliminary plan is what its own commitments are in relation to personal commitments and responsibility for the program and what the change agent's fee will be. The change agent must assure himself that the organizations, and particularly the top executives', commitment to change is strong enough to support the kind of self-analysis and personal involvement requisite to success of the program. Recognizing the uncertainties lying ahead on both sides, a termination agreement permitting either side to withdraw at any time is usually included.^{xi}

a) Change Agent

A change agent in the sense used here is not a technical expert skilled in such functional areas as accounting, production, or finance. He is a behavioral scientist who knows how to get people in an organization involved in solving their own problems. His main strength is a comprehensive knowledge of human behavior, supported by a number of intervention techniques (to be discussed later). The change agent can be either external or internal to the organization. An internal change agent is usually a staff person who has expertise in the behavioral sciences and in the intervention technology of OD. Beckhard reports several cases in which line people have been trained in OD and have returned to their organizations to engage in successful change assignments. The change agent may be a staff or line member of the organization who is schooled in OD theory and technique. In such a case, the "contractual relationship" is an in-house agreement that should probably be explicit with respect to all of the conditions involved except the fee.

b) Sponsoring Organization

The initiative for OD programs comes from an organization that has a problem. This means that top management or someone authorized by top management is aware that a problem exists and has decided to seek help in solving it. There is a direct analogy here to the practice of psychotherapy: The client or patient must actively seek help in finding a solution to his problems. This indicates a willingness on the part of the client organization to accept help and assures the organization that management is actively concerned.^{xii}

c) Applied Behavioral Science

One of the outstanding characteristics of OD that distinguishes it from most other improvement programs is that it is based on a "helping relationship." The change agent is not a physician to the organization's ills; he does not examine the "patient," make a diagnosis, and write a prescription. Nor does he try to teach organizational members a new inventory of knowledge which they then transfer to the job situation. Using theory and methods drawn from such behavioral sciences as (industrial/organizational psychology, industrial sociology, communication, cultural anthropology, administrative theory, organizational behavior, economics, and political science, the change agent's main function is to help the organization define and solve its own problems. The basic method used is known as action research. This approach, which is described in detail later, consists of a preliminary diagnosis, collecting data, feedback of the data to the client, data exploration by the client group, action planning based on the data, and taking action.^{xiii}

d) Systems Context

OD deals with a total system — the organization as a whole, including its relevant environment — or with a subsystem or systems — departments or work groups — in the context of the total system. Parts of systems, for example, individuals, cliques, structures, norms, values, and products are not considered in isolation; the principle of interdependency, that is, that change in one part of a system affects the other parts, is fully recognized. Thus, OD interventions focus on the total culture and cultural processes of organizations. The focus is also on groups, since the relevant behavior of individuals in organizations and groups is generally a product of group influences rather than personality.^{xiv}

e) Improved Organizational Performance

The objective of OD is to improve the organization's capacity to handle its internal and external functioning and relationships. This would include such things as improved interpersonal and group processes, more effective communication, enhanced ability to cope with organizational problems of all kinds, more effective decision processes, more appropriate leadership style, improved skill in dealing with destructive conflict, and higher levels of trust and cooperation among organizational members. These objectives stem from a value system based on an optimistic view of the nature of man — that man in a supportive environment is capable of achieving higher levels of development and accomplishment. Essential to OD and effectiveness is the scientific method — inquiry, a rigorous search for causes, experimental testing of hypotheses, and review of results.

f) Organizational Self-Renewal

The ultimate aim of the outside OD practitioner is to "work himself out of a job" by leaving the client organization with a set of tools, behaviors, attitudes, and an action plan with which to monitor its own state of health and to take corrective steps toward its own renewal and development. This is consistent with the systems concept of feedback as a regulatory and corrective mechanism.^{xv}

1. The major attributes of OD

- i. It focuses on culture & problems.
- ii. It demands collaboration between organization leaders & members engaged in managing culture & problems.
- iii. Emphasizes the human & social aspects of the organization.
- iv. Participation & involvement of all levels.
- v. Total system change.
- vi. Action research model through extensive Participation.
- vii. Betterment of both individuals & the organizations & the organizations through creating win-win situations.

2. The foundations of OD are grouped into five segments

- a. Contribution from Behavioral Science theory.
- b. Behavioral Science research
- c. Practice theory
- d. Practice research
- e. Action research

3. Need for OD

- i. **Proper utilization of human resources:** Our people -- may be a large fraction of our costs of doing business. They certainly can make the difference between organizational success and failure. We better know how to manage them.
- ii. **Changing nature of the workplace:** Our workers today want feedback on their performance, a sense of accomplishment, feelings of value and worth, and commitment to social responsibility. They need to be more efficient, to improve their time management. And, of course, if we are to continue doing more work with less people, we need to make our processes more efficient.
- iii. **Global markets:** Our environments are changing, and our organizations must also change to survive and prosper. We need to be more responsible to and develop closer partnerships with our customers. We must change to survive, and we argue that we should attack the problems, not the symptoms, in a systematic, planned, humane manner.
- iv. **Accelerated rate of change:** Taking an open-systems approach, we can easily identify the competitions on an international scale for people, capital, physical resources, and information.

4. Organization' readiness for change

There is a formula, attributed to David Gleicher which we can use to decide if an organization is ready for change:^{xvi}

$\text{Dissatisfaction} \times \text{Vision} \times \text{First Steps} > \text{Resistance to Change}$

This means that three components must all be present to overcome the resistance to change in an organization: Dissatisfaction with the present situation, a vision of what

is possible in the future, and achievable first steps towards reaching this vision. If any of the three is zero or near zero, the product will also be zero or near zero and the resistance to change will dominate.

5. Managing OD problems

We know that OD programs adherence to three basic components like diagnosis, action and program management.

- **The diagnostic component:** It shows a continuous collection of data related to the total systems, its sub units, problems & culture.
- **The action component:** It comprises all activities & intervention to develop the organization's functioning.
- **The program management:** It covers all activities to ensure success of the program.

Burke says that OD is a planned process of change in an organization's culture through the utilization of behavioral science, technology, research, and theory.^{xvii}

Black and Margulies suggest that the following attributes of OD create management of change:

- i. The OD approach to change is planned,
 - ii. It has system perspectives,
 - iii. Designed to compare the organization in short & long terms,
 - iv. Acquired at organizational problems rather than substantive content,
- ... **attention** for solving problems

6. Traditional OD Techniques

Team building has been a main stream of OD for a number of years. It is very similar to the development and use of gently popular selfmanage and inter functional teams. OD can bring approaches to the organization that will enable these three components to surface, so we can begin the process of change.

Lewin's description of the process of change involves three steps which covers the following:

- a) **Unfreezing:** The planning stage is a period of unfreezing, or problem awareness. Team is made aware of the need for change. Openness and trust is developed so that the group is ready for change. Faced with a dilemma or disconfirmation, the individual or group becomes aware of a need to change.
- b) **Changing:** The action stage is a period of changing, which is, trying out new forms of behavior in an effort to understand and cope with the system's problems. The situation is diagnosed and new models of behavior are explored and tested. Through feed back method, the team makes a diagnosis of where it is & prepares action plans as per requirements.
- c) **Refreezing:** Carrying out the plans, and after its evaluations, the team tries for more effective performance. Application of new behavior is evaluated, and if reinforcing, is adopted.

Now a day's aware specific team building program is followed combining the following attributes like Team skill workshop, Data collection, Data confrontation, action planning, Team building, Inter group building etc.

Conclusion and suggestions for further research

The concept of OD is new in Bangladesh but old in developed countries in the world. It is about forty years that Bangladesh became independent at aiming free from all odds though she relies on increasing foreign aids, grants and donation. Adaptation of

free market economy concept brought much change in the import and export business but helped not much in the OD in Bangladesh. Bangladesh economy in terms of export business can be benefited much if it puts due attention towards OD. It is also possible to reshape the economic structure i.e. from agriculture to industrialization through the proper application of OD. Bangladesh economy is under serious pressure because of tough competition and easy access to information originated from technological development. Every organization irrespective of their nature, size, ability and purpose are to face various challenges arises from domestic and international context. Therefore, financial organization as well as non financial organization, government organization and non-government organization, service oriented organization as well as manufacturing organization should get proper attention from the concerned authority in respect to OD. It should be mentioned here that steps and processes involved in planned change need for OD, depicted as a cyclical process of change which begins with a series of planning actions. The principal elements of this stage include a preliminary diagnosis, data gathering, feedback of results, and joint action planning. In the language of systems theory, this is the input phase, in which the client system becomes aware of problems as yet unidentified, realizes it may need outside help to effect changes, and shares with the consultant the process of problem diagnosis.^{xviii}

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FINANCIAL DISCLOSURE IN CORPORATE ANNUAL REPORTS : A SURVEY OF SELECTED LITERATURE

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Abstract : The topic of disclosure is broad enough to encompass almost the entire area of financial reporting. One of the major objectives of financial reporting is to supply information for decision-making. This requires a proper disclosure of financial data and other relevant information. Disclosure is vital for the optimum decisions of investors and for a stable capital market. Timely disclosure of relevant information tends to prevent surprises that may completely alter the outlook for the future of the firm. It also tends to give investors greater confidence in the financial information available to them. The relevant studies are reviewed here focusing their objectives, methodology followed, hypothesis tested, concluding remarks, and limitations thereon.

1. Introduction

Proper disclosure of relevant information in the financial statements of a company is of great importance, since the members of the company as well as other parties; make most of their appraisals regarding the company on the basis of such statements. Annual financial statements should, therefore, disclose relevant financial information clearly and accurately.

Disclosure in financial reporting is the presentation of information necessary for the optimum operation of efficient capital markets. This implies that sufficient information should be presented to permit the prediction of future dividend trends and variability and the co variability of future returns with the market. Emphasis should be placed on the preferences of sophisticated investors and financial analysts. "The ultimate objective of disclosure is to communicate timely, reliable, and material information which is useful to the users of annual reports, in an intelligible form." (Agarwal, 1995)

How much information should be disclosed is dependent not only upon the expertise of the reader, but also upon the desirable standard. Three concepts of disclosure generally proposed are adequate, fair and full disclosure. The most commonly used of these expressions is adequate disclosure. But this implies a minimum amount of disclosure congruous with the negative objective of making the

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statements not misleading. Fair and full are more positive concepts. Fair disclosure implies an ethical objective of providing equal treatment for all potential reader. Full disclosure implies the presentation of all relevant information. To some, full disclosure means the presentation of superfluous information and is therefore inappropriate.

2. Corporate Annual Reports as a Device of Information Disclosure

Disclosure means effective communication of meaningful information. Disclosure is concerned with providing information, which are useful in making business and economic decisions by the audience-of-interest and the parties who have right to receive it. Financial disclosure is the end output of the financial reporting process. The balance sheet, profit and loss account and cash flow statement along with the supporting notes are known as the basic financial disclosure. Accounting may be treated as an information system that needs financial statements as the end result. Financial statements are the summarized and classified reports of financial events.

In a greater sense, financial statements are the direct product of a large number of integrated accounting processes which provide periodic income, financial position and cash flow statements (Mueller and Kelly: 1991).

All financial statements is concerned in varying degrees with decision-making. The need for disclosure to audience-of-interest on which to base investment, credit and similar decisions underlie the objectives of financial reporting. The importance of disclosure must be evaluated in relation to the purposes to be served, and the objectives of disclosure are focused in the use of accounting disclosure in decision-making.

The International Accounting Standards Committee (IASC) describes financial statements in its Exposure Draft-28, Framework for the preparation and presentation of Financial Statements, as

"Financial statements normally include a balance sheet, a profit and loss statement, a statement of changes in financial position, notes and other statements and explanatory material that are integral parts of the financial statements". (IASC, 1988)

The financial statements give information about an enterprise's resources, obligation and earnings. The purpose of financial statements is to give information that are useful to users in making managerial and economic decisions.

According to the definition given by the Accounting Standard Steering Committee (ASSC) of the UK and Ireland, a corporate financial report means "the comprehensive package of information of all kinds which describes an organization's economic activity"(1975).

Financial statements give useful information and detailed information is given by corporate financial reports although the information relates directly or indirectly to the information provided by a business enterprise's accounting system. In addition to basic financial statements, it provides narrative and descriptive statements and often-illustrative materials. Financial reporting is a means of providing information to users of all kinds, which most completely describes an organization's economic activity. It has also been stated that "... *Financial reporting by the entities attempts to meet the needs of the external users of financial reports who lack authority to prescribe the financial information they want from entities*" (FASB, 1978).

Financial reporting in broader terms not only includes financial statements but also other means of communicating information relating directly or indirectly to the information provided by the accounting system. A comprehensive financial report

may typically include corporate annual reports, various statutory annual information filing with regulatory commissions and registration statements for new securities to be sold publicly (Mueller and Kelly, 1991). Management may communicate information to those outside an enterprise by means other than the financial statement either because the information is required to be disclosed by authoritative pronouncement, regulatory rule or custom or because management considers it useful to those outside the enterprise and discloses it voluntarily.

3. Objectives of the Study

The primary objective of the study is to review of the selected literature regarding financial disclosure in corporate annual reports. The specific objective of this paper is to provide a short review of the main literature relevant to establish a research problem. A detailed review of the literature helps provide a framework for a broad study and serves the function of discovering findings from previous research on the general problem, helps establish what theories are relevant to the study being undertaken and assists in establishing an appropriate research methodology and research procedure to study the problem.

4. Review of Related Literature

4.1. Introduction

This section reviews researches that have focused primarily on information in corporate annual reports. Company financial reporting in the sub-continent has its origin in the Statutory Act of 1957. But a widespread research in this area is till now a matter of expectation in Bangladesh. Only some scholars have studied about financial reporting in the banking Sector in Bangladesh. A brief summary of these is delineated hereunder to prove the rationale of the present study.

During the last four decades the research literature on timeliness has become established in financial accounting. Different research studies have been done on the multidimensional aspects of financial reporting, disclosure policy, regulatory framework, harmonization of International Accounting Standards, application of local and International Accounting Standards in financial reporting practices of different multinational and local companies of different countries of the world. The relevant studies are reviewed here focusing their objectives, methodology followed, hypothesis tested, concluding remarks, and limitations thereon. This chapter reviews in detail selected studies that focus on financial disclosure in the corporate annual reports in both Bangladesh and abroad.

The literature survey is split as follows:

- ☐ Review of literature in Bangladesh Studies
- ☐ Review of Literature in Abroad Studies

4.2 Review of Related Study in Bangladesh

Studies in Bangladesh consider the multidimensional aspects relating to the disclosure in financial reporting. The following studies have reviewed:

Akter and Hoque (1993) have written an article on *"Disclosure Practices in Bangladesh: A Case Study of the Banking Sector"*. The objective of the study is to examine various legal provisions affecting disclosure along with role of the accounting profession in this respect. Recent trends and practices of reporting in the banking sector have been examined which facilitated presentation of the findings of this study in a framework of comparison and contrast.

This study is basically based on secondary data. This article has been prepared on the basis of review of existing literature relating to financial disclosure of banks. Relevant provisions and sections of the Banking Companies Ordinance as amended in 1991, Companies Act of 1913, Income Tax Ordinance of 1984 have been examined. To find out the present practice of the financial disclosure by banking companies in Bangladesh, annual reports of-

- i) one nationalised bank i.e., Sonali Bank,
- ii) one private bank City Bank, and
- iii) two multinational banks operating in Bangladesh i.e. American Express Bank and ANZ Grindlays Bank

have been analyzed for a period of five years (1987-91). To facilitate comparison, annual reports of three banks functioning in the developed countries like Citicorp Bank of the U.S.A., National Westminster Bank of U.K. and Chase Manhattan Bank of the U.S.A. have also been examined. This helps to find the recent trends and patterns of financial disclosure in the developed countries. Data have been presented in the framework of comparison and contrast. Other literature examined includes recommendation of International Accounting Standards Committee (IASC), research based articles published in the local and foreign journals, opinion of Accounting Principles Board (APB), Research monograph, books, etc. Data have been collected mainly from the secondary sources.

Compared to developed world, disclosure regarding loan valuation is very inadequate in the banking sector of Bangladesh. Special attention should be given for inadequate disclosure of specific provision, general provision, adjustment for exchange rate fluctuations, bad debt written off, transfer between provisions, charge against profit, sovereign risk provision etc., which are very important for measuring the efficiency and profitability of the banking sector.

This study reveals that disclosure and reporting in banking sector of Bangladesh are not only inadequate but also biased and misfiling. In most of the cases, financial statements of the local banks are dressed up and cosmetised. Outdated legal framework and poor performance of the accounting profession significantly contributed to this undesirable situation.

Ahmed and Nicholls (1994) have undertaken an empirical study to assess the extent of disclosure of statutory information in the corporate annual reports of non-financial companies and the impact of selected key company attributes on the degree of disclosure compliance with accounting regulatory statutes in a developing country, Bangladesh. They measured the association between the extent of disclosure and some corporate characteristics (size, total debt, multinational company effect, qualification of accountants and the size of the audit firm).

They collected 63 corporate annual reports available to them for the financial year 1987-1988. They developed an unweighted disclosure index. Their results indicated that like Nigeria and Hong Kong companies none of the companies in the sample from Bangladesh disclosed all mandatory items of information. Their results showed that the level of disclosure and both measures of company size, assets and sales, were positively associated. In addition, disclosure compliance was higher for a company which was a subsidiary of a multinational company and whose accounts were audited by a large audit firm, and whose accounts were prepared and supervised by a professionally qualified accountant. They suggested that for improvement in the degree of compliance, the accounting profession should strengthen its monitoring and enforcement mechanisms and increase awareness

about the existing mandatory provisions by conducting training programs for its members on a regular basis.

Islam and Pramanik (1996) have made a study on *"Disclosure of Accounting Policies: A Study of the Commercial Banks in Bangladesh"*. The main objective of the study is to evaluate disclosure practices relating to accounting policies of the commercial banks in Bangladesh. The present study covers a period of ten years based on published annual reports and relevant reports and relevant reporting requirements. The quality and adequacy of accounting policies have been analyzed from the viewpoint of the users of information. The observations give testimony that the banks under study tried to focus emphases on the professional requirements especially on IAS-1 as adopted in Bangladesh as AS-1 in making disclosure of accounting policies. But promulgation as to compliance with the professional requirements was absent from the annual reports. Another important finding was that despite several shortcomings observed in case of accounting policies of all the banks, the nationalized banks comparatively provided better disclosure of accounting policies than the private banks.

In the absence of specific legal requirements, disclosure practices relating to accounting policies of the commercial banks under study were complied during the study period, to a great extent, with the professional requirements especially with IAS-1 and this standard is adopted in Bangladesh as AS-1. But the disappointing finding was that promulgation as to compliance with the professional requirements was absent from the statement of accounting policies shown in the annual reports. This means that the professional requirements might be followed unconsciously or as a matter of convention. Although same sorts of accounting policies followed over the years facilitated uniformity, consistency and comparability of accounting information in case of each bank, the nationalized banks comparatively provided an enriched disclosure of accounting policies than the private banks. As suggestion, for better disclosure of accounting policies, the authors have suggested the followings:

(a) The statement of accounting policies of the banks should include promulgation as to compliance with the professional requirements. This will increase the quality of the financial statements to the users of information.

(b) The general accounting policies of the banks should specially describe about the matching of revenue and expenses and consolidation of accounts along with other accounting policies of this type.

(c) In the statement of major particular accounting policies, all the banks should disclose about the basis of determining the carrying amount of loans and advances on which interest is not being accrued, mode of valuation of non-banking assets and the basis of distinction between those transactions and other events that give rise to contingencies and commitments. As to valuation of investments, the banks should better follow the lower of cost or market value principle. An elaborate disclosure of Circulars relating to the basis of writing off un-collectible loans and advances is also necessary. The banks that do not disclose the following as particular accounting policies should also make such disclosure.

The limitation of the study is that no hypothesis has been tested empirically.

Chowdhury (1997) has written an article on *"A Comparative Evaluation and Rationale for Adoption of IAS 30 in Bangladesh"*. The essential objective of the study is to provide evidence that the essential purpose for adoption of IAS 30 would be to set the basic foundations of sound financial reporting for banks. Accounts cannot be truly and fairly presented unless they meet the qualitative characteristics of Financial

Statements of under standability, relevance, reliability, comparability and consistency. These qualitative characteristics cannot be properly reflected without selecting the minimum reporting requirements of IAS.

The study showed that, adoption of the standard would positively help achieve the qualitative characteristics that are necessary to reflect a true and fair view in Financial Statements of banks and harmonization of financial reporting practice in the banking sector in Bangladesh. Adoption of IAS-30 would confer relevant commensurate benefits, which result from application of IAS in general. The improvement in presentation of financial statements expected to result from application of IAS 30 have been highlighted specifically as relevant in Section 4 of this Paper. Additional benefits and 'usefulness' expected to result from adoption of IAS 30 are elucidated hereafter.

Chowdhury has found that banking business emphasizes on the principle of good client relationship through products and services and prudent stewardship of the banks monetary resources. Considerations of 'liquidity' 'solvency' and 'risk management' are most important for ensuring satisfactory performance and safeguarding the financial position - at the same time sustaining client (depositors/borrowers) confidence. Adoption of IAS 30 would facilitate management's achievement of these objectives. The users of Financial Statements of a bank need adequately understandable, relevant, reliable and comparable information which assist them in evaluating the financial position and performance of the bank and which is useful to them in making economic decisions. They also need information which gives them a better understanding of the special characteristics of the operational performance and financial position of the entity. Adoption of IAS 30 would permit Disclosures in Financial Statements of a bank which are sufficiently comprehensive to meet the overall needs of user groups.

The findings of the study indicates that adoption of IAS-30 would permit objective analysis and assessment of the financial strength of a bank's managerial and economic performance, future prospects and cash flows, banking risks, commitments and contingencies, etc. The limitation of the study is that no hypothesis has been tested empirically.

Rahman(1999) has written an article on "*The Extent of Mandatory and Voluntary Financial Disclosure by Listed Companies in Bangladesh: An Empirical Study*". The major objectives of the study are to highlight the nature of mandatory and voluntary disclosure practices of the listed companies. This paper reports on mandatory and voluntary financial disclosure practices of 20 Stock Exchange-listed manufacturing companies and relates the extent of disclosure to industry type. This study is based on secondary data. A survey of accounts was undertaken which consists of an analysis of the annual reports of the sample companies - 375 items were included in a scoring sheet, which was completed for each company. The results show that disclosure (both mandatory and voluntary) varies widely within the sample companies, and the extent of disclosure is significantly related to industry types. Companies of the Textile Sector are found to disclose significantly less information than what disclosed by companies of other sectors. The findings also indicate that the compliance with voluntary disclosure requirements is much lower compared to the compliance with mandatory disclosure requirements and that no company disclosed all mandatory information items in its annual report.

The paper has shown that disclosure is very changeable, and that, there is a significant association between the extent of disclosure and industry type. Disclosure

by companies pertaining to Pharmaceuticals and Chemicals is higher than that of companies with other industry type. Furthermore, disclosure by companies belonging to the textile industry is much lower than that of any other company. The limitation of the study is that no hypothesis has been tested empirically.

Ahmed (2000) has a study on *"Financial Reporting Practices in Banks and Financial Institutions: Implementing the New formats of Financial Statements in Compliance with IAS-30"*. This is commentary study based on secondary data. The findings of the study demonstrate that the last 15 years, the banking crises in the developing countries have been unusually frequent and severe relative to their own record compared to the preceding last three decades (Capiro and Klingebiel 1996a; 1996b; Honohan 1996; Kaminsky and Reinhart 1995; Lindgren, Garcia, and Saal 1996; Sheng 1996; Sundararajan Balino 1991).

According to Lindgren, Saal and Garcia (1996) 73% of the IMF member countries experienced at least one bout of significant banking sector problems during 1980-1996 period. In Africa, Asia and transition economies of former communist countries this figure rises to more than 90%. As to the severity of banking crises and bank losses costs amounted to 10% or more of GDP in a dozen of developing countries episodes during the past 15 years. For example, Capiro and Klingebiel (1996) study reveal that there have been 67 bank crises since 1980 involving 52 developing countries. The study estimated loss as percentage of GDP, which relates to Argentina: 55%, Chile: 41%, Venezuela: 18%, 5 African countries: 10-25%, and Israel: 30%. Banking crises are costly because banks hold lion's share of financial assets of the developing economies. Goldstein and Turner (1996) calculated banks share in financial intermediation in developing countries and found India: 80%, Indonesia: 91%, Thailand: 75%, Argentina: 98%, Venezuela: 92%.

The author attempted to extend that developing countries are now larger importers, debtors, and recipients of international capital flows than they used to be, there is also an increased risk that banking crises in developing countries will have unfavorable externalities on industrial countries. The developing countries now account for approximately 45% of global output, 36% of global foreign direct investment inflows, 30% of global portfolio capital flows, 11% of global market capitalization, 12% of global issuance of international bonds, and 11-13% of global banking assets (Barth, Nolle, and Rice 1996; IFC 1996; IMF 1995; Qureshi 1996; and World Bank 1997). By each of these indicators, the weight of developing countries in the global economy is considerably larger than it was 5 or 10 years ago. Banking problems tend to hit developing countries hard because banks hold the lion's share of financial assets in these countries and are by far the dominant financial intermediaries. Banks usually operate payment system, are major purchaser of government bonds and provide liquidity to fledgling securities markets. So when a bank gets into difficulties, financial system as whole quickly suffers. Banking assets, moreover, have recently been growing much faster than the size of the economies in which they operate. Accounting standards for banks make it easier to interpret information about banks and compare it against information from other banks. They thus make it easier for investors to identify worthy firms and evaluate their managers. Many types of contract also rely on accounting measures to trigger certain actions. For example, the loan and bond covenants commonly include the option of immediate repayment if income or cash flow falls below specified level. Such contracts can be enforced and will be written only if accounting measures are reasonably unambiguous and if auditors can verify them. Assessing the health of banks requires reliable

information on loan classification and concentration, on the realistic valuation of collateral, on loan loss provisioning and on rules of accruing interest in the bank account when borrowers are in arrears. The accounting standards help in this regard as well. The study has also the limitation; no hypothesis has been tested empirically.

Belel (2000) has written an article *"Disclosures in Corporate Reports-A Review with Special Reference to Bangladesh"*. The major objectives of this paper are to show the adequacy or inadequacy of disclosures in corporate reports, which is one of the current issues in accounting. In this paper, an attempt has been made to have an overview of the disclosure practices in Bangladesh as compared to the disclosure practices prevailing in the other countries of the world. The study reveals that disclosure practices in Bangladesh are very poor and inadequate in many respects and hence, need to be improved.

The Researcher contends that disclosure practices in Bangladesh are mostly guided by the Companies Act, 1994 Securities and Exchange Rules, 1987 and the Accounting Standards adopted by the Institute of Chartered Accountants of Bangladesh. Disclosure practices are also affected by a number of other statutes e.g. Bangladesh Industrial Enterprises Nationalization Order, 1972; Bank Companies Act, 1991; Insurance Act, 1938; Income Tax ordinance, 1984 etc. However, the following major disclosures are generally required in Bangladesh:

(a) Accounting Policies

- (i) Method of valuation of fixed assets, stock and investments;
- (ii) Reasons for writing off a portion of deferred revenue expenditure;
- (iii) Method of charging depreciation and rates thereon;
- (iv) Method of conversion of foreign currencies into taka;
- (v) Changes in accounting policies;
- (vi) Methods of contract accounting.

(b) Income Statement

- (i) Establishment expenses, salaries, directors' remuneration, depreciation etc.;
- (ii) Turnover net of commission, brokerage and discount;
- (iii) Income from investments;
- (iv) Unusual Incomes and expenses;
- (v) Opening and closing stock in trade, purchases, spares consumed;
- (vi) Fuel and power;
- (vii) Salaries and wages;
- (viii) Rent, rates, taxes and insurance;
- (ix) Repairs and maintenance;
- (x) Patents, trade Mark, copyrights etc. written off;
- (xi) Auditors' remuneration;
- (xii) Interest on borrowing;
- (xiii) Provision for bad or doubtful debts and bad debts written off;
- (xiv) Provision for diminution in the value of investments;
- (xv) Provision for taxation, proposed dividend, reserves etc.

(c) Balance Sheet

- (i) Capital, reserves, debentures, sinking fund and any other funds;
- (ii) Secured and unsecured loans;
- (iii) Unclaimed dividends;
- (iv) Liabilities for acceptance,
- (v) Contingent liabilities;
- (vi) long-term loans and deferred liabilities;
- (vii) Loans from banking companies and other financial institutions and from subsidiary companies;
- (viii) loans from directors, managers and other managing agents;
- (ix) Current liabilities and provisions;
- (x) Fixed assets;
- (xi) Preliminary expenses;
- (xii) Commission, brokerage, discount etc. allowed on issue of shares;
- (xiii) Stores and spare parts, loose tools, livestock and vehicles, stock in trade etc.;
- (xiv) Book debts, bill of exchange, investments and interest accrued thereon, cash and bank balances;
- (xv) Long-term pre-payments and deferred costs;
- (xvi) Investments, Loans and

advances to subsidiary companies, controlled firms and any other associated undertakings.

(d) Directors' Report

(i) State of the company's affairs; (ii) Amount recommended as dividend; (iii) Amount transferred to reserves;

(e) Other Disclosures

(i) Capacity of industrial unit, actual production and reasons for shortfall; (ii) Mode of disposal and particulars in the case of sale of fixed assets; (iii) Comparative corresponding figures of the previous period.

Kasem (2000) had an article on "Financial Reporting Practices in Banks and Financial Institutions: Implementing the New Formats of Financial Statements in Compliance With IAS-30". The major objectives of the study are to focus that, implementing the new formats of financial statements in compliance with IAS-30 on financial reporting practices in banks and financial institutions. This is also a commentary study on an International Accounting Standard that ICAB has been trying to implement for quite sometime. The findings of the study indicate that under the Bank Companies Act, 1991, loans and advances (Balance sheet) and Income (P&L Account) were shown net of provisions. So, balance sheet and income statement, which basically did not give 'true and fair' picture of the operations of the Bank. IAS 30 on the other hand, requires the Bank to disclose the gross loans and advances and necessary provisions on the face of the balance sheet with supplementary information in the Notes to the financial statements. The author has developed the following Comparative Income Statement/Profit and Loss Account in his article.

Banking Company Act 1991	IAS 30
Income	Income
(less Provision made during the year for bad and Doubtful Debts and other Usual or Necessary Provision)	
1. Interest and Discount	Interest and similar Income
2. Commission Exchange and Brokerage	Dividend Income
3. Rents	Fees And Commission Income Gains Less Losses Arising From Dealing
Securities	Gains less losses arising from Securities
Investment	
4. Net Profit on Sale of Investment. Gold and Silver. Land Premises and Building and other Assets.	
5. Income from Non-Banking Assets and Profit from Sale of or Dealing with such Assets.	Gains less losses Arising from Dealing in Foreign Currencies
6. Other Receipts	Other Operating Income
7. Loss (if any)	
Expenditure	Expenditure
1. Interest paid and Deposits. Borrowings, etc.	Interest Expense and Similar Charges
2. Salaries, Allowances and P.F.	Fees and Commission Expense
3. Fees and Allowances for	Losses on Loans and Advances

Directors and Local Committee Members	
4. Rent, Taxes, Insurance, Lighting, etc.	General Administrative Expenses
5. Law Charges	Other Operating Expenses
6. Postage, Telegrams, Stamps	
7. Auditors Fees	
8. Repairs and Depreciation of Banking Company's Property	
9. Stationery, Printing and Advertisement	
10. Loss from Sale of Dealing on Non-Banking Assets	
11. Other Expenditure	

Here also no hypothesis has been tested empirically.

Saha and Rahman (2000) wrote an article on *"Financial Reporting Practices in Banks and Financial Institutions: Implementing The New Formats of Financial Statements in Compliance With IAS-30"*. The objective of the study is to introduce the new formats of the financial statements and its applicability in compliance with IAS 30. They mentioned that, in the context of providing financial information, all banks and financial institutions follow some legal stipulations. The statutes relating to accounting and audit of banks can be described from the public and private sector commercial banks' point of view. They introduce a circular issued by Bangladesh Bank entitled 'Amendment of First Schedule Forms of the Bank companies Act, 1991 (BRPD Circular No. 03 dated 18 April, 2000)'. Under this circular, newly amended forms have been made mandatory for all concerned banks and financial institutions since 30 March, 2000 in Bangladesh (Annexure-II). The new forms have been introduced with a view to ensuring the financial discipline in the banking sector, to minimize the unforeseeable risk, to provide true, relevant and reliable information to the depositors and shareholders and to make the financial disclosure in compliance with international standard. However, the financial statements should be easy to understand, informative and transparent. The new forms will reflect all these aspects in reporting financial information.

They attempted to extend that the banks can undertake continuous scrutiny of their performances on the basis of disclosure of their weaknesses and strengths in the financial statements and can thus remain competitive in improving the quality of financial services. The limitations of the study are: (i) They did not attempt to explain the extent of disclosure in terms of any corporate attributes such as size, listing status, audit firm, profit margin and so on. (ii) They did not find out any significant association between the extent of disclosure and the size of firms.

Azizuddin (2001) had a study on *"IAS-30 'Disclosure in the Financial Statements of Banks and Similar Financial Institutions'- Its Adoption and Implementation"*. The main objective of the study is to recapitulate the principal disclosure requirements under IAS-30. The author's explanatory requirements relating to disclosure include -

- i. accounting policies
- ii. presentation of income statement
- iii. presentation of balance sheet

- iv. market values of dealing securities and marketable investment securities if the values are different from carrying amounts in the financial statements
- v. contingencies and commitments including off-balance sheet items
- vi. maturity groupings of assets and liabilities
- vii. losses on loans and advances
- viii. general banking risks
- ix. assets pledged as securities
- x. trust activities

The study indicates that the amendments made by BB should be reviewed to remove any weakness/bottlenecks or minor errors and omissions that have crept in the first version of the amendments. The author suggested that Bangladesh Bank might constitute a small committee with representation of ICAB to further develop/extend the disclosure requirement. The limitation of the study is that its findings did not provide any support for any significant influence on the disclosure index.

Khan and Kumar (2001) has made a comprehensive study on *"IAS-30 and its Application in the Banking Sector in Bangladesh"*. The major objective of the study is to justify the IAS-30 and its application in the Banking sector in Bangladesh. It is a descriptive study based on secondary data (reports) such as IAS-30: Task Force Report (unpublished), 2000, Scheduled Banks Statistics, Bank Companies Act, 1991, Basle Committee Report, IAS-30 and 33. To ensure more transparency in accounting system and disclosure of important accounting policies of banks and financial institutions in Bangladesh, the Central Bank issued a circular (BRPD Circular No. 3/2000 dated 18/4/200) for adoption IAS -30 (International Accounting Standard-30). It brings some changes in the related sections of the Bank Companies Act, 1991. In this paper, The authors try to make focus on the extents of disclosure of financial information as per newly adopted form of financial statements for banks and financial institutions and the problems faced by the users of traditional form of financial statements. However, the suggestions of Basle Committee in this regard, important features of IAS-30 and new guidelines, problems in implementing IAS-30, etc. have also been covered here.

Legal bottlenecks and absence of proper guidelines and instructions no more exist with the circulation of BRPD Circular No. 3/2000. The paper has shown that the banks will be in a position to prepare their financial statements in accordance with the new standard so as to enable the users to have fair, transparent and reliable information. If we want to ensure discipline and accountability in the accounting system we have no other option but to go for implementation of IAS-30 guidelines. The limitation of the study is that it did not attempt to explain the extent of disclosure in terms of any corporate attributes such as size, listing status, audit firm, profit margin and so on.

Haque (2002) has written an article on *"A study on Published Annual Accounting Report Corporate Governance and Oversight Functions in Bangladesh and some other countries 2000-2002 (Financial listed companies)"* under the World Bank Financial Project of "Development of Accounting and Auditing Standards in Bangladesh". The major objective of the study is to evaluate the degree of compliance with IAS adopted by ICAB and some other good governance practices in other countries. The study is based on both primary and secondary data. In the survey references were made to better quality annual reports from multinational companies in Bangladesh and some other countries, such as Sri Lanka, India and UK. Annual reports from

these countries covered issues such as corporate strategies, human resource and environmental concerns more elaborately and understandable for readers of annual accounting reports.

The major findings of the study are that the high magnitude of the crisis faced in USA, UK and other countries corporate governance and accounting related matters have been receiving due attention from all concerned so that workable solutions are found out within the legal and administrative systems. IAS is practiced, albeit in different levels, in a handful of countries in the world. Compliance to IAS is not going to be the panacea for all the problems of corporate governance. However, under WTO there will be greater pressure on all member countries to adopt IAS and good corporate governance practices. Another important lesson was that whatever reform measures are planned and how large pay packages might be offered to attract qualified persons to oversee both accounting firms and industry, personal character and integrity of the candidates will ultimately determine effectiveness of oversight functions.

The survey found various inadequacies in annual accounting reports and there was lack of uniformity in several required disclosures. For example, IAS-1 requires statement of accounting policies in one place. While companies stated accounting policies in one place, number of such policies varied between 5 to 17. Variation in accounting policies can make financial analysis difficult and meaningless for comparative purposes. The author found that most of the reports were poor in quality of presentation and production. The researcher finds out that corporate governance and accounting disclosure related topics received much more importance in those countries than got in Bangladesh.

Recommendations of this report are that GOB, SEC and ICAB should work closely to establish a high powered committee such as the public Accountability Board in the USA to oversee accounting and corporate governance related matters and establish Audit Committees to oversee auditing and revise audit fees as per guidelines of ICAB. Arrangement to appoint non-executive directors to boards as are being done for banks. Only professional in accounting, finance, management and economics are to be placed as non-executive directors. Like in the UK non-executives may be put as chairmen of boards and all of them should be due compensated for their services. The limitation of the study is that no hypothesis has been tested empirically.

Bhuiyan and Kamal (2003) have carried out a study on *"Standardization of Accounting and Financial Reporting Practices in the Banking Sector in Bangladesh: An Evaluation of the implementation of IAS-30 by the Banks in the Private Sector"*. The objective of the study is to evaluate whether the commercial banks of Bangladesh follow the underlying standards regarding the preparation of their financial statements. In their study, they will also make an evaluation of the implementation and impact of IAS-30 on accounting and reporting by the banking companies in the country. Their study was pursued to know details about how a bank present their financial statements, whether they comply with the existing rules and regulations as well as relevant IAS and Bangladesh Accounting Standards (BASs). Based on their little access with the examined banks, their evaluation of the financial statements of banks is not very extensive. Their little observation reveals that the accounting and reporting in our banking sector need up-gradation, which may be attained by the proper implementation of the relevant standards, IAS-30 would be a great help in this respect. Proper accounting and reporting of the financial facts help to develop transparency and accountability, which are very essential for the good governance or

efficient corporate governance in the banking sector also. They suggest that relevant authority should be more conscious in monitoring the implementation of IAS-30 in the banking sector for better accountability and transparency.

The gist of the recommendations of their study was that a monitoring authority or cell must be formed to monitor the implementation of the IAS-30 in the banking sector in Bangladesh. Workshops should be organized for the auditors to audit about the compliance of the IAS-30 by the banks. The accounting staff of the banking sector should be trained to account in accordance with the IAS and other relevant regulations and an appraisal and reward punishment should be ensured for the compliance and non-compliance of the IAS-30 and other relevant regulations for the banking sector. No hypothesis has been tested empirically in this present study.

Haque and Islam (2005) in their article entitled "*Compliance of IAS 30 by Bank Companies of Bangladesh*" have tried to provide the quality information through the financial statements, which is comparable by the global users. It is very crucial to bring uniformity in the accounting practices all over the world. The main objectives of the study are to examine the issue of compliance of IAS-30 by the bank companies of Bangladesh and to find out whether there are statistical differences in compliance of IAS-30 between Publicly Traded Banks and Nationalized Banks. This study reveals that the banks of our country follow the IAS 30 requirements as far as possible. This study also finds that there is no significant difference in terms of compliance of IAS-30 between the publicly traded and nationalized banks. That means all the sample banks try to follow similar items needed to comply with the international standard in order to provide accountability and transparency in financial reporting, which ensure maximum disclosure of the relevant, reliable and useful information to the interested user groups. The limitation of their study is that its findings did not provide any support for any significant influence on the disclosure index.

Malek (2005) has studied on the "*A Comparative Analysis of Commercial Banking Performance in Bangladesh*". The main objective of the study is to provide evidence that the banking sector in Bangladesh is different from the banking sector as seen in other developed countries. In this study simple statistical tool such as average, is used to judge how they are performing within themselves in the area of deposit collection, foreign business and over all financial result. According to the author's view the banking sector is one of the major service sector in Bangladesh economy, which is divided into four categories - Nationalized Bank, Local Private Bank, Specialized Financial Institutions and Foreign Banks. Their objectives, ownership pattern, mode of operation and other also differ from each other based on the category of banking to which they belong. For this study only the performance of Nationalized commercial Bank, Local Private commercial Banks and Foreign Commercial Banks operating during 1999 to 2002, are taken into consideration. The result shows that though majority of total assets, total foreign business and total deposits are held by the local private and nationalized banks but foreign banks outperformed other in performance. In this study no hypothesis has been tested empirically.

Ali, Khan, Fatima and Masud (2008) provide a useful survey of the attitudes of individual respondents on the various aspects of Bangladeshi annual corporate reports. They analyzed the responses of 25 individual investors and found firstly, British American Tobacco (BAT) Bangladesh Co. Ltd makes very few disclosures on corporate governance on a voluntary basis and secondly, the user groups of the

annual reports are in favor of such disclosure. The researchers further found that the current disclosures are not ample in evaluating the goal of corporate governance.

4.3 Review of Related Study in Abroad

Most of these studies are country specific, although there are studies often consider the 'adequacy' of the disclosure of information based on a checklist of desirable mandatory and voluntary items.

Barrett (1977) has studied the extent of disclosure in the corporate annual reports of large companies in seven countries. The countries studied were the US, the UK, Japan, the Netherlands, Germany, Sweden and France. He has surveyed 103 companies as the total sample with 15 companies each from the USA, Sweden, Germany, France, Japan the UK and 13 companies from the Netherlands. The market capitalization level of the companies on 28 September 1973 has been used as the primary criterion for selecting the sample companies. Seventeen items of financial disclosure were employed in the disclosure index. Weights were assigned to the first 12 items of the disclosure index on a range of '0' to '4' based on the weights employed in different studies. Barrett used his personal judgment and the first twelve weights to decide weights to be assigned to the remaining five items. Each annual report was then scored against the disclosure index both with the without weights. His study provided evidence that the extent of financial disclosure in the annual reports of large companies in the USA was greater, on an average, than he found in the annual reports of major companies in Japan, Sweden, the Netherlands, Germany and France during 1963 to 1972 period. His result was consistent with the belief that there is a relationship between the extent and quality of financial disclosure and the degree of efficiency of a national equity market.

Firth (1978) in his research on the *"Consensus of the perceived importance of disclosure of individual items in corporate annual reports"*, has tried to assess the information requirements from the point of UK users. The basic research instrument consisted of a questionnaire containing seventy-five items that were, or could be disclosed in a company annual report. The questionnaire was sent to a sample of 750 users of financial information. It included 250 financial directors; 250 qualified accountant working in audit firms; 120 financial analysts working for stockbrokers and investment organizations; and 130 loan officers of major banks and finance houses in London. Respondents were instructed to evaluate the importance of each item using a five point Likert scale. Six hypotheses were formulated suggesting no significant difference between any two-user groups (the possible combinations of four groups taking two at a time). The hypotheses were tested by *t* statistics to measure the significance of differences in-group means. Hypothesis one, dealing finance directors and auditors, was rejected for 23 of the 75 items indicating that the two groups of users are in significant disagreement about the perceived importance of 23 items. Similarly, results of hypothesis two, dealing with finance directors and financial analysts, showed that they disagreed about 42 items. In the same way, it is found that finance directors and loan officers disagreed on 49 items, auditors and financial analysts disagree on 46 items, and finally, financial analysts and loan officers significantly disagreed on 14 items.

Anderson (1981) also recognized the need for research in this area and focused on institutional investors in Australia. He sought, primarily, to discover their perceptions about the importance of annual corporate reports to their decision making process by analyzing the responses of 188 institutional investors. Anderson

(1981) found that Australian investors relied mostly on the annual report when making their investment decisions followed by visits to the companies. Regarding the annual corporate report itself, the most readable sections of the annual report were the balance sheet, profit and loss account, notes to the accounts, and the chairman's statement respectively. The profit and loss account, however, was perceived to be more important than the balance sheet. However, the author failed to perform any statistical test to determine whether there is a significant difference between the users' usage of the annual report sections on the one hand and the perceived importance of such sections on the other hand. Anderson (1981) also documents the external users' desire (i.e., 72 per cent) for additional information to be provided in the annual corporate report such as information about the company's product, current value of long-term assets, and remuneration of directors.

Kahl and Belkaoui (1981) have pioneered the research on *"Bank Annual Report Disclosure Adequacy Internationally"*. The major objectives of the study are to highlight the nature of disclosure adequacy of banks in an international setting. The study investigates the overall extent of disclosure by banks located in 18 countries. Disclosure adequacy is measured in this study by the extent to which 30-selected information items are presented in the annual reports. The 1975 annual reports of the 70 commercial banks were evaluated on the basis of the response score assigned to each of the informational items in the disclosure index.

In their study Kahl and Belkaoui have found that the differences in disclosure adequacy exist internationally, at least for the countries included in their sample, with considerable variability in extent, and with US banks definitely the leaders. In addition, the three accounting model hypothesis that has been empirically supported for non-financial firms is not supported by their data on banks. Further the evidence in their study supported the positive correlation between asset size and extent of disclosure, although less strongly than might have been expected. Finally, the information items used in their study to measure disclosure adequacy, when classified according to the consensus between producers and users of bank financial statements, indicate ten items of low consensus, which are also subject to much current debate and controversy. These items obviously merit more research effort.

The authors have suggested that financial managers in banks should focus their attention on these controversial items when formulating and/or revising their disclosure policy and financial managers of non-financial firms might also consider these same points when taking disclosure policy decisions.

Chow and Boren (1987) studied the extent of voluntary financial disclosure practices of Mexican corporations and sought to relate the extent of disclosure to three firm characteristics, viz. firm size, financial leverage, and proportion of assets in place. They selected 52 listed manufacturing companies for the year 1982 from the *Mexican Government's 1982 Official Gazette*. They developed a disclosure index consisting of 89 items of information. Using a seven-point scale, they judged the importance of the items considered to be significant from the viewpoint of 106 loan officers of 16 Mexican Banks. They found that the extent of voluntary disclosure increased with firm size being measured as the market value of equity plus book value of debt. However, they did not find any significant association between financial leverage and assets in place and the extent of voluntary disclosure.

Anderson and Epstein (1995) further extended their research by providing a useful investigation on Australia. Unlike the Anderson (1981) study, which specifically focused on Australian institutional investors, the Anderson and Epstein (1995) study

was more concerned with individual investors' usage of annual corporate reports. Their findings revealed that the annual corporate reports came third, after stockbrokers' advice and financial newspapers and magazines, as a basis for investment decision of Australian individual investors. Nevertheless, the vast majority of their respondents (i.e., 72 per cent) perceived annual corporate reports to be of only moderate use. Regarding the use of the annual report, the authors highlight the directors' report to be the most thoroughly read followed by the income statement. Nevertheless, their respondents did perceive the income statement to be more useful than the directors' report in making an investment decision. Arguably, Anderson and Epstein (1995) did not statistically determine whether the difference between the pattern of readership of the annual reports' sections and the perceived usefulness of such sections is of any significance in the Australian environment. Respondents had also expressed a desire for the simplification and more explanation of the balance sheet, statement of cash flow, and the income statement. Finally, the authors highlight the Australian investors' demand for additional disclosure in the annual reports; such as pending litigation, unasserted claims, management audit, and information on change of auditor.

Abu-Nassar and Rutherford (1996) in another Middle Eastern environment, Jordan, undertook a study to discover the view of external users of annual corporate reports. The authors targeted different groups of external users, namely individual shareholders, institutional shareholders, bank loan officers, stockbrokers, and academics. Their sample comprised of 224 respondents and all of their analyses are of a univariate type. In terms of the usage of the annual report, Abu-Nassar and Rutherford (1996) found bank loan officers to be the heaviest users of the annual reports in Jordan while individual shareholders and academics were found to be the least. They also found the income statement and balance sheet to be the most widely read parts of the annual corporate report by all the users. The authors documented the low degree of users' satisfaction about many qualitative characteristics of corporate reports in Jordan. In terms of the importance of the various sources of corporate information, Abu-Nassar and Rutherford (1996) argue the annual corporate report to be the most important source of information for all user groups. The only exception being the bank loan officers who indicated that the most important source of information to them was to personally visit companies followed by an independent examination of the annual report itself.

Marston and Robson (1997) wrote an article on *"Financial Reporting in India: Changes in Disclosure over the Period 1982 to 1990"*. This study started with a brief examination of the main factors that may affect Indian financial reporting and disclosure: the legal environment, the Indian professional accounting environment and the international accounting standards. The research instrument used was a weighted or un-weighted disclosure index, which included both voluntary and mandatory items. The authors examined the disclosure requirements paying particular attention to the 17 items listed in Barrett's index of disclosure, which formed the focus of the empirical work. Disclosure was measured at the beginning (1982/83) and end (1989/90) of the selected period for a sample of 29 large Indian companies.

The authors have tried to determine that disclosure level increased over time and that in both periods disclosure was positively associated with company size. Reasons for improved disclosure included increased compliance with accounting standards (which were advisory at the time of the survey) and an increase in the disclosures

required by accounting standards. It may be that over the period of the survey that more companies decided to exhibit best practice by complying with the Indian accounting standards given that they would soon be mandatory anyway.

This study has two main limitations. The first major problem is the small number of annual reports that were obtained for this study. It was not considered practical to attempt to enlarge the sample because of the difficulty in obtaining sets of accounts from such a long time ago (1982/83). The other limitation is the use of the rather dated Barrett index, it might have been preferable to use or adapt a disclosure index from a more recent study or to attempt to devise an index to suit the Indian context in the 1980s. However, given the small data set and the fact that the index produced the expected results in testing it was decided that this study should be deemed to be of an exploratory nature and that a future study should attempt to sample a wider population and develop a better disclosure index.

Hossain (1998) has carried out a study in his Ph.D., dissertation entitled *"Disclosure of Financial Information in Developing Countries: A comparative study of non-financial companies in India, Pakistan and Bangladesh"*. The major objectives of his study was to examine empirically the association between a number of corporate attributes and levels of disclosure in corporate annual reports of listed non-financial companies in three developing countries, India, Pakistan and Bangladesh. The perceived importance of a selected list of information items to four categories of users (i.e. bank loan officers, financial analysts, stock exchange members and professional chartered accountants) is also examined and the determinants of audit delay and audit fees are also ascertained. A disclosure index comprising 94 items of information which are expected to be disclosed in corporate annual reports in the sample companies has been developed. Both weighted and unweighted disclosure indices were applied to the corporate annual reports for a sample of 78 Bangladeshi companies, 80 Indian companies and 103 Pakistani companies for the 1992-1993.

In his study, the association between the extent of disclosure and various corporate characteristics was examined using multiple linear regression models. It was hypothesised in the study that for the sample companies in these three developing countries, corporate variables reflecting size (assets and sales), profitability (rate of return on assets and net profit margin), debt equity ratio, presence of debenture in debt, international link of the audit firm, industry type, subsidiary of a multinational company would be positively associated with the extent of disclosure. In his study, it was found for the Bangladeshi companies that size (total assets) and subsidiary of a multinational company were significantly associated with the extent of disclosure. In the case of Pakistani companies, the results showed that assets in place, size (total assets) and presence of debentures in debt structure were significantly associated with the extent of disclosure. The results for Indian companies, showed that extent of disclosure was significantly related to presence of debentures in debt structure, industry type, size sales) and rate of return on total assets. No significant differences were found for the weighted disclosure index and unweighted disclosure index.

It was found in his study that the mean disclosure level of Pakistani companies was greater than that of Bangladeshi and Indian companies. The average disclosure level of Indian companies found to be slightly lower than the Pakistani companies. However, there is a significant difference between Indian and Pakistani companies and Bangladeshi companies. The mean disclosure level of Bangladeshi companies was much lower than those of other two countries. Among 96 questionnaire items,

the one-way ANOVA model for variance tests showed a high degree of consensus among Bangladeshi respondents (89.80%), Indian respondents (94.90%) and Pakistani respondents (90.82%). A majority of the respondents in India, Pakistan and Bangladesh perceived that the published annual reports in the sample country were not adequate and reliable.

The analysis of audit delay showed that for Indian, Bangladeshi and Pakistani sample companies, the variable of a subsidiary of a multinational company was significantly associated with audit delay. The results for Indian companies also showed that audit delay was significantly related to debt equity ratio and size (total assets). The results of audit fees determinants suggest that for Bangladesh and India only size (sales) were significantly positively associated with audit fees levels, while in the case of Pakistan size (sales) and a subsidiary of a multinational company variable were found to be positively associated with audit fees. The study suggests that the audit services market in India, Pakistan and Bangladesh may have some interesting characteristics but further study is needed. The study examined only one year's financial statement, is the limitation of the study.

5. CONCLUSION

This paper reviewed many empirical studies of the perceived importance of information of different groups of users as well as preparers of corporate annual reports in Bangladesh and abroad. The above-mentioned literature survey states that financial reporting in Bangladesh is very poor. Most of the organizations including banks follow mainly the legal requirements in preparing their financial statements. But the forms as prescribed by the relevant laws for the preparations of financial statements are outdated and inadequate to ensure the desired disclosure. Scope of the present study is vast and so far we know, no one of the studies reviewed was able to include as large number of the different commercial banks as sampled by the present researchers. Not only, most of the existing studies criticized the legal requirements, but also they failed to suggest specific change or modifications to update the forms of preparing the financial statements of banks. Above all, time is a great factor, which along with other factors can distinguish the findings of the present researchers from those of the others.

From the above review of related literature it can be concluded that there is enough scope for understanding this sort of study of the banking sector of Bangladesh due to lack of broad based research study done earlier in this vital field. As a project it can be undertaken for a detailed study '*Compliance of financial disclosure in corporate annual reports of banking sector of Bangladesh*'. This study has considered the limitations of the aforesaid studies and has to try to have good lessons from their data analytical techniques, data collection tools, statistical variable used etc.

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HUMAN RESOURCE MANAGEMENT SYSTEM OF NAWAPARA CARPETING JUTE MILLS LIMITED

Shahana Sharmin*

Abstract: The study aims at providing a scanning of the present predicament of the Human Resource Management system of Nawapara Carpeting Jute Mills Limited in order to find out its loopholes and attempts to provide some possible solutions to the problems of the existing drawbacks and limitation of the Human Resource Management of the aforesaid mill so that it (mill) can reach maximum production level and contribute to our national economy. In order to that the researcher had to interview most of the executives, officials and also many workers based on questionnaire prepared thought fully and methodically.

Introduction

Human resource management (HRM) has emerged as a key function in organization. It refers to the policies and practices involved in carrying out the "human resource" aspects of a management position including human resource planning, job analysis, recruitment, selection, orientation, compensation, performance appraisal, training and development, and labor relations.¹ The purpose of human resource management is to improve the productive contributions of employees to the organizations.² Human resource is the most important resource out of four basic resources of an organization such as human, physical, financial and information resources. All the activities of an enterprise are initiated and determined by the persons who make up that institution. Plants, offices, computers, automated equipment, and everything else that a modern firm uses are unproductive without human effort and direction. Human beings design and order the equipment decide where or how to use computers, modernize the technology employed, secure the capital needed and decide on the accounting and physical procedures to be used. Every aspect of a firm's activities is determined by the competence, motivation and general effectiveness of its human organization. Ernst and young, and Metropolitan Chamber of Commerce and Industry (MCCI) (2006) conducted a survey on HR practices of more than 50 organizations selected from industries (mainly from the private sector) such as Pharma and Healthcare, FMCG, IT, Telecom, Manufacturing, Finance, NGO, Textile/Garments, and Conglomerates. The survey revealed the following information shown is table 1.

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¹ G. Dessler, *Human Resource Management*. (New Delhi: Prentice Hall, 2007), pp. 65-68.

² W.B. Werther, & K. Davis, *Human Resources and Personnel Management* (New York: McGraw Hill, Inc. 1996), pp. 71-110.

Table 1. Major findings of the HR Practices Survey 2006

HR Practices	Findings
Talent Acquisition	<ul style="list-style-type: none"> -An Extended family culture in Bangladesh influences recruitment. Employers prefer hiring through known contacts. -Newspapers continue to be the most commonly used source of recruitment. -Succession planning receives inadequate attention. -Potential of employer branding is not tapped sufficiently.
Performance Management	<ul style="list-style-type: none"> -Competency based assessment is a recent entrant, adopted only by a few enterprises currently. -Transparency in performance appraisals is not common. -Assessment of potential is not getting proper attention. -Performance ratings are used for promotion & increments in almost every organization. -Performance appraisals are not linked to training & development, career planning, and succession planning.
People Development	<ul style="list-style-type: none"> -Surveyed organizations have formal systems of identifications of training needs of their employees. -Organizations emphasize on ROI on training.
Performance Management	<ul style="list-style-type: none"> -Competency based assessment is a recent entrant, adopted only by a few enterprises currently. -Transparency in performance appraisals is not common. -Assessment of potential is not getting proper attention. -Performance ratings are used for promotion & increments, in almost every organization -Performance appraisals are not linked to training & development, career planning, and succession planning.
People Development	<ul style="list-style-type: none"> - Surveyed organizations have formal systems of identifications of training needs of their employees. - Organizations emphasize on ROI on training.
Compensation and Benefits	<ul style="list-style-type: none"> - Most of the organizations have in-house payroll processing; outsourcing is uncommon. - Inflation, cost of living, & individual performance are the key determinants for annual salary increments. - Sales incentives and pay based on individual performance are not widely practiced. - here is a growing recognition of the criticality of regular compensation benchmarking.
HR strategy and Processes	<ul style="list-style-type: none"> The HR Heads are now a part of the business planning process in most of the surveyed organizations. - Majority of the organizations understand the importance of linking HR policies to business plans. - 60% of the surveyed organizations recognize the need to learn from benchmarking of best practices.
Organizational Culture	<ul style="list-style-type: none"> - A hierarchical leadership style is predominant across organizations with decision making power concentrated at the apex.
HR Practices for Workmen, staff and Other Non-manual Employees	<ul style="list-style-type: none"> - 63% of the surveyed organizations have information on manpower requirement for next one to two years. - Technical training including certification is a successful practice to meet organizational skill requirements. - Inflation and consumer price index are primarily used for fixing wages.

Source: Ernst and Young, and Metropolitan Chamber of Commerce and industry (MCCI), 2006

It is well recognized that an organization enriched with committed, motivated, talented, and competent human resource can achieve kinds of challenging goals.

Human resource management practices play vital roles in shaping the achievement of any industry. Success of managers in the new century would absolutely depend upon their capabilities in managing human resources.³ The discussion of this paper is based on a study of Nawapara Carpeting Jute mills Limited. The plant is located at Nawapara, about 40 kilometers away from Jessore, and 20 kilometers away from Khulna. It is managed and controlled by the Bangladesh Jute Mills Corporation (BJMC). The plant produces yarn, bag and carpet-backing cloths. Its main raw material is Jute. The total number of workers employed in the plant as on June 30, 2009 was 725. All the workers of the mill were male. The workers used to work in different shifts (usually three shifts) changing at a regular interval of two weeks. The timing of the three shifts were:

Shift-A	Shift-B	Shift-c
06 a.m. to 10 a.m.	10 a.m. to 02 p.m.	10 p.m to 06 a.m.
02 p.m. to 06 p. m	06 p.m. to 10 p.m.	

Workers have to work 8 hours a day. The management of the mill provides accommodation facilities for 20 families and 100 single accommodations for the workers at a nominal monthly rent. Rest of the workers used to stay in the nearby area. The company does not provide transport facilities for those staying outside the mill for their every day Journey to and from the plant. The plant has a medical center inside the mill with an MBBS doctor, a compounder and a nurse for the workers' regular first aid treatment. The company has one canteen inside the mill to supply food and light refreshment to the workers at a minimum subsidized rate. The workers are members of a recognized trade union. The floor of the factory is very congested. It has been observed that the arrangement for cleaning fibers and waste substance to keep the air fresh in the workplace is very poor. The daylight and electric illumination in the machineries are very old and backdated. Almost all the workers were found to operate machines wearing *lungi* and loose dresses. The study focuses on some of these problems related to human resource management system of the mill and provides some suggestions to overcome those problems.

Objective of the study

The main objectives of the study are:

1. To analyze the existing human resource management system of Nawapara Carpeting Jute Mills Limited.
2. To identify the weaknesses of human resource management system in the concerned mills.
3. To provide some suggestions and help to improve the efficiency of human resource management of the said mills.

Methodology of the study

The study is based on both the primary and the secondary sources of data. Primary data relating to various aspects of human resource management, e.g., employee selection, training, performance appraisal, promotion and rewards, Job satisfaction,

³ P.S., Budhwar & Y. A. Debrah, (Eds.). *Human Resource Management in Developing Countries*. (London: Routledge & KeganPaul, 2001), p.17.

employee participation etc, were collected by direct interview method with the help of structured questionnaire. Two sets of questionnaire were formulated in this regard. One set for the executives and another set for the workers and employees of the mill. Both open end and closed questionnaire were used. Out of existing 9 executives only 8 executives were interviewed by the researcher including the top executive of the mill. Out of a total number of 58 employees and 725 workers, 20 employees and 60 workers were selected for interview. Both the executives and the workers/ employees were selected at random. Observation method was also followed by the researcher.

Table -2 Demographic Variables of employees

Designation	Age (Yars)		Education (Level)		Experience (Years)		Income (Per month) (Taka)	Marital Status (Perecent)		Sex (percent)
	Range	Mean	Range	Mean	Mean	Mean	Married	Unmarried	Male	Female
Officer N=8	35-55	46.83	H.Sc. Master s	XIV	26	7436.65	100	-	100	-
Employee N=20	32-56	44.20	V- Master s	X	18.76	3662.51	100	-	90	10
Worker N=60	18-48	36.84	I- Graduate	VIII	15.42	3228.60	89	11	62.5	37.5

Source : Field Investigation.

Secondary sources of data consist of published and unpublished materials including annual reports and official documents of concerned mill. Other relevant reports and information, journals, books, and publications have been collected from Bangladesh Institute of Development studies, Institute of cost management and A/c's Statistical yearbook published by Bureau of statistics and Internet.

Major findings of the study

Major findings of the study focuses on some important aspects of human resource management and their application on Nawapara Carpeting Jute Mills limited.

Human Resource planning: Human resource planning is the process by which an organization ensures that it has right number and kinds of people, at the right place, at the time, capable of effectively and efficiently completing those tasks that will help the organization achieve its strategic objectives. Nawapara Carpeting Jute Mills Limited has no human resource planning at present. Due to financial constraints, Bangladesh Jute mills Corporation (BJMC) has no plan to recruit new employees or workers in near future at the mill level.

Human Resource Policies: Policies are the guidelines that give directions to plans.⁴ Human resource policies are generally written statements that express organization's commitment to the employees. From HR policies, employees can easily understand the procedures of recruitment, selection, orientation, training, performance appraisal,

⁴ H. Weihrich & H. Koonts, (1993), *Management: A global perspective*, (New York: McgrawHill, 1993), p. 9.

promotion, transfer, compensation, collective bargaining, disciplinary action, retirement, and termination. Nawapara Carpeting Jute Mill is running under the supervision of BJMC, and human resource policies are also formulated by the BJMC. Some respondents are of the opinion that the mill fails to follow human resource policies properly. As a result, there is wide gap between the policies and practices.

Recruitment and Selection: Recruitment is the process of encouraging people to apply for actual or anticipated vacancies of the organization. The goals of recruitment are to attract and retain the interest of right candidates, and the projection of a positive image of the organization to those who come in contact with it. On the other hand, selection is the process of gathering all necessary information about applicants and using that information to decide which applicants to be selected. At present, BJMC does not have any plan to recruit officers, staffs and workers. In the past, officers were procured by the BJMC. On the other hand, staffs and workers were employed by the mill authority. In selecting officers both the written and the oral tests were conducted. To select staffs and workers, only oral interview was followed.

Training and Development: As training and development has significant positive impact on organizational financial and non-financial performance.⁵ Organizations should invest sufficiently in employee training and development programs.⁶ The training and development programs must be assessed to know whether they have created positive impacts or not as huge money, time, and efforts are spent on this. Effectiveness of training can be evaluated through conducting different tests, interviews, performance appraisal, and examinations. There is no training facilities at the Nawapara carpeting Jute Mills limited. The study unveils that about 90% workers /employees do not have any institutional training. A study on wages and productivity of industrial workers in Bangladesh revealed that 93.4% of workers engaged in the large scale industries had no training.⁷ Almost all the workers have an on-the job training. The officers and senior technical staffs avail themselves of the training from Bangladesh Institutes of Management (BIM). A few numbers of workers have training from Manpower, employment and training Bureau.

Performance Appraisal : Performance implies a combination of things. It means doing a job effectively and efficiently, with minimum degree of employee created disruptions. Performance appraisal is understood as the assessment of an individual, performance in a systematic way. Performance is measured against such factors as job knowledge, quality and quantity of output, initiatives, leadership abilities supervision, dependability, cooperation, judgment, versatility, health, and others. Assessment should not take into consideration the past performance alone. Potentials

⁵S. Ahmad & R. G. Schroeder, (2003), "Impact of Human Resource Management" *Journal of Operational Management*, Vol. 21, 2003, pp. 19-43,

⁶T. Agarwala, "The Relationship Between Workplace Training and Organizational Commitment in Manufacturing Firms: Evidence from India" Paper presented at the 7th International Conference on Ethics and Quality of Work-Life for Sustainable Development, Bangkok, Thailand, 2008.

⁷Durgadas Bhattacharjee, " Planning of Human Resources Development in Bangladesh " *The Dhaka University Studies*, Part-C, 7(2), 1986, P. 185.

of the employee for future performance should also be assessed. The concerned mills failed to follow any performance appraisal system.

Promotion and Rewards: Promotion usually refers to the upward movement of an employee with increased salary, status, responsibility etc. for the few years. The officers, employees and workers did not get any promotion due to poor financial condition of the mill. On the other hand, the mill management has no capacity to provide rewards for better performance.

Compensation: Compensation is fundamentally about balancing human resource cost with the ability to attract and keep employees. By compensation, most employer attempt to provide fair remuneration for the knowledge, skills, and abilities of their employees. Compensation is important for both the employers and the employees. It is important to the employees because it is one of the main reasons for which people work. Employees, living status in the society, motivation, loyalty and productivity are also influenced by the compensation.⁸ The mill has an overtime facility for the workers and the rate follows half rated system.

Job satisfaction: Locke (1975) has defined job satisfaction as the pleasurable emotional state resulting from the appraisal of one's job or job experiences. The level of job satisfaction of officers, employees and workers of the mill is not up to the mark. Due to miserable economic condition of the mill, no motivational tools are used. Sometimes workers do not get their salary, regularly. As a result, their morale is very low.

Limitation of sound Human Resource Management Practices in Nawapara Carpeting Jute Mills Limited.

Nawapara carpeting Jute mills Ltd. beset with various problems. Most of the respondents under this study are of the view that frequent power failure and low voltage, financial problems, low capacity utilization, machine troubles and scarcity of spare parts, low quality Jute labor absenteeism, managerial inefficiency are the main problems of the mill. An attempt has been undertaken to identify the problems of sound human resource management practices of the said mill. These are:

1. High rate of labor absenteeism: Labor absenteeism rate of the mill (in the night shift) is very high. Most of the respondents reveal that authorized and unauthorized absenteeism of workers is the root cause of low production.

2. Inadequate training facility: For the workers and employees, training facility of the mill is inadequate. About 54% respondents viewed that internal training facility (i.e. on-the-job training) is not sufficient for the workers to perform their works efficiently.

3. No scope for promotion: The mill workers and employees, at present lack scope for promotion and advancement, As a result, they do not perform their duties sincerely.

4. Lack of motivational tools: Any incentive, financial and non-financial are not provided in promoting the performance of the workers. Unplanned and poor financial condition of the mill has little capability of providing the same.

⁸ K. Aswathappa, (2008) *Human Resource Management : Text and Cases*, (Delhi: Tata McGraw-Hill Publishing Company Limited, 2008), pp.98-110.

5. Low morale: The study shows that the morale and the job satisfaction of the workers and employees is very low which is another impediment of higher productivity.

6. Trade union activities: Trade union activities of the mill are highly politicized. It is reported from all types of respondents that the trade union activities of the mill are hindering the production process.

7. Managerial inefficiency: Owing to inefficient managerial cadres there is seen poor productivity of man, machine and materials in this mill. It is the view of almost 57% respondents that the inefficiency of management, very often fails to deal properly with various problems.

8. Absence of performance appraisal system: Performance appraisal system was not followed by the mill. Almost all (96%) the respondents expressed that there was no performance based compensation or promotion system in the mill.

9. Inadequate welfare facilities : Welfare facilities for workers and employees are inadequate. About 58% respondents informed that the mill can not provide adequate welfare facilities.

10. Other problems: Besides those there are many other problems in the mill, related to human resource management, such as:

- i) Absence of scientific planning and management at the mill level.
- ii) Workers are not work oriented.
- iii) Lack of suitable training scheme for the jabbers and supervisors.
- iv) Physical work environment is not good enough in all respects.
- v) Labour Management relationship is not so cordial.

Table 3 : Causes of poor human resource management practices as opined by the respondents.

Sl. No.	Reasons	Percentage of Respondents
1.	Labour absenteeism	100
2.	Inadequate training facilities	54
3.	Lack of promotional advancement	100
4.	Absence of motivational tools	73
5.	Low morale	56
6.	Managerial inefficiency	57
7.	Negative role of trade union	72
8.	Lack of proper planning and implementation	32
9.	Inadequate welfare facilities	58
10.	Absence of performance appraisal system	96
11.	Unhealthy labour-management relation	42
12.	Unfavorable attitude of workers toward management	36

Source : Field Investigation.

Suggestions and recommendations

The following measures can be taken into consideration to remove the problems related to human resource management in Nawapara Carpeting Jute Mills limited:

1. High rate of absenteeism can be removed only by implementing punishment giving provision in the mill. Stern administrative action should be taken for unauthorized absenteeism.

2. Existing training facility needs to be extended. Initiative should be taken by BJMC to establish a training institute where mill level workers and employees can get training by various methods.
3. Performance appraisal is necessary for measuring the stillness of the worker. The mill management ought to take initiative in this regard. Promotions and rewards should be given from time to time by evaluating performance of the workers, employees.
4. Trade union leaders have to play their vital roles in revitalizing the activities of workers and employees towards work. They will also extend their cooperation to management in attaining production target. Their constructive role can make the mill a profitable one.
5. All kinds of industrial disputes should be resolved through discussions between the groups and should maintain a cordial industrial relation .
6. Financial and non-financial incentives need to be extended. It is related to the morale of the worker. Only high morale can ensure workers productivity.
7. Another BMRE (Balancing Modernization, Rehabilitation and Expansion) Projects is needed right now to make this industry profitable.
8. To minimize colossal losses over the years, the mill management has to undertake cost-effective techniques.
9. Physical work environment needs to be improved and grievances should be handled from time to time.

Conclusion

In view of the increasing importance of jute in boosting up our national economy, it is really important to launch study of the existing jute mills of our country. Human Resource Management being an important factor in deciding whether a company or an organization is marching forward or backward, needs to be focused on, in particular. This study titled "Human Resource Management system of Nawapara Carpeting Jute Mills Limited-An Evaluation" attempts well in sorting out the limitations of the Human Resource Practice of Nawapara Carpeting Jute Mills Limited and the suggestion provided in facing the limitations are so far practical, applicable and substantiated by many other studies both in our country and other countries. The study also demands the notice of the concerned authority and the steps to be taken to improve Human Resource Practice of the mill to make it a maximum profitable organization and thereby strengthening our national economy

TOTAL QUALITY MANAGEMENT PRACTICES IN BANGLADESH: A STUDY ON THE PUBLIC-SECTOR COMMERCIAL BANKS IN RAJSHAHI

Md. Rabiul Islam*

Mahbuba Kaniij**

Abstract: The major objective of the study is to assess the total quality management practices in the public sector commercial banks in Bangladesh. Total Quality Management is a latest concept and very useful for the achievement of organizational financial as well as strategic objectives in an efficient and effective manner. The study is based on both the primary and the secondary data emphasizing barriers in the way of TQM implementation. This study finds the significant gap in the TQM practices in the public sector commercial banks in Bangladesh. Proper implementation and execution of TQM in the public sector banks are desired.

1.1 Introduction

Immediately after the emergence of Bangladesh in 1971, six commercial banks were nationalized under the Bangladesh Bank's (Nationalization) Order, 1972. The banks are Sonali, Agrani, Rupali, Janata, Uttara and Pubali. Of the Six nationalized commercial banks, Uttara and Pubali banks were privatized under the privatization order of the Bangladesh Government in 1981. The Rupali bank was converted into a public limited company prior to its listing on 14 December, 1986 on the Dhaka Stock Exchange, when it became the country's largest public listed banking company. Sonali, Agrani and Janata banks were converted into public limited company in 2007. The Sonali bank has a total of 1181 branches including one foreign branch and a total of 20,766 employees are working. The Janata bank has a total of 848 branches including 4 overseas branches and more than 13000 employees are working. The Agrani bank has a total of 867 branches and several thousands employees are working. The Rupali bank has a total of 491 branches and almost 5282 employees are working. (Source: Bank's websites). The state owned commercial banks in Bangladesh are incurring huge losses every year although it has a potential to operate in an efficient and effective manner. The main reasons for not growing the public sector banks are not only mismanagement, embezzlement and politicization but also corruption and nepotism in staffing, over staffing, bribery in recruitment & loan sanction and lack of proper implementation of total quality management tools and techniques. The present study focuses on the total quality management practices

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in these banks operating in Rajshahi emphasizing the identification of deep rooted management problems in the way of TQM implementation.

1.2 Review of Literature

Total Quality Management has not been independent of its environment. In the context of management accounting systems (MCSs), Sim and Killough (1998) showed that incentive pay enhanced the positive effects of TQM on customer and quality performance. Ittner and Larcker (1995) demonstrated that product focused TQM was linked to timely problem solving information and flexible revisions to reward systems. Chendall (2003) summarized the findings from contingency-based research concerning management control systems and TQM by noting that "TQM is associated with broadly based MCSs including timely, flexible, externally focused information; close interactions between advanced technologies and strategy; and non-financial performance measurement." A discussion of TQM and pay is not complete without considering the work of Edward Deming (1986). Deming's 14 points include 11. Eliminate Numerical Quotas and 12. Remove Barriers to Pride of Workmanship. It can be argued that incentive compensation, goals, and quotas are extrinsic motivators that interfere with pride of workmanship and are not consistent with the basic philosophy of TQM. Alfie Kohn's book (2004), *Punished by Rewards*, discussed the effects of these extrinsic motivators and how they displaced intrinsic motivation. The theoretical essence of the Deming approach to TQM concerns the creation of an organizational system that fosters cooperation and learning for facilitating the implementation of process management practices, which, in turn, leads to continuous improvement of processes, products, and services as well as to employee fulfillment, both of which are critical to customer satisfaction, and ultimately, to firm survival (Anderson et al., 1994a). Feigenbaum (1991), claimed that effective quality management consists of four main stages, (1) Setting quality standards; (2) Appraising conformance to these standards; (3) Acting when standards are not met; (4) Planning for improvement in these standards. The quality chain, he argued, starts with the identification of all customers' requirements and ends only when the product or service is delivered to the customer, who remains satisfied. Thus, all functional activities, such as marketing, design, purchasing, manufacturing, inspection, shipping, installation and service, etc., are involved in and influence the attainment of quality. From the extensive literature review it is clear that the conceptual models of TQM developed by many authors but surprisingly little empirical work has been done in assessing TQM practices in the public sector banks in Bangladesh.

1.3 Objectives of the Study

The specific objectives of this study are:

1. to identify the key variables that affect the TQM Practices,
2. to analyze the present TQM practices in the public sector commercial banks,
3. to find out problems in the way of TQM implementation, and
4. to give recommendations in order to improve overall business performance by using TQM.

2.1 Methodology

The paper is mainly based on the primary data, which has been collected through structured questionnaire developed for the branch managers, employees and customers of the four public sector commercial banks from 20 different branches in

Rajshahi. Primary data were collected from the manager and officer level employees of the banks because the nature of the study requires educated and senior personnel as respondents. The responses were received from the 20 managers, 100 officers and 80 customers from 20 branches of the four public sector commercial banks, which are more clearly stated in the following table.

Name of the Bank	Number of branches	Number of Manager	Number of Employees	Number of Customers
Sonali	5	5	25	20
Agrani	5	5	25	20
Janata	5	5	25	20
Rupali	5	5	25	20
Total	20	20	100	80

Overall mean for all constructs have been calculated based on 5 point Likert scale, where 5 for strongly agree and 1 for strongly disagree. Secondary data have been collected from web sites of the four banks, articles of reputed journals, texts etc.

2.2 Conceptual Framework

TQM requires that the company maintain the quality standard in all aspects of its business. "TQM is a management approach for an organization, centered on quality, based on the participation of all its members and aiming at long-term success through customer satisfaction, and benefits to all members of the organization and to society" (ISO 8402: 1994). An effective system for integrating the quality development, quality-maintenance, and quality-improvement efforts of the various groups in a firm so as to enable marketing, engineering, production, and service at the most economical levels which allow for full customer satisfaction. (Feigenbaum, 1991)

2.3 TQM Principles

Ahire et al. (1996) mentioned twelve principles are (1) Top management commitment; (2) Customer focus; (3) Supplier quality management; (4) Design quality management; (5) Benchmarking; (6) SPC usage; (7) Internal quality information usage; (8) Employee empowerment; (9) Employee involvement; (10) Employee training; (11) Product quality; (12) Supplier performance. Ho and Fung (1994) identified ten TQM elements: Leadership, commitment, total customer satisfaction, continuous improvement, total involvement, training and education, ownership, reward and recognition, error prevention, and cooperation and teamwork. Flynn et al. (1994) emphasizes 11 principles are (1) Quality leadership; (2) Quality improvement rewards; (3) Process control; (4) Feedback; (5) Cleanliness and organization; (6) New product quality; (7) Inter functional design process; (8) Selection for teamwork potential; (9) Teamwork; (10) Supplier-relationship; (11) Customer involvement.

The present study focuses on nine variables for TQM constructs and four variables for measuring overall business performance. The nine TQM implementation constructs are: leadership, vision & plan statement, evaluation, process control & improvement, quality system improvement, employee participation, recognition & reward, education & training, and customer focus. The four overall business performance instruments are: employee satisfaction, customer satisfaction, service quality, and strategic business performance.

3.1 Findings of the Survey

Nine TQM Constructs:

Leadership: Leadership means the set of processes used to get the members of the organization to work together to further the interest of the organization (Griffin: 2005). The success of any organization depends on the good leadership at all levels of the organization. Leadership in this study has been assessed based on some factors such as participation in the quality activities, service focus rather than short term yields, empowerment of employees, encouragement of employees to participate in quality management activities and long term business success. Table-I, shown in the appendix reveals that all the variables of leadership have mean score below 3 except top manager's participation in quality management activities, followed by employee empowerment to solve quality problems, and employee involvement which have mean score below 4 at 5 point scale. The overall mean score for all the four banks on leadership is 2.906 which signals that leadership commitment to the quality management is not satisfactory.

Vision statement: A company's Vision statement describes the future business scope, "where we are going" (Strickland: 2003). The present study measures the extent to which the banks have a clear long-term vision, quality policy, effective quality improvement plans, communication of the policies to the employees and involvement of employees in making policies and plans. Table-II, shown in the appendix, indicates all the variables of vision & plan statements have mean scores below 5 and above 3 except employee's involvement in making organization's policies and plans which has a mean score of below three of all the four banks. The overall mean score of this construct is 3.578, which is not so high.

Evaluation: Evaluation is the on going process of comparing the actual performance with the predetermined standard and taking rectifying action if the actual performance deviates from the standard. The variable has measured on the basis of such factors as the banks regularly audit various business strategies, conduct quality audits uses of quality related data and so on. Table-III (Appendix) express that the evaluation system of the banks does not adequately support the total quality management concepts. The overall mean score of this construct for all the four banks as 2.731 at 5 point scale.

Process control & Improvement: A process is any activity or group of activities that takes one or more inputs, transform and add value to them and provides outputs to its customers (Krajewski: 2006). The banks should design the process to be "foolproof" in order to minimize the chance of employee error. Table-IV (Appendix) reveals that all the four banks score below 2 on the uses of Statistical Process Control techniques. But the averages mean of the four banks on this dimension as 3.433 at 5 point scale.

Quality system is defined as the organizational structure, procedures, processes and resources needed to implement quality management (ISO 8402: 1994). Table-V (Appendix) indicates that the averages mean of the four banks on quality system improvement as 3.508 which is a negative sign in the way of total quality management.

Employee participation: Employee participation in this study means the extent to which the employees actively participate in the quality management activities. Table-VI, shown in the appendix, reveals that the overall mean score on the employee participation as 2.645 which is far below at the 5 point scale.

Recognition: Recognition is defined as the public acknowledgment of superior performance of specific activities. Reward is defined as benefits, such as increased salary, bonuses and promotion, which are conferred for generally superior performance with respect to goals (Juran and Gryna: 1993). Table-VII (Appendix) indicates that the overall mean score on the recognition & reward as 2.979 which is the indication of low employee satisfaction.

Training: Training refers to the methods used to give new or present employees the skills they need to perform their jobs (Dessler: 2005). Education, on the other hand, is much more general, and attempts to provide employees with general knowledge that can be applied in many different settings (Cherrington: 1995). Table-VIII (Appendix) reveals that the mean score on education & training as 3.610 at 5 point scale.

Customer focus: Customer focus can be defined as the degree to which a firm continuously satisfies customer needs and expectations (Zhang: 2000). Table-IX (Appendix) indicates that the overall mean score on customer focus as 2.226 which have a great impact on customer satisfaction.

Table-XIV: Summary of the Averages mean for TQM Implementation Constructs

TQM Implementation Constructs	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
Leadership	2.924	2.974	2.864	2.864
Vision & plan statement	3.6	3.552	3.582	3.578
Evaluation	2.834	2.616	2.718	2.758
Process Control and Improvement	3.246	3.49	3.486	3.51
Quality System Improvement	3.576	3.32	3.57	3.566
Employee Participation	2.692	2.644	2.59	2.654
Recognition and Reward	2.886	3.046	2.928	3.058
Education and Training	3.597	3.59	3.75	3.505
Customer Focus	2.205	2.22	2.187	2.292
Average mean	3.062	3.05	3.075	3.087
Averages mean of the nine constructs of the four banks = 3.068				

Data Source: Field survey

Table-XIV reveals that the leadership, employee participation, evaluation and customer focus of the four banks have mean score below 3. The averages mean of the four banks is 3.068 as against the 5 point scale. So, the TQM implementation practices in the public sector commercial banks in Bangladesh are not up to the mark.

The four overall business performance instruments:

Employee satisfaction: Employee satisfaction means the collection of positive or negative feelings hold by them. Employees' negative feelings can lead to behaviors that are detrimental to firms. Employee satisfaction depends on the leadership quality, vision & plan statement, employee participation, recognition & rewards, and education & training. Table-X indicates that the five factors of employee satisfaction have brought from Table: I, II, VI, VII, & VIII respectively (Appendix). The averages mean score of the four banks is 3.143 as against the 5 point scale. Leadership quality and the employee participation in the organizational decision making score below three, which indicates the level of employee satisfaction as poor.

Service Quality: Service quality is an important factor of business success for the service organizations specially the banks. In the present study service quality has been measured based on some factors as modern physical facilities, dependable

service performance, commitment to provide service in a timely manner, employee competency & commitment, customer orientation and secured transactions. Table-XI (appendix) reveals that modern physical facilities and lack of sympathetic behavior of the employees score below 3 of all the four banks. The average mean of the four banks in the service quality scores 3.633 as against the 5 point scale, which signals the service quality not so high.

Customer Satisfaction: In the service sector, customer satisfaction, like any other factors, depends on employee satisfaction as the customers directly come to contact to the employees. (Robins: 2005). Customer satisfaction, in the present study, has been measured on the basis of various value added services, service charge, customer care, and service quality. **Service quality also has measured based on some factors as indicated in the Table-XI as shown in the appendix. Table-XII (appendix) express the customer satisfaction level of the four different public commercial banks that averages mean score as 3.654 is not so high.

Strategic business performance: Strategic business performance is the final result of running a bank. Table-XIII (appendix) shows the strategic business performance statistics of the four banks. The averages mean score as 3.129 of the four banks indicates the ineffective strategic business performance.

Table-XV: Summary of the averages mean for the overall Business performance instruments

Name of the instruments	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
Employee Satisfaction	3.139	3.161	3.142	3.131
Service Quality	3.7	3.59	3.612	3.63
Customer Satisfaction	3.667	3.675	3.585	3.692
Strategic Business Performance	3.17	3.122	3.037	3.187
Average mean	3.419	3.387	3.344	3.41
Averages mean of the four banks = 3.39				

Data Source: Field survey

From the table-XV it is obvious that the mean score in the employee satisfaction, strategic business performance, service quality, and level of customer satisfaction are very poor, which rated as averages mean score of the four banks is 3.39 as against the 5 point scale. Thus, the overall business performance of the four public sector commercial banks in Bangladesh is poor. The overall business performance of the four public sector banks is dependent on the nine TQM implementation constructs. So, proper implementation of the nine constructs is desired to improve the overall business performance of the public sector commercial banks in Bangladesh.

3.2 Barriers in the way of TQM Implementation

1. Lack of sound government policy.
2. Knowledge gap.
3. Traditional/autocratic management practices.
4. Lack of training in the TQM implementation.
5. Absence of proper implementation of reward and punishment system.
6. Bureaucratic complexity.
7. Lack of benchmarking company activities.
8. Lack of willingness among the employees.
9. Lack of strategic thinking.

4.1 Conclusion

The TQM implementation practices in the public sector commercial banks under study are disappointing. The banks overall business performance is clearly affected by the improper practices of the TQM implementation constructs. The study found that the public sector commercial bank's overall business performance is affected by the employee satisfaction, service quality, customer satisfaction and strategic business performance. Employee satisfaction is positively affected by the leadership quality, employee participation, recognition & reward, education & training and the vision & plan statement. The customer satisfaction depends on the customer focus of the banks. Customer satisfaction also is affected by the bank's service quality, inadequate value added and customer care services. Sound government policy, participative management style, benchmarking company activities in the allied field, leadership commitment and employee involvement will help the banks implement TQM constructs properly.

4.2 Recommendations

The following suggestions would be more helpful.

1. Empowerment of employees to solve quality problems.
2. Focuses on service quality.
3. Active participation in quality management practices and very high commitment to the quality.
4. Employee's involvement from different levels should be increased in making policies and plans and that should be well communicated to them.
5. Benchmarking banking activities of developed countries more extensively.
6. The banks should use the Quality Circle tools extensively.
7. The banks should have cross functional teams.
8. Position promotion should be based on work quality.
9. Excellent suggestions should financially be rewarded.
10. Employees' rewards and penalties should be fair.
11. Employees should be regarded as valuable, long term resources worthy of receiving education and training throughout their career.
12. Specific work-skills training should be given to all employees.
13. The banks should use various promotional activities to enhance the long term market share.

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Appendix

Table-I: Summary (mean) of the leadership survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
Top Management's participation in quality management activities	3.15	3.03	2.96	3.09
Top management focuses on service quality rather than yields	2.63	2.42	2.38	2.17
Top management empowers employees to solve quality problems	3.10	3.27	3.34	2.96
Top management strongly encourages employee involvement in quality management activities	3.65	3.54	3.21	3.77
Top management pursues long-term business success	2.09	2.61	2.43	2.33
Average mean	2.924	2.974	2.864	2.864
Averages mean of the four banks = 2.906				

Source: Field Survey

Table-II: Summary (mean) of the Vision and Plan Statement survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank has a clear long-term vision statement	4.52	4.26	4.39	4.66
The bank has a clear quality policy	3.90	3.25	3.62	3.38
The bank has effective quality improvement plans	3.29	3.64	3.26	3.57
Various policies and plans are well communicated to the employees	4.26	4.45	4.51	4.31
Employees from different levels are involved in making policies and plans	2.07	2.16	2.13	1.97
Average mean	3.60	3.552	3.582	3.578
Averages mean of the four banks = 3.578				

Source: Field Survey

Table-III: Summary (mean) of the Evaluation survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank regularly audits various business strategies.	3.26	3.42	3.16	3.61
The bank regularly conducts quality audits.	2.91	2.65	2.94	2.73
Benchmarking is extensively used	1.95	1.65	2.08	1.86
Quality-related data are used to evaluate the management the bank	2.96	2.67	2.49	2.58
Quality-related data are used to evaluate the performance of all departments	3.09	2.69	2.92	3.01
Quality-related data are used to evaluate the performance of employees	2.09	1.87	2.24	2.16
Average mean	2.834	2.616	2.718	2.758
Averages mean of the four banks = 2.731				

Source: Field Survey

Table-IV: Summary (mean) of the Process Control and Improvement survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank is kept neat and clean at all times.	4.09	4.26	4.53	4.72
Our processes are designed to be "foolproof" in order to minimize the chance of employee error.	4.56	4.92	4.86	4.57
The bank uses SPC extensively for process control and improvement	1.09	1.29	1.07	1.24
Average mean	3.246	3.49	3.486	3.51
Averages mean of the four banks = 3.433				

Source: Field Survey

Table-V: Summary (mean) of the Quality System Improvement survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The quality system in our firm is continuously being improved.	3.96	3.59	4.01	4.12
The bank has clear working instructions	4.81	4.69	4.85	4.79
The bank has a clear quality manual.	1.96	1.68	1.85	1.79
Average mean	3.576	3.32	3.57	3.566
Averages mean of the four banks = 3.508				

Source: Field Survey

Table-VI: Summary (mean) of the Employee Participation survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank has cross-functional teams.	1.96	1.84	1.68	1.73
Employees are actively involved in quality-related activities.	3.68	3.78	3.91	3.65
The bank implements suggestion activities extensively	2.09	2.65	2.58	2.71
Most employees' suggestions are implemented after an evaluation	1.98	1.66	1.25	1.54
Employees are very committed to the success of the bank	3.75	3.29	3.53	3.64
Reporting work problems is encouraged in our bank	3.64	3.42	3.12	3.27
Average mean	2.692	2.644	2.59	2.654
Averages mean of the four banks = 2.645				

Source: Field Survey

Table-VII: Summary (mean) of the Recognition and Reward survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank improves working conditions in order to recognize employee quality management efforts.	4.02	4.24	3.89	3.91
The bank has a salary promotion scheme to encourage employee participation in quality management.	1.62	1.54	1.85	1.81
Position promotions are based on work quality in our bank.	3.65	3.52	3.27	3.61
Excellent suggestions are financially rewarded.	1.07	1.42	1.37	1.35
Employees' rewards and penalties are clear.	4.07	4.51	4.26	4.61
Recognition and reward activities effectively stimulate employee commitment to quality management	4.02	4.23	4.51	4.29
Average mean	2.886	3.046	2.928	3.058
Averages mean of the four banks = 2.979				

Source: Field Survey

Table-VIII: Summary (mean) of the Education and Training survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
Employees are encouraged to accept education and training in our firm.	3.94	3.65	3.87	3.57
Resources are available for employee education and training in our firm.	2.65	2.42	2.53	2.69
Quality awareness education is given to employees.	3.24	3.65	3.82	3.27
Specific work-skills training is given to all employees.	4.56	4.64	4.78	4.49
Average mean	3.597	3.590	3.750	3.505
Averages mean of the four banks = 3.610				

Source: Field Survey

Table-IX: Summary (mean) of the Customer Focus survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank collects extensive complaint information from customers	2.56	2.41	2.22	2.39
Quality-related customer complaints are treated with top priority	3.69	3.58	3.49	3.87
The bank conducts a customer satisfaction survey every year	1.08	1.21	1.13	1.19
The bank always conducts market research in order to collect suggestions for improving our products	1.49	1.68	1.91	1.72
Average mean	2.205	2.22	2.187	2.292
Averages mean of the four banks = 2.226				

Source: Field Survey

Table-X: Summary (mean) of the Employee Satisfaction survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
*Leadership quality	2.924	2.974	2.864	2.864
*Vision & plan statement	3.60	3.552	3.582	3.578
*Employee participation	2.692	2.644	2.59	2.654
*Recognition & rewards	2.886	3.046	2.928	3.058
*Education & training	3.597	3.590	3.750	3.505
Average mean	3.139	3.161	3.142	3.131
Averages mean of the four banks = 3.143				

Source: Field Survey

Table-XI: Summary (mean) of the Service Quality survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
The bank has modern physical facilities	2.65	2.53	2.92	2.69
The bank is consistent and dependable in service performance	3.12	3.25	3.28	3.41
The bank is committed to provide its services in a timely manner	3.86	3.64	3.58	3.45
The employees of the bank are competent and courteous	3.96	3.68	3.59	3.75
The bank maintain its customer's transactions securely	4.91	4.85	4.69	4.85
The bank put itself in its customer's place	2.21	2.53	2.19	2.38
Average mean	3.7	3.59	3.612	3.63
Averages mean of the four banks = 3.633				

Source: Field Survey

Table-XII: Summary (mean) of the Customer Satisfaction survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
Value added services	3.68	3.54	3.49	3.64
Service Charge	4.61	4.56	4.39	4.58
Customer Care	2.68	3.01	2.85	2.92
**Service quality	3.7	3.59	3.612	3.63
Average mean	3.667	3.675	3.585	3.692
Averages mean of the four banks = 3.654				

Data Source: Field Survey

Table-XIII: Summary (mean) of the Strategic Business Performance survey statistics

Variables	Sonali Bank	Agrani Bank	Janata Bank	Rupali Bank
Compared with the previous year, the annual return increased a great deal	2.69	2.85	2.56	2.98
Compared with the previous year, the total deposited amount increased a lot	3.21	3.52	3.29	3.14
Compared with the previous year, the total loan disbursement increased a lot	3.96	3.56	3.84	3.79
Compared with the previous year, the total collection increased a lot	2.82	2.56	2.46	2.84
Average mean	3.17	3.122	3.037	3.187
Averages mean of the four banks = 3.129				

Data Source: Field Survey

MEASUREMENT OF SERVICE QUALITY AND CONSUMERS' SATISFACTION: A CASE STUDY ON PRIVATE MEDICAL CLINICS OF KHULNA CITY

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ABSTRACT : People are getting medical services much frequently in their life. This study is conducted to find out the service quality and consumers' satisfaction of the medical clinics in Khulna city. The consumers who have received services from any clinic of Khulna city are the target people of the study. A mentionable number of clinics are now working in the city but there is a big gap between the consumers' expectation and satisfaction as seen from the study measured through SERVQUAL scale.

1.1 Background

Bangladesh is a third world developing country. A lot of people live here below the poverty level. They are deprived of different basic human needs. One of those basic needs is getting medical facilities or treatment whenever necessary. The overall health status of the people is not well enough. The children suffer from various diseases severely. The women commonly face malnutrition and anemia, particularly during the pregnancy period. Besides, the people generally suffer from many other diseases all the year round. In diseases or accidents people need medical treatment to save life. In the present modern time, treatment to save life has attained a lot of new dimensions of opportunities. Along with the development of modern technology, various types of easy and effective measures have been invented to give proper treatment to diseased or wounded people. In time of diseases or emergency health related problems, people become mentally weak and the situation demands a reliable support and better service. Now in our country, the Government is giving much priority to the health-related issues. The Government hospitals or healthcare centers are working with both two important sides like disease prevention and disease curing. The same is true for the private organizations working in health sector of the country. But what matters in this case is the quality of services that all those organizations provide. In the present highly competitive market, service providers are primarily focused on delivering superior service quality to achieve high levels of customer satisfaction. The consumers are considered to be the only ones who can judge the service quality and the service quality generally is assessed based on the contrast between their perceptions and expectations. The area of hospital service quality is varied and extensive. Decision-makers always hope that every strategy will be effective when developing service-quality related strategies. Qualified strategy

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selection needs to be completed efficiently and effectively. Hospital managers generally face the problem for selecting the best one among many service strategies. In the healthcare sector of Bangladesh private investment is quite open for everybody who is interested. Without a lot of care and sincerity, a better result cannot come out from this much-expanded business field. Therefore, judging from the implementation priority of service quality strategies in hospital operations is very much important. Carrying out a quality management program may require hospitals to understand consumer perceptions and expectations, and give consumers what they want. After an extensive literature review, it is understood that, in the current industrial scenario, service quality is given significant importance owing to its close relationship with cost, financial performance, customer satisfaction and customer retention. Hence, service organizations have started focusing on the customer perceptions of service quality and subsequently developing strategies to achieve customer satisfaction.

1.2 Problem Definition

In the field of medical science, new and new technology is being incorporated every now and then. But in our country we cannot enjoy all the facilities easily, because the people here are very poor and the facilities are not always available. To provide medical services to the people, Government hospitals are working all over the country. Yet, it is not adequate for so vast a population as in our country. So, private entrepreneurs have come forward to give services in this field and they are mainly working in cities or towns without some exceptions. In the present time the people are free to choose any hospital they think of best for their treatment. Therefore, quality is becoming a major concern in marketing healthcare services. The increased emphasis on quality in healthcare is partly due to the benefits that both patient and healthcare organizations can achieve from quality healthcare services (Turner & Pol, 1995). Moreover, Quality management has emerged as one of the most significant constructs for superior management performance. Since service quality perceptions are among the key determinants of consumer hospital preferences, hospital administrators require psychometrically valid and practical measures of service quality. If we look at the prevailing healthcare services, we will discover huge disparity between actual customer satisfaction and their expectation. The poor people are deprived of adequate healthcare services as they cannot spend as much money as is needed. But the people, who are spending much money, are not getting the desired services all the time. Many factors are related with the healthcare services which are not strictly maintained nowadays. That's why a study has been conducted to measure the consumers' perception and the extent of their satisfaction on the quality of services of the private clinics of Khulna city.

1.3 Objectives

- To evaluate the service quality and consumers' satisfaction of the private medical clinics in Khulna city.
- To find out the difference between the consumers' perception and the received services.
- To find out the comparison between the consumers' received services and the experts' opinion on those services.

1.4 Scope of the study

This study is conducted in Khulna city area. The consumers of different places of the city are selected as samples. Thus, the results and findings of this study may be used as a reference while studying other service organizations.

1.5 Methodology

Practitioners and theorists generally have approached service quality measurement very differently. This difference is particularly evident in healthcare services. The most famous measurement of service quality for healthcare service that can be used across various service domains is that established by Parasuraman et al., Zeithaml and Berry (1985). The initial work by these three researchers was based on in-depth interviews with executives and consumer focus groups in four industries. This widely used instrument is known as the five-dimensional SERVQUAL model which remains the most useful instrument for service quality presentation. Various researchers have conducted studies on customer satisfaction using single and multiple item scales (Cronin & Taylor, 1992; Bitner & Hubert, 1994; Price et al., 1995; Shemwell et al., 1998). In general, researchers acknowledged that customer satisfaction is based upon the level of service quality delivered by the service providers. In the study, SERVQUAL model is used. The method of this study applies an adapted SERVQUAL (Parasuraman, Zeithaml and Berry, 1988) model to compare customer perceptions against customer expectations in Private Medical Clinics. This provides quantifiable reasoning to the research questions in each dimension so that precision, objectivity and rigour replace hunches, experience and intuition as a means of investigating problems. A man to man interview of the consumers of healthcare services is conducted to collect the data. The collected primary data are the main materials of this study. The best-known method of operationalising service quality is the Gaps Model/SERVQUAL approach suggested by Parasuraman, Zeithaml and Berry (1988). It is based on the "expectancy disconfirmation" paradigm and measures service quality perceptions by comparing customer expectations with the service performance. For this direct consumer survey, a close ended questionnaire has been developed. The questionnaire contains 22 items, each with two forms, namely perception and actual performance. The instrument thus actually contains 44 questions in total. With this questionnaire, those people are interviewed who have any experience of getting healthcare service from any clinic of Khulna City. Each individual respondent is rated based on the gap between his perceptions and opinions regarding received performance of the clinics. Therefore, service quality performance is determined based on the difference between consumer expectations regarding, and actual opinion of, service quality. Additionally, service quality is determined by the difference between the service quality served by the healthcare providers and that received by the consumer. In the questionnaire there are some attributes of the clinical services about which the consumers are asked. It contains totally 22 questions in one set and one question is there for the opinion of gross satisfaction the consumers received comparing to the payment. The entire questionnaire bears two aspects- one is a predetermined 'Rating' and the other is the 'Respondents' Opinion towards Consumed Service'. The respondents are asked totally 22 questions and given a rating of 100 to assign to the questions on the basis of their importance of the attributes of the clinical services. These perception ratings are placed in a finding Table (appendix 3) for making the result later on. There is another questionnaire by

which the clinic authorities have been interviewed. Out of 50 clinics in Khulna city Eighteen (18) clinics have been taken on the basis of convenience for the study purpose. They are asked about their doctors, nurses and services (Table 1.1). The respondents are also asked about their opinion regarding the services consumed by them. This time the respondents are given 5 options to choose one for each question that best matches to the service quality of the respective clinic according to them. The options are assigned with predetermined point (from left to right)

- ❖ 5 for option one
- ❖ 4 for option two
- ❖ 3 for option three
- ❖ 2 for option four
- ❖ 1 for option five

For the study purpose, random sampling process is used. Stratified technique has been adopted for collecting responses. Thus 240 respondents are taken finally from different parts of Khulna city using sampling determination table of Israel (Israel, 1992). The responses of these respondents are used for the analysis and decision making purpose. For the study purpose, as an alternative of industry average, opinions of some 10 renowned doctors (taken on random basis) are collected which is treated as valuable expert opinion on the clinical service attributes. Firstly, the respondents were asked 22 questions and given a 100-point comparative value count to assign to the questions on the basis of their importance of the attributes of the clinical services. A class interval of 5 is taken. Then corresponding frequencies are found out. This rating is placed in a finding Table as the perception data (appendix 3). The total of the ratings would be 100 or less than that. This data are further used to find out the mean and standard deviation of the perception ratings that are placed in another table (Appendix 1). The managers of 18 clinics out of total no of 50 clinics were interviewed on the basis of convenient survey. They were asked about their doctors, nurses and provided services. The following Table shows the sum total of different categories of different traits of these clinics.

Table 1.1: Clinics' brief profile

Topics	Category			
	MBBS (Full time)	MBBS (On call)	FCPS (Full time)	FCPS (On call)
Doctor	59	54	13	40
Nurses	Highly qualified	Diploma nurses	Without diploma	Simple training
	71	46	43	73
Services	Consulting	Surgical	Maternity	Diagnostic
	18	14	14	10

Source: The Survey

Different information about the respondents is collected regarding their age, income, education, occupation and source of getting information about the clinic. The following Table shows the respondents' profile.

Table 1.2: Respondents' profile

Demographic Feature	Classes	Frequency	Percentage (%)
Gender	Male	135	56.25
	Female	105	43.75
Education	Primary	25	10.41
	SSC	55	22.91
	HSC	65	27.08
	Graduate and above	95	39.58
Income	Below 5000 BDT	100	41.66
	BDT 5000 – 10000	65	27.08
	BDT 10000 – 15000	45	18.75
	Above 15000 BDT	30	12.5
Age	From 20 years – 25 years	50	20.83
	From 26 years – 30 years	45	18.75
	From 31 years – 35 years	60	25
	From 36 years – 40 years	40	16.66
	From 41 years – 45 years	25	11
	Above 45 +	20	8.33
Occupation	Service	90	37.5
	Business	65	27.08
	Housewife	35	14.58
	Student	20	8.33
	Others	30	12.5
Source of information about clinic	Friends and relatives	140	58.33
	Referred by doctors	60	25
	Promotional	40	16.66

Source: The Survey

2 Literature Review

Researchers throughout the world have developed various models to measure service quality in service organizations. Through a pioneering research work, a widely quoted 'gaps' model and a measurement instrument SERVQUAL have been developed which is based on five dimensions of service quality (Parasuraman et al., Zeithaml and Berry, 1990). The instrument SERVQUAL formed the basis for all the models. This research work proposes a conceptual framework and an instrument for measuring the customer-perceived service quality. There is a term 'perception gap' which means the gap between what the customer expects and what they think they have got. A firm may deliver better service than its competitors but if the customers think that the service is worse, then that's all that matters. After a careful analysis of SERVQUAL, it has been found that certain important aspects of service quality were not covered in it. And the researchers did not share a common dimension for evaluating service quality in the healthcare industry. However, five SERVQUAL attributes- (1) Tangibles, (2) Reliability, (3) Responsiveness, (4) Assurance and (5) Empathy were statistically distilled from a list of ten generic quality attributes from the focus group interviews. These 10 attributes are (1) Tangibles, (2) Reliability, (3) Responsiveness, (4) Competency, (5) Courtesy, (6) Communication, (7) Credibility, (8) Security, (9) Access and (10) Understanding. The five SERVQUAL attributes are thought to capture all of the original quality dimensions. Even though SERVQUAL, developed first by Parasuraman et al. had widespread impact on business and academic circles, it has also been subjected to widespread criticisms. However, researchers and practitioners

generally agree that the 22 items in SERVQUAL are good predictors of the overall evaluation of service quality by the customers. SERVQUAL mainly focused on the human aspects of service delivery and the tangibles of service. Out of the five SERVQUAL dimensions four dimensions, namely reliability, responsiveness, assurance and empathy contribute to human aspects of service delivery. The fifth dimension, 'tangibles', describes the effect of machinery, employees and plant layout on the consumers. Even tangibles depend partly on the appearance, dress and hygiene of the service staff. In healthcare sector, issues of quality have become increasingly important and consumers' perception of quality is a significant determinant of providers' survival and success. Customer satisfaction is essential for customer retention and loyalty and improving the organization performance (Riechheld, 1996, Hackl & Westlund, 2000). Different studies suggest that there is no standard definition of quality that applies and it depends on the organization and the individual circumstances within the environment. It can be said from the literature review that individual circumstances require an individual definition.

A commonly used definition is 'the extent to which the service meets the customer's needs or expectations.' A number of practical tests of the SERVQUAL model in healthcare sector have been reported (Andaleeb, 2001, Asubonteng et al, 2006, Jun et al, 1998). Yet none has tested the fundamental question that whether the set of attributes that were originally developed for services outside the healthcare sector is sufficient for healthcare applications or not. The SERVQUAL dimensions do not include some attributes that have received considerable empirical support in the older "patient satisfaction" research stream. The nature of the relationship between service quality and customer satisfaction in the formation of consumers' purchase intentions across four unique service industries was assessed and the finding is that the customer satisfaction is moderating the service quality and purchase intention relationship (Taylor & Thomas, 1994). The customer perceptions of service quality vary at every level in the organization (Bitner & Hubert, 1994). The SERVQUAL's structure was revised and a discrepancy between perceived service and desired service was analyzed (by Parasuraman et al., 1994). The gap between patients' expectations and perceptions about services delivered in a hospital was analyzed and it was noted that the SERVQUAL model is useful in revealing differences between patients' preferences and their actual experience (Fatma & Harwood, 2005). Investigations of what attributes determine patients' evaluation of hospital services' quality and satisfaction have been made by different people in different time. Ware, Snyder and Wright focuses on the discovery of the attributes that determine patients' satisfaction (Ware, J.E., Snyder, M.K., and Wright, W.R., 1976).

This stream has served as the foundation for a large set of studies reviewed by Nelson. He studied the use of patient satisfaction surveys in quality improvement efforts in a sample of hospitals. His main conclusion was that some of the attributes that determine satisfaction, have received insufficient attention and healthcare managers need to know what attributes patients use in evaluating healthcare service providers (Nelson, E.C., 1992). For service quality measurement, another instrument was developed and validated with five critical factors, namely core service, human element of service delivery, systematization of service delivery and tangibles of service (Sureshchandar et al., 2002). Further, it is said that the critical dimensions of different SERVQUAL factors may vary depending upon the type of industry under study (Babakus & Boller, 1992). Customer expectations and management's perception of that expectations was described as Gap 1 and is the main focus of this

present study. The SERVQUAL instrument offers the most appropriate starting point from which to measure expectations alone. It was more appropriate to start by closing any gap identified between customer and manager before attempting to examine the other gaps (Parasuraman et al., 1985). In a study, the patients' perspectives are important but the professionals' view when combined, can add additional insights where change is needed. The levels of staffs to be involved in this study need additional consideration. There is evidence within a healthcare study that bigger gaps appear between physicians and patient expectations compared to other healthcare staff (Young et al., 1996, O'Connor et al., 1994, 2000). In today's competitive marketplace, delivering high quality service and having satisfied customers is considered necessary to gain competitive advantage. It is generally agreed that a loyal customer base is more profitable than new customers. The literature is unanimous in concluding that there are benefits to understanding and measuring quality although they vary on how best to undertake this exercise. The literature clearly identifies the benefits of undertaking a study that examines a dimension of service quality.

Thus, after a careful analysis of the various research studies conducted so far, it has been revealed that even though enough research works have been carried out in the service sector as a whole, and in other sectors such as banking, health care, education, etc. Further it appears that many research studies have been conducted in developed economies rather than developing economies with respect to service quality. In developing countries private medical clinics are mushrooming up each and every day. As Government Hospitals are not well enough to provide desired medical facilities so people in the developing countries are relying more on private medical facilities. But generally the cost of getting private medical assistance is very high. So there is a burning question is the peoples mind that whether they are getting quality services from private medical clinics in return of their hard earn money. That is the stimulating factor which leads us to conduct this study.

3.1 Analysis of the Service Attributes

In this study totally 22 areas of service attributes are focused and the views of the respondents are noted in this respect. All of these attributes do not carry the same weight always for measuring service quality and the consumers' satisfaction. Different consumers give priority on different things for their extent of satisfaction. Besides, on a particular aspect different consumers give different opinions. On the other hand, the opinions of professionally expert people differ in many cases from that of the general consumers. Yet, in many cases, there is much similarity in the opinions of the consumers and between the opinions of the consumers and the expert people. And there are one or two core points on which the total success and failure of the medical service providers depend. The most important attributes assessed by the respondents are the following ones- doctors' professional qualification, nurses professional qualification, accuracy of the diagnostic report, the result of treatment, adequate equipment support, availability of doctors, doctors' attention and sincerity, nurses' attention and sincerity, response in emergency situation and overall cleanliness of the clinics. For these particular traits their expectations are much higher than the other various attributes of clinical services (see Table 3.1).

Table 3.1: Ratings by consumers & experts

Service Attributes	Perception of Respondents (Mean value)	Actual rating by Respondents (Mean value)	Average of Expert Opinion
1.Doctors professionally qualified	6.67362363	3.84583333	3.4
2.Nurses professionally qualified	4.92125588	3.50833333	3.2
3.Lab. technicians profess. qualified	4.74878205	2.99166666	2.4
4.Confidence on diagnostic reports	5.30985462	3.22083333	2.333333
5.Satisfaction with treatment result	5.02248498	3.5125	3.266667
6.Availability of doctors	6.24657572	3.75833333	4
7.Availability of nurses	4.53464350	4.15	3.6
8.Adequate equipment support	4.49726902	3.25	1.866
9.Doctors' visit	5.04280705	3.825	3.4
10.Doctors' attention & sincerity	5.2021997	3.5375	3.2
11.Doctors' behavior with patient	4.28787105	3.625	3.266667
12.Nurses attention & sincerity	4.03167542	3.47083333	1.933333
13.Nurses behavior with patient	3.7617823	3.29583333	1.866667
14.Response in emergency situation	6.04635509	3.34583333	2.4
15.Other staffs helpful and caring	2.89965193	2.87083333	2.333333
16.Complaint handling	3.1149071	3.025	2.8
17.Location of the clinic	4.02057890	3.3375	1.866667
18.Cleanliness of room and toilet	4.63461195	3.36666666	1.933333
19.Overall cleanliness	4.10325429	3.24583333	1.733333
20.Amenity support for the patients	3.42252335	3.15	3
21.Overall security	3.25604485	3.20416666	2.7333
22.Gross helpfulness to patient	4.31641900	3.35833333	3.2
Satisfied with gross service or not?		3.64583333	

Source: The survey

Among the service attributes used in this study, the consumers give immense priority on the quality and professionalism of the doctors to get their expected extent of service. In this respect, the respondents' opinion average is 3.85 with a standard deviation of 0.80. The difference between perception of the respondents and their actual rating is 2.82. Another difference between actual rating and expert opinion is 0.45 where the average of expert opinion is 3.4 (see Appendix 1). It means that the respondents believe that most of the doctors are professionally qualified but not all. The experts believe the same though there are some less qualified doctors. Hence, we can say that the patients are receiving treatment from both highly and moderately qualified doctors. The services of the nurses play a crucial role in the clinical services. Here the patients' opinion average is 3.50 with a standard deviation of 0.81. The difference between perception of the respondents and their actual rating is 1.33. Another difference between actual rating and expert opinion is 0.31 where the average of expert opinion is 3.2. The result says that the nurses are professionally qualified but not all. The experts suggest that proper training for the nurses is a vital thing for better service. The opinion average on the accuracy of the diagnostic report shows that the consumers' actual findings are medium. But the experts show less confidence about the accuracy of the diagnostic report (see Appendix 1). For the result of treatment, the respondents' actual rating is less than

their perception rating. But the experts express all but the same opinion like the consumers in this respect. Medical equipment support has now become an inevitable part of proper treatment. About this point the consumers' average rating is also medium whereas the experts expressed a lower line of satisfaction in this respect. The respondents attribute great importance on doctors' availability. They express satisfaction in this respect but the average of their actual rating is less than the expert opinion. It means that the experts give a great emphasis on the availability of doctor. For doctors' attention and sincerity it is found that the respondents' expectation is much higher than their actual rating. The opinion of the experts and that of the respondents are almost the same. Another important factor is the nurses' attention and sincerity. The consumers' opinions vary in this particular case and their satisfaction level is moderate. On the other hand, the experts give less importance on this issue. There is much dissimilarity in this respect between the opinions of consumers and the experts. The issue of response in emergency situation also shows difference between the expert opinion and the respondents' opinion. The respondents' expectation does not reach the desired value. And the experts opine that in our country quick response in emergency situation is insignificant to measure service quality.

3.2 Findings

The findings that have come out from the study are as follows. From the study, it is found that patients define healthcare quality in terms of empathy, reliability, responsiveness, communication and caring. These are human dimensions related to how the healthcare services are delivered, not the technical competence of the provider. The respondents are to some extent positively satisfied with the gross service they received from the clinics comparing to the payment. The diagnostic services are not available in almost every clinic but it is a very important factor for the treatment of diseases. The qualifications of doctors in the clinics are not bad but their behavior and sincerity are not always satisfactory though the average of the consumers' comments is good. There is lack of highly qualified nurses though those who are working in this field are trained and try their best to give proper services to the patients without some exceptions. Almost all of the clinics try their best to provide at least the minimum equipment support but this side should be more developed for better services. The support during the emergency period needs much more improvement including the 'intensive care unit' facility. Location of the clinics is overall satisfactory. The overall cleanliness of the clinics is at a normal position and on average the respondents seem to be satisfied but a much more improvement is needed in this respect. Amenity support is not normally satisfactory without some exceptions. The private clinics, to some extent, are coming to solve the problem of healthcare services in the country. But it is still remaining behind the expectation of general people. In the perspective of Kharulna city, there is ample scope to spread the services to mass people. In service encounters, employee's behaviors will impact on the customer perceptions of service quality. Hence, firms have to train their employees in interpersonal skills in order to exhibit a true customer focus. Perceptions of the contact employee's customer-oriented behaviors were positively related to two positive outcomes: (1) customer satisfaction with the service encounter and (2) customer commitment to the firm. Service quality and consumers' satisfaction depend upon some precise decisive factors of doctors, nurses and clinic authority. In service organizations there is a core service which is more significant

than all other service segments. It refers to the various schemes and facilities that are offered by the service organization. Giving proper and timely treatment is the core service in healthcare service organizations. Healthcare managers need to understand how consumers evaluate healthcare services while they are making decisions based on their perceptions of the quality of the services and the satisfaction with that. If healthcare service providers understand what attributes the consumers like to judge the quality, steps may be taken to monitor and enhance the performance on those attributes.

4 Conclusions

This study on service quality and consumers satisfaction is a study in which direct opinions of the consumers and the experts are used for the decision making. The opinion of those people and the decision based on it may carry some technical slips and for this reason, the results may not be considered to be purely absolute. Service quality and consumer's satisfaction with it is an elusive and abstract concept that is difficult to define and measure. The importance and personal nature of healthcare services encourage the patients to seek for the highest quality services. The consumers of healthcare services are not capable of assessing the technical quality of it. So, they consider the delivery of healthcare factors. The causes of satisfaction to one may not be satisfactory to others. A very little slip of activity or slip of tongue may bring failure in making a particular consumer satisfied. For the medical services, there are some common features which must be fulfilled by the service providers. Without establishing these core factors, providing of better services in this field is quite impossible. A combination of reliable activities of different groups of people makes the medical service successful. It deals with the question of people's life and death. So, the managers of service organizations should be more careful.

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Appendix1: Calculation Result

Service Attributes	Perception of Respondents		Actual rating by Respondents		Average of Expert Opinion	Difference between Perception & Actual	Difference between Actual & Expert Opi.
	Mean Value	STDEV	Mean value	STDEV			
1.Doctors professionally qualified	6.673623637	1.964235573	3.845833333	0.79035989	3.4	2.8277903	0.4458333
2.Nurses professionally qualified	4.921255885	1.228843997	3.508333333	0.81816033	3.2	1.3379225	0.3083333
3. Lab. technicians profess. qualified	4.748782059	1.826264947	2.991666667	1.36603039	2.4	1.7571154	0.5916666
4.Confidence on diagnostic reports	5.309854627	2.20506076	3.220833333	1.40426104	2.333333	2.0890213	0.887503
5.Satisfaction with treatment result	5.022484986	1.808576318	3.5125	1.12402910	3.266667	1.5099849	0.24584
6.Availability of doctors	6.246575724	2.122507782	3.758333333	0.90091383	4	2.4882424	0.225003
7.Availability of nurses	4.534643501	1.413863292	4.15	0.89769579	3.6	0.3846435	0.55
8.Adequate equipment support	4.497269026	1.629939487	3.25	1.09582700	1.866	1.247269	1.11
9.Doctors' visit	5.042807052	2.154547379	3.825	0.79918891	3.4	1.217807	0.425
10.Doctors' attention & sincerity	5.2021997	1.638649476	3.5375	0.95431743	3.2	1.6646997	0.3375
11.Doctors' behavior with patient	4.287871057	1.65706589	3.625	0.85874775	3.266667	0.662871	0.35834
12.Nurses attention & sincerity	4.031675426	1.247739863	3.470833333	0.98481320	1.933333	0.5608421	1.53751
13.Nurses behavior with patient	3.7617823	1.506927279	3.295833333	0.95065675	1.866667	0.465949	1.42916
14.Response in emergency situation	6.04635509	2.308433797	3.345833333	0.95131671	2.4	2.7005217	0.94583
15.Other staffs helpful and caring	2.899651934	1.726363544	2.870833333	0.93512542	2.333333	0.0288186	0.53751
16.Complaint handling	3.1149071	1.792933929	3.025	0.94148907	2.8	0.0899071	0.225
17.Location of the clinic	4.020578901	1.663046229	3.3375	0.98877063	1.866667	0.6830789	1.4709
18.Cleanliness of room and toilet	4.634611953	1.3872922	3.366666667	0.97614503	1.933333	1.2679453	1.43333
19.Overall cleanliness	4.103254295	1.471237836	3.245833333	0.94735004	1.733333	0.8574209	1.51251
20.Amenity support for the patients	3.422523357	1.602991162	3.15	1.06798210	3	0.2725233	0.15
21.Overall security	3.256044851	1.858883958	3.204166667	0.93512542	2.7333	0.05228	0.47083
22.Gross helpfulness to patient	4.316419004	1.570384321	3.358333333	0.87547556	3.2	0.9580857	0.1583
Satisfied with gross service or not			3.64583333	0.855442417			

Source: The survey

SWOT ANALYSIS OF PHARMACEUTICAL INDUSTRY: A STUDY OF SELECTED FIRMS IN BANGLADESH

Mohammad Zahedul Alam*

Abstract: The aim of this paper is to evaluate the strengths, weaknesses, opportunities and threats (SWOT) of pharmaceutical industry in Bangladesh. In this paper, the author has tried to find out what types of strengths, weaknesses, opportunities and threats pharmaceuticals firms face in Bangladesh. The emphasis in this research also is to analyze the trends in Pharmaceutical industries in Bangladesh. In this article, the author has evaluated big pharmaceutical firms in Bangladesh such as Square pharmaceutical, Beximco pharma, ACI pharmaceutical limited, Eskeyef pharmaceutical limited etc. This paper also concentrates on identifying the ways to overcome the challenges and weaknesses of this industry. It also provides some suggestions and recommendations for the pharmaceutical industries that will be helpful for the pharmaceutical firms and the industries. This report mainly focuses on the SWOT analysis of the Pharmaceuticals industry in Bangladesh. The proposed study will cover how to analyze the SWOT analysis of this sector. This report also focuses on the factors, which are used to evaluate the SWOT analysis.

1.1 Introduction

Pharmaceutical industry is one of the most important sectors in Bangladesh and it is the only industry, which has its own strong manufacturing capabilities to produce the pharmaceutical products. In 2007, the total valuation of medicine market in Bangladesh is \$700 million. The numbers of the private and the public hospital have grown dramatically in recent years. The people of Bangladesh are becoming more conscious about their health. They become conscious about the drugs. So, there are great opportunities for pharmaceutical products in Bangladesh. In spite of having these opportunities, there are some weaknesses and threats in the pharmaceutical sectors in Bangladesh. Pharmaceutical Industry has grown in Bangladesh in the last two decades at a considerable rate.

Literature Review

Few studies have been conducted in this area. In SWOT analysis of Advanced Chemical industries (ACI) limited, (Super Admin: 2008), the author focuses only on a particular firm. So findings can not be generalized.

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In another article entitled "China Pharmaceutical Industry: Analysis and Market Trends" I have found that this report focused on the WTO accession of China and the impact it has had on the Chinese pharmaceutical industry, trends and competition in the industry.

An article published on "An Analysis of Jordan's Pharmaceuticals and Healthcare Industry: Including the Latest Market Overview, SWOT Analysis & Forecasts." Jordan Pharmaceuticals and Healthcare Report provide independent forecasts and competitive intelligence on Jordan's pharmaceuticals and healthcare industry.

Kamath G. Bharathi (2008) points out that what were the intellectual capital and corporate performances in Indian Pharmaceutical Industry.

Dani Veracity:(2005) Points out that Most physicians do not make decisions about which drug to use on the basis of scientific research or cost. They base their decision almost entirely on which drug is the most popular choice of their colleagues. What determines popularity? The effectiveness of the drug company's marketing and advertising efforts. In essence, doctors are often bribed or lied to so that they will prescribe certain medications

From the previous works on pharmaceuticals industry, I found that there are some articles, which focused on most relevant terms. Some studies are not appropriate in analyzing SWOT of pharmaceuticals industry in Bangladesh. There are few articles, which have clear conception in analyzing the SWOT of pharmaceuticals industry. So I have decided to study SWOT analysis of pharmaceuticals industry in Bangladesh.

1.2 Objectives of the study

The objectives of this study are:

- To evaluate strengths, weaknesses, opportunities and threats of pharmaceutical industry in Bangladesh.
- To find out the trends in pharmaceutical industry.
- To provide some recommendations and suggestions to overcome the weaknesses and threats of this industry and capitalize the strengths and opportunities.

1.3 Methodology

This study is descriptive and qualitative in nature. Both the primary and the secondary data have been used to bring out the status of the industry in terms of its internal strengths and weaknesses, and the external opportunities and threats and the probable strategies it should pursue based on its resources and capabilities in order to counter threats and grab opportunities.

The area of study has been encompassed the pharmaceutical industry in Bangladesh. Five leading pharmaceuticals firms have been selected for the study and total sample of respondents are 50 such as are shown in table:

Name of Companies	Number of Executives
Square Pharmaceutical Limited	10
Beximco Pharmaceutical Limited	10
ACI Pharmaceutical limited	10
Eskeyef Pharmaceutical limited	10
Incepta Pharmaceuticals limited	10

The annual report of the various pharmaceuticals industry in Bangladesh, the Internet browsing, the various journals of the pharmaceuticals companies, the relevant books and the annual reports, official records, annual publication manuals, circular and other official documents, website of the firms, and other sites of the internet etc have been used as secondary sources.

All the primary data were collected through Personal interview and interviews with key officials and staffs of Pharmaceutical firms in Bangladesh.

2.1 Conceptual Framework

The total pharmaceutical industry can broadly be classified into two broad categories; these are;

- i) Patent Medicines
- ii) Generic medicines

Patent medicines are the products that are invented by the companies who have their own research team working on their own laboratories.

Generic medicines are the products that are produced in mass scale. These are marketed by several companies under different brand name where formulation of this product is almost the same.

The overall evaluation of a company's strengths, weaknesses, opportunities and threats is called SWOT analysis. SWOT stands for Strengths, Weaknesses, Opportunities and Threats. It provides us with an analytical framework for studying an industry's position and strategy. (Thompson:2004)

The external environment analysis consists of two factors such as opportunities and threats.

The internal environment consists of two factors such as strengths and weaknesses.

Strengths describe the positive attributes tangibles and intangible attributes internal to a particular firm or industry. They are within the organization's control. (Philip Kotler: 2003)

The Strengths can be considered as anything that is favourable towards the business, for example: Currently in a good financial position (few debts, etc), skilled workforce (little training required), Company name recognized on a National/Regional/Local level, Latest machinery installed, Own premises (no additional costs for renting), Excellent transport links (ease of access to/from the Company), Little/non-threatening competition. (Arthur A. Thompson, Jr. and A.J. Strickland: 2004)

Weaknesses are factors that are under control that detract from ability to maintain and obtain a competitive edge. For examples; Currently in a poor financial position (large debts, etc), Un-Skilled workforce (training required), Company name not recognized on a National/Regional/Local level, Machinery not up to date (Inefficient), Rented premises (Adding to costs), Poor location for business needs (Lack of transport links etc), Stock problems (currently holding too much/too little).

Opportunities assess the external attractive factors that represent the reasons for business to exist and prosper. These can be seen as targets to achieve and exploit in the future for example; Good financial position creating a good reputation for future bank loans and borrowings, skilled workforce means that they can be moved and trained into other areas of the business. Competitor going bankrupt (Takeover

opportunity?), Broadband technology has been installed in the area (useful for Internet users, Increased spending power in the Local/National economy.

"An environmental threat is a challenge posed by an unfavorable trend or development that would lead in the absence of defensive marketing action to deterioration in sales or profits".--- (Philip Kotler). Examples; Large and increasing competition, Rising cost of Wages (Basic wage, etc), Possible relocation costs due to poor location currently held, Local authority refusing plans for future building expansion etc.

2.2 Rationale of the Study

The expanded model and the comments from the SWOT analysis offered a number of suggestions for pharmaceutical industry in Bangladesh. It has been found that the SWOT analysis can enhance the company or the industry to find out the strengths and weaknesses of the company. The internal strengths and weaknesses compared to the external opportunities and threats can offer additional insight into the condition and potentials of the business. The company or the industry can use the strengths to take better advantage of the opportunities ahead and can minimize the harm that threats may introduce if they become a reality. The company can minimize or eliminate the weaknesses. The true value of the SWOT analysis is in bringing this information together to assess the most promising opportunities and the crucial issues. (Amzad Hossain: 2007)

In every step of the managerial decisions, manager of any organization should evaluate the SWOT analysis before taking any decisions. Without SWOT analysis, a company or a firm faces problems or the complexities in taking a significant decision. This study provides some information regarding the strengths and opportunities of pharmaceuticals firms, which can capitalize these in their operations.

3.1 Findings and Discussions of the Study

In Bangladesh the pharmaceutical sector is one of the most developed hi-tech sectors which are contributing in the country's economy.

3.1.1 Major Trends in Pharmaceutical Industry:

The pharmaceutical industry is dynamic as evident from its ability to reinvent itself in the face of changing market structures and government regulations. Major trends of pharmaceutical industry are:

1) Growth and Trends: The growth potential of pharmaceuticals sector is enormous. As urban population is increasing and people are getting educated they are now more concerned about their healthcare. So, the demand of medical product is rising. In Bangladesh, unhygienic condition and poor health maintenance provides vast scope for the pharmaceuticals firms to sell their products. On the other hand, the constant natural disaster provides opportunities to pharmaceuticals companies to boost its sales.

2) Demand: Bangladesh is prone to tropical diseases and this leads to high demand for pharmaceutical goods. Because of this and the poor healthcare and unhygienic situations, a steady growth in the pharmaceutical sector is possible.

3) Aging population increases demand for drugs. Aging baby boomers and the lengthening of average life span are two key demographic trends that should generate powerful demand for pharmaceuticals over the next few decades.

4) Big pharma steps up Research and Development (R & D) spending: The discovery of new research techniques in biochemistry, molecular biology, genetics and information technology has also streamlined the overall R & D process and improved efficiency. Major R & D expenditures in 2000 were in products acting on cancers, endocrine system, metabolic diseases and cardiovascular system.

5) Biotech Firms Gain clout in Partnerships with big Pharma: Recent discoveries in molecular biology and genomics have triggered a burst in new strategic alliances between major pharmaceutical manufacturers and biotechnology companies.

6) Internet emerges as key marketing tool: Today virtually every major drug manufacturer has a product information website, and a number have e-business divisions. Through internet a form of indirect marketing is running and drug manufacturers create information content rather than straightforward advertisements.

7) Growth of pharmaceutical industry: 1982 Drug Policy largely encouraged local production in pharmaceutical sector and as a result, lot of companies invested in local manufacturing plants. It also protects the interest of the local manufacturers by restricting the multinational companies from producing vitamin B complex and anti-acids.

8) Export growth of Pharmaceuticals: The export market of Pharmaceutical is growing day by day in our country. Bangladesh pharmaceutical industry is successfully exporting its quality products to about 69 countries in Asia, Africa, Latin America and Europe whereas the number of exporting countries was only 17 in 2001. In 2005, Bangladesh has exported finished formulations worth of taka 2000 million and raw materials worth of taka 138 million. The following top leading companies in Bangladesh took some initiative to expand their market in global market and local market.

Name of the companies	Initiatives
Incepta pharmaceuticals limited	i) It has tied up with a top European company as it sets goals to becoming a major global drug player within a 'short time' ii) It has already received approval from the European Union drug authorities. It has set a target to export medicines worth 10 million euro (Tk.900 million) to EU nations in 2009," iii) The company will also set up an Active Pharmaceutical Ingredient (API) manufacturing facilities by 2009, to be a leading global player in generic drugs.
Square pharmaceuticals company limited	Square is investing over Tk 1.00 billion to raise its capacity and standards in a bid to grab a slice of largely untapped European market by 2009.
Acme Laboratories Limited	i) Acme Laboratories Limited, considered the fourth largest medicine company in the country, has already invested over

	Tk.1.00 billion in a brand new plant, targeting both the local and export market. "Their herbal products have a huge ready-made market in Europe.
Beximco Pharmaceuticals limited	<p>i) Beximco Pharma eyes Tk 5 billion export earning next year. Beximco Pharma by next month will get market access of its products to seven oil-rich countries of Gulf Cooperation Council (GCC) - Bahrain, Kuwait, Oman, Qatar, Saudi Arabia and United Arab Emirates - which are considered most lucrative market in the world,"</p> <p>ii) This company also launched a drive to get the Therapeutic Goods Administration (TGA) certification from the Australian health ministry to enter the profitable Australian market." During 1994, the company started exporting formulations of raw materials. Beximco was the first company to get registration in Russia.</p>
Eskeyef pharmaceuticals limited	Eskayef Bangladesh Ltd has signed agreements with two UK-based companies to manufacture their brands of cardiac, diabetic and hormone products. The company is also negotiating contract manufacturing deals with a German and a Dutch company.

Sources: Field data: 2008

9) Pharmaceutical industry of Bangladesh is in a unique position with a favourable situation due to a number of factors in the export market:

i) World Trade Organization/ Trade-Related Aspects of Intellectual Property Rights (WTO/TRIPs) agreement: As per TRIPs that give an agreement signed in 1995, all the member countries of WTO have accepted Pharmaceutical Product Patent and implemented the same from 1st January, 2005. Bangladesh is placed in such a unique position that it can bring revolution in its pharmaceutical sector if the country capitalizes the opportunities optimally.

ii) Access to medicine at affordable price and Doha declaration. Under these circumstances, it is anticipated that in the absence of any competition from India and China, Bangladesh Pharmaceutical industry is going to have ensured return with high profitability because of following reasons:

- i) Product quality
- ii) Packaging and presentation
- iii) Huge Investment
- iv) Compulsory licensing
- v) Contract manufacturing for developed markets
- vi) Toll manufacturing for developed markets
- vii) Joint venture opportunities
- viii) Export facilities
- ix) Better profit margin in export of patented Drugs
- x) Cost-saving in employing labors
- xi) Cost advantage in energy or power etc.

4.1 SWOT analysis

The SWOT analysis of the industry reveals the position of the Bangladesh Pharmaceuticals industry in respect to its internal and external environment as under

4.1.1 Strengths

- Bangladesh with a population of over 140 million is a largely untapped market.
- The growth of middle class in the country has resulted in fast changing lifestyles in urban and to some extent rural centers. This opens a huge market for lifestyle drugs, which has a very low contribution in the Bangladeshi markets.
- Increasing liberalization of Government policies regarding the Pharmaceutical industry.
- Efficient technologies for large number of Generics.
- The most important strength is that it is often said that the pharmaceuticals sector has no cyclical factor attached to it. Irrespective of whether the economy is in a downward or in an upward, the general belief is that demand for drugs is likely to grow steadily over the long-term.
- The professional knowledge, thoughts and innovative ideas of the pharmacists working in this sector are the key factors for these developments.
- Some companies are in good financial position. Some leading companies such as Beximco pharma, ACI, Square pharmaceutical firm collects the capital from the stock exchange. Their financial positions are good. The authorized capital of Beximco Pharmaceutical Company is TK. 1000 million. The authorized capital of the ACI is TK. 500 million. The dividend per share of the pharmaceuticals company is increasing rapidly.
- Bangladeshi manufacturers are the lowest cost producers of drugs in the world. With a scalable labor force, Bangladeshi manufacturers can produce drugs at 40% to 50% of the cost to the rest of the world. In some cases, this cost is as low as 90%.
- Most of the pharmaceutical companies have their own premises, so most companies can save their expenses.
- Some companies and their brands are recognized nationally and internationally. Some companies have strong brand reputation in the markets and they have well-known brand in the market. Such as Beximco pharma, Square pharma, ACI limited etc.
- Bangladeshi Pharmaceuticals industry posses excellent chemist, skilled workforce and possess reengineering skills.
- Recently few new companies have been established with hi-tech equipments and professionals, which will enhance the strength of this sector. Recently, a number of industries equipped with modern infrastructure facilities are maintaining international standard. Some companies in our country got the technical guidance from the globally reputed pharmaceuticals company. Such as the healthcare pharmaceutical company manufactures the drugs with the active support and technical guidance of the globally reputed pharmaceuticals company F. Hoffmann- La Roche Limited, Basel, Switzerland. Pharma Bangladesh International Exhibition 2008 will feature and demonstrate the World's spectrum of latest machinery, equipment & technology required by the Pharmaceutical Industry of Bangladesh, which is rapidly growing like never before and with its fast pace looking beyond the borders of Bangladesh, is all set to become the emerging largest sector earning foreign exchange for the country.
- Cost-saving in employing labors and cost advantage in energy power etc add the competitive advantages to Bangladeshi Pharmaceutical Companies to produce the drugs at cheaper than that of other countries.
- Most of the companies have the quality control system. They are committed to formulate and supply drugs and formulations in a qualified manner. The quality and efficacy of the products being exported from Bangladesh have been highly appreciated in all the countries. Some of the companies are committed to the

quality. For example, ACI follows the international standard on quality management to ensure the consistent quality of products and services to achieve customer satisfaction. Some companies have values on the products quality.

- Increasing the market growth rate: Market growth rate of the drugs are increasing rapidly, because people become more conscious about their health and want a better life. In 2005, Bangladesh pharmaceutical market was worth US \$ 504 million and it is growing at a steady average rate of 17.80%. The top two domestic manufacturers; namely Square and Beximco Pharma are having a combined market share of about 25% of the total pharmaceutical market of the country.
- Some companies have got the license of the global brand. Such as Healthcare Pharmaceuticals Company limited manufacture the brands of the F.Hoffman La Roche Limited. The brands are given to below Dormicum, Dilatrend, Lexotanil, Naprosyn, Rivotril, Tilcotil and Toradol etc.
- Some companies export medicines in many countries of the world. For example, Beximco Pharmaceuticals Company limited has obtained the National Export Trophy (Gold) for two consecutive years (1998-99, 1999-2000). The country earned US\$32.97 million by exporting pharmaceutical products to around 67 countries during the first nine months of the current 2007-08 fiscal, which is 60 percent up over the same period in the previous fiscal.
- Innovative effectiveness: Some companies have strong research and development department. For example, Beximco Pharmaceuticals Company employs a significant part of its resources in R & D that makes this company a forerunner in Bangladesh Pharmaceutical industry. The R& D team comprises of academically sound and professionally competent personnel is consistently striving towards
- Supportive drug policy-1982 which encourages the local production of Pharmaceuticals products.
- The pharmaceuticals companies in Bangladesh have strong geographical coverage.
- Some companies have alliances/joint ventures with other firms that provide access to valuable technology, competencies and/or attractive geographic markets. For example, Healthcare pharmaceuticals limited and Beximco pharmaceuticals limited has joint venture with foreign companies in some sector.

4.1.2 Weaknesses

- 1) Fragmentation of installed capacities in pharmaceutical sector.
- Low technology level of Capital Goods of this section.
- Non-availability of major intermediaries for bulk drugs.
- Lack of experiences to exploit efficiently the new patent regime.
- Very low key R&D in some pharmaceutical firms.
- Low share of Bangladesh in World Pharmaceutical Production.
- Very low level of Biotechnology in Bangladesh and also for New Drug Discovery Systems.
- Lack of experience in International Trade.
- Low level of strategic planning for future and also for technology forecasting.
- Bangladesh Pharma companies are marred by the price regulation. The National Pharma Pricing Authority (NPPA), which is the authority to decide the various pricing parameters, sets prices of different drugs, which leads to lower profitability for the companies. The companies, which are lowest cost producers, are at advantage while those who cannot produce have either to stop production

or bear losses. Under the Drug (Control) Ordinance Government fixes the maximum retail prices (MRP) of 117 essential drug chemical substances.

- Bangladesh pharma sector has been marred by lack of product patent, which prevents global pharma companies to introduce new drugs in the country and discourages innovation and drug discovery in Bangladesh.
- Introduction of new research molecules is difficult due to slow registration process and restrictions on patent protection.
- Bangladesh pharma market is one of the least penetrated in the world. However, growth has been slow to come by.
- Although some companies are at good financial position, yet most of the companies are in low financial positions. Due to the low financial position; it is not possible for some companies to install the latest technology in their premises.
- Although the wages of labor are cheaper than any other country yet some of the pharmaceuticals companies are in unskilled workforce. As a result, these companies cannot minimize the cost of the production.
- Due to very low barriers to entry, some foreign companies, such as Indian Pharma industry is highly fragmented with about 250 large manufacturing units and about 18000 small units spread across the country. This makes Bangladesh pharma market increasingly competitive.
- Most of the companies do not up to date their machineries, they perform their activities with the traditional machineries and so it is difficult to maintain the quality of the medicines.
- Some of the companies in this industry have the rented premises; as a result it adds costs to the production. So the selling price is increasing day by day in our country.
- The drugs, which are produced in our country, are not highly qualified. Patients are not relying on these drugs. So they have to rely on the foreign medicines. Sometimes, the patients go to the foreign countries for better treatment. The foreign doctors prescribe the medicines, which are not produced in our country.
- The Border Security Forces are not strong in our country. They cannot control the border properly. So, through the border, the smugglers bring the medicine and distribute throughout the country.
- Innovative effectiveness is very low in our country due to the lack of the sophisticated equipment, lack of the capital, lack of the skilled manpower and the lack of the professional in our country.
- The weaknesses which include in the pharmaceuticals sector in our country are the lack of the expertise, limited resources, and lack of access to skills or technology, inferior service offerings, the poor location of the industries.
- Costs: sometimes per unit cost of the medicines are higher than the imported medicines. The selling prices of the medicines become higher. So, the domestic company has to fight with the multi-nationals company.
- The lower growth rate of national pharmaceuticals market may be attributed to various factors such as lower public expenditure on healthcare. Natural calamities including floods, cyclones, epidemical diseases and lower agro crop harvest etc.
- Most of the brand of local companies has no strong brand name or reputation, so they cannot match with the global reputed brands that are available in our country. Some pharma companies do not have any reputation in national or regional level; their products are not at standard level.

- The industries have to depend on foreign experts, technology and raw materials. Due to the lack of the proper guidelines and the lack of the proper infrastructure facilities. The industry faces problems in marketing the products.
- Some companies are located for their business needs. Some companies are located at geographically distance areas. So, it is difficult to move their medicine across the country.
- Some pharmaceuticals firms have stock problems. Their currently holdings are too much or too little.
- It is a significant weakness for the pharmaceutical industry. Due to lack of the proper efficiency, it causes the waste of the production; as a result, the production costs will be higher.
- Local pharmaceutical companies are still largely dependent on imported raw materials and 25% of total revenue of the sector has to spend for import from a wide range of countries like the USA, European countries, Japan, Taiwan, Korean, China and India. This makes Bangladeshi products less competitive in international markets.

4.1.3 Opportunities

- In 2004, the total size of the pharma market of Bangladesh was estimated to be Taka 30,000 million with an annual growth rate of about 10%. The pharma industry in Bangladesh is paying the second largest revenue to the Government's exchequer. Besides catering to local demand Bangladesh is also exporting its formulations to 62 countries of the world and demand for export is increasing rapidly. Bangladesh Pharmaceutical Industry is now heading towards self-sufficiency in Pharmaceuticals.
- Aging of the world population; the average age of the population is increasing due to awareness.
- Pharma firms take to contract manufacturing. Square, Eskayef and two others eye \$10m exports. Domestic pharmaceutical companies including Square Pharmaceuticals and Eskayef Bangladesh Ltd have slowly made inroads into the lucrative business of contract manufacturing of bulk drugs and formulations for global clients. At least four top companies are eyeing exports of about \$10 million this year through contract manufacturing deals with European pharma majors. Low labour and power costs, depreciation of the US dollar against most currencies and comparative advantages for Bangladesh under the WTO's agreement on Trade-Related Aspects of Intellectual Property Rights have inspired many global pharma giants to set up their contract manufacturing base in the country, industry experts said. Pharmaceutical manufacturing opportunities in Bangladesh are brighter than ever because of the country's Least Developed Country (LDC) status until 2016, Beximco Chief Executive Officer Nazmul Hasan said. "This is a win-win situation for both Bangladesh and foreign pharmaceutical or investment companies because investors/companies will get high return on their investment and this will create high paid jobs in Bangladesh," he added.
- Per capita income of population is increasing day by day in our country.
- Opportunities to expand export. There are a number of exciting opportunities which can drive growth in the industry and create a second crucial base for Bangladeshi exports along with ready made garments. The most significant of them has been created in recent times through a global treaty.
- Growing attention for health in our country as a result of media expansion.
- New diagnoses and new social diseases.
- Spreading prophylactic approaches.

- Saturation point of market is far away. Most of the companies have tied up with top European company as they set goals to become major global drug player within a short time.
- New therapy approaches are developed.
- New delivery systems are invented.
- The Government's highest planning body, the Executive Committee of the National Economic Council (ECNEC), approved Active Pharmaceutical Ingredient (API) at Munshiganj at an overall project cost of Tk 2.13 billion. API Park to give pharma industry a major boost. The proposed API Park is expected to inject a fresh momentum in the medicine industry.
- Spreading attitude for soft medication (OTC drugs).
- The Asian Development Bank said in a recent review pointing out that exports of the pharmaceutical products to global market are also increasing at the same time at a robust 40 percent annually.
- Renowned hospitals and institutions in various countries, including Kenya, Pakistan, Singapore and Sri Lanka, are taking Bangladeshi drugs for use in treatment. The ADB said.
- New markets are opening. The WTO agreement on drug has opened huge export opportunity for LDCs after 2005.
- Worldwide pressure on medicine prices stemming from the current economic slowdown could result in Bangladesh's increased exports.
- World class hospital and clinic are established in our country such as Apollo hospital, Square hospital and United hospital etc.
- 1982 Drug Policy largely encouraged local production in pharmaceutical sector and as a result, lot of companies invested in local manufacturing plants. The objective of the 1982 Drug Ordinance was to make the essential drugs available to the larger group of population at a reasonable cost. The other objectives were to give priority to the production of essential drugs and to remove all harmful, useless and undesirable products from the market. It also protects the interest of the local manufacturers by restricting the multinational companies from producing vitamin B complex and anti-acids.
- New drug policy will help to expand pharmaceuticals industry. Government has taken initiative to update the national drug policy suiting the needs of the time to further expand the pharmaceutical industry. Bangladesh Government gave top priority to develop medical sector as healthcare is basic right of the people. After implementation of the new policy, the industry would further expand and generate new job opportunities in the country.
- The annual per capita drug consumption in Bangladesh is one of the lowest in the world. However, the industry has been a key contributor to the Bangladesh economy since independence. With the development of healthcare infrastructure and increase of health awareness and the purchasing capacity of people, this industry is expected to grow at a higher rate in future. Healthy growth is likely to encourage the pharmaceutical companies to introduce newer drugs and newer research products, while at the same time maintaining a healthy competitiveness in respect of the most essential drugs.
- (BAPI) Bangladesh Association of Pharmaceutical Industry said that the country would get the opportunity for exporting pharmaceuticals and other related items to India and China and other countries next year. Besides the regular brands, Bangladesh is also exporting high-tech specialized products like inhalers, suppositories, Nasal sprays, injectables and infusions.
- All the member countries of WTO except the LDCs will have to abide by the pharmaceuticals patent from January 2005. LDCs would enjoy exemption from

meeting the WTO patent regulations until January 01, 2016. Among the LDCs, Bangladesh is the only country that has its own strong manufacturing products. This exemption period, thus, has placed Bangladesh in a unique position to best capitalize the opportunities.

- Today, bank facilities are increasing day by day in our country, which creates a good reputation for future bank loans and borrowings for the pharmaceutical firms.
- Some institution arose which offer training and diploma courses for the pharmacist. The number of medical college including the public and the private are increasing day by day in our country. There are now 17 Government medical colleges, 24 private medical colleges and 5 private dental colleges in our country. These medical colleges create a great opportunity for the pharmaceutical industry. The growth of medical facilities is increasing day by day in our country.
- Industry boundaries are blurring at an incredible rate. Today pharmaceutical industry is investing in addition to the drugs such as soap, salt, anti-septic medicines, cosmetics etc.
- ADB said the quality and effectiveness of Bangladeshi drugs are widely acclaimed in the global market.
- In fact, pharmacy career is more than a job. It is a rewarding profession in the health care industry. The importance of pharmacists in the health care system has been recognized all over the world. In appreciation of the valuable contribution of the pharmacists, the previous Government took the initiative to promulgate the pharmacy ordinance-1976 to recognize and promote pharmacy as a profession in Bangladesh.
- After 22 years of the promulgation of drug policy (1982), the drug business has jumped from 250 crore taka to almost 3000 crore taka. At the same time the import of drugs has dropped from 90% to 5%.
- Research and development in the field of newer drug molecules, novel drug delivery system or improved health care concepts is another prospective arena of pharmacy education which provides opportunities for pharmaceuticals industries in Bangladesh.
- With the passage of time, more academia came forward with facilities of pharmacy education. At present there are 4 public universities and at least 10 private universities where pharmacy is being taught which are providing skilled manpower in pharmaceuticals industry.
- Large number of drugs going off patent in Europe and in the USA between 2005 and 2009 which offers a big opportunity for the Bangladeshi companies to capture this market. Since generic drugs are commodities by nature.
- Opening up of health insurance sector and the expected growth in per capita income are key growth drivers from a long-term perspective. This leads to the expansion of healthcare industry of which pharma industry is an integral part.
- The market growth rate is increasing rapidly. Government also took the policies and steps to improve the pharmaceuticals sectors.
- At present, people become more conscious about the medicines and the use of the medicines. The infrastructure facilities are developing day by day in our country.
- Contract manufacturing for developed markets. Because of cost advantage, major Multinational Companies (MNCs) of highly regulated markets are now shifting towards LDCs and developing countries for contract manufacturing. Bangladesh also has huge opportunity to go for contract manufacturing.
- Huge investment. During the last couple of years, huge investment has taken place in this sector in the form of facility expansion or up-gradation and new

entrants. It is estimated that about US \$250 million has already been invested during last 3 years. Square Pharmaceuticals limited has already started operating their new state-of-the art facility; Beximco pharmaceuticals Ltd, is also manufacturing in their world class Metered Dose Inhaler (MDI) plant and is going for certification in the regulated markets.

4.1.4 Threats

- The competition is increasing day by day in the Pharmaceutical sector. Some multinational brands are available in Bangladesh. So, local Manufacturers face a severe competition with the foreign brands to survive in the market place.
- Containment of rising health-care cost.
- High Cost of discovering new products and fewer discoveries.
- Stricter registration procedures.
- High entry cost in newer markets.
- High cost of sales and marketing.
- Competition, particularly from generic products.
- More potential new drugs and more efficient therapies.
- Switching over from process patent to product patent.
- The cost of the wages is increasing day by day. It affects on total cost of the production and it will increase the selling prices of the medicines.
- The interest rate of the bank is increasing day by day in Bangladesh. So, the investors do not agree to borrow from the bank.
- Threats from other low cost countries like China and Israel exist, so, differentiation in the contract manufacturing side may wane.
- TRIPs have placed restrictions on India and Chinese active pharmaceutical ingredient (API) producers-our principal suppliers on producing generic versions of new molecules. While our existing product line remains unaffected, we shall not be able to procure many new molecules without synthesizing these ourselves.
- More than 150 companies are producing drugs in the country but the very basic problem is that the manufacturers are still dependent on 80 percent imported raw materials.
- There is a worrying development in the industry. Some companies appear to be focused on the maximization of short-run sales as opposed to long-run profits. This shift in focus is never good for the industry. Prices crash and marketing expenditure to finance gimmicks shoots up resulting in lower profits per unit of sale. Many companies panic at this stage and join the bandwagon of bad selling and marketing practices.
- Bad selling practices in the pharmaceuticals industry by some companies are likely to dampen our growth. In addition to depreciation of taka will raise the cost of imported raw materials.
- The industry has to go ahead with increased turnover and profits amidst continuation of wide spread law and order situation in all walks of life including trade, industry and commerce at home and abroad.
- The adverse regulations of WTO have negative impact on the future operation of the company.
- Existing product become unpopular or unfashionable, the quality or the ingredients of the medicines are changing day by day. So the company has to face the losses.
- Technological changes or product innovations that undermine demand for the industry's products. Due to changes of technologies, there are available substitute medicines of a particular medicine.

- The biggest challenge is the overall poor image of Bangladesh that ultimately tarnishes the image of the companies as well as the products in the overseas market.
- The embassies abroad are not very cooperative and exports require full embassy trade support to develop.
- Problems relating to image, information, transfer of operational expenses and samples, scarcity of cargo space, duty drawback have to be solved on an immediate basis.
- The registration requirement for imported products should be made stringent so that the market is not flooded with spurious and substandard drugs from neighbouring countries.

5.1 Policy Recommendations and Suggestions

To overcome the weaknesses and threats, the principal recommendations are

- Policy should be taken to ensure transformation of all pharmaceutical plants of Bangladesh according to World Trade Organization (WHO) guidelines for producing generic version of patented or molecule through "Reverse Engineering". Active support for R & D is needed on molecule and innovative health care items.
- Government should impose some restrictions on imports of some medicine that are possible to produce in Bangladesh to protect the local manufacturers in Bangladesh.
- Policy should be taken to reduce the taxes during import of sophisticated machineries from abroad.
- Policy should be taken to provide investment security in backward linkage industries in Bangladesh.
- Government should reduce the high rate of VAT and Taxes in pharmaceutical sector.
- Government should take the initiative to develop the infrastructure facilities across the country that makes easy for the pharmaceutical companies to transfer their drugs from one place to another place.
- Policy should be taken to monitor the pharmaceutical firm to ensure the quality of the medicines; otherwise, patients will switch the brands.
- Government should give cash incentives for export.
- Policy should be taken to reduce the dependence on imported raw materials.
- Allocate large budgets on R & D department in pharmaceutical sector.
- Almost all pharmaceutical firms are owned by private owners. So, Government should take some initiative to encourage the investors in pharmaceutical sector in Bangladesh.
- High level strategic planning should be developed for future. Government should include the persons in policy making who are expert in Pharmaceutical sector.
- Policy should be taken to strengthen the border security force so that foreign medicines cannot be brought by the smugglers.
- Introduction of new research molecules is difficult due to slow registration process and restrictions on patent protection. Registration procedures should be easy and simple.
- Establish e-commerce facilities for the companies, because today customers buy the products by placing order through the online.
- Policy should be taken to reduce rate of interest of loan provided by the Banks especially in pharmaceutical sector.

- Bad selling practices in the pharmaceutical industry by some companies are likely to dampen our growth. So, Government should take steps to stop the bad selling practices in the pharmaceutical industry.
- Government should increase the penalty for un-authorized import of drugs, penalty for sale of medicine or import or sale of pharmaceutical raw material at a higher price.
- Due to changes of technologies, to survive in the marketplace, Government sector or private sector should take initiative to update the technologies used by the pharmaceutical firms.
- Pharmaceutical sector is the second probable sector that contributes to the national economy. So, Government sector or private sector should invest huge amount in that sector.
- But initiatives are in place now to set up new industry to produce raw materials and the country's pharmaceutical sector will see a further fillip once these factories will start delivery.
- Nazmul Hassan, General Secretary of BAPI and The Association leaders urged the Government to waive taxes, duties and other levies on import of equipment for research and development of drugs.
- Government should create the Active Pharmaceutical Ingredient (API) Park as quickly as possible so that Bangladesh can quickly achieve greater cost competitiveness.
- With regards to Research & Development (R&D), the country should be allowed to import all the equipment duty-free and tax-free. The registration requirement for imported products should be made stringent so that the market is not flooded with spurious and substandard drugs from neighbouring countries.
- Our National Drug Policy/Drug Ordinance must be updated in line with TRIPS guidelines and WTO rules.

If all these suggestions and recommendations are accepted and implemented by the policy makers and the pharmaceutical authority it is expected that the pharmaceutical sector would increase to a large extent.

5.1 Conclusion .00

Pharmaceutical market is a steadily growing market throughout the world. Pharmaceutical industry is growing at a fastest rate in Bangladesh: ADB. The size of the world market was around US\$602 billion in 2005 and growth of sales was 7% that year. The USA, European countries, Japan, China and India are the major contributors to the market. In 2004, the total size of pharmaceutical market of Bangladesh was estimated to be Tk. 5000 crore with an annual growth rate of about 10%. Bangladesh has a unique opportunity to capitalize on the exemption of patent regulations under WTO/TRIPs until January 1, 2016. A number of issues emerged during the research, such as some strengths, weaknesses, opportunities and threats that demands attention from the appropriate authority to facilitate the expansion of pharmaceutical market. Solutions of some problems need deskwork only and some problems are related with policy decisions. Like Readymade Garments (RMG), pharmaceutical sector also needs backward linkage support through huge investment in raw materials. This will ensure long-term sustainability in the market and optimum profit for the rapid growth. A continuous support to R & D is the key to face the challenges of competition and quality of product. But some renowned pharmaceutical personalities expressed disappointment that there is a queue for establishing small plant for producing formulation. Consideration also should be taken of the claim of

pharmaceutical sector for cash incentives where companies can be given facilities to produce their products at reasonable cost. Wholehearted support from all stakeholders for growth of a potential sector like pharmaceuticals can bring great benefits for the country's economy. If the Government takes some initiatives to overcome the weaknesses and threats and utilizes the strengths and opportunities, one-day pharmaceutical sector will become leader among industries in Bangladesh.

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BUSINESS SITE MARKETING IN BANGLADESH : A CASE STUDY ON RAJSHAHI METROPOLITAN AREA

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Abstract: This paper is an exposition of the study business site marketing in Rajshahi Metropolitan Area (RMA). The study reveals a massive growth of business site in RMA. Low risks of investment, convenient process and financial feasibility than constructing residential building are causing establishment of business site. Its aggregate market demand is increasing day by day. Factors like growth of population, shortage of employment opportunity, large number of migrated unemployed people, apathetic to service among inhabitant agro-based residence of the region inclines towards metropolitan area are the major determinants of demand for business site. Low disposable income of the population, customer's inability to pay high rent and large-scale investment, lack of adequate infrastructures are the significant constraints to the growth of quality shopping centers. Business environment is well and virtually entrepreneurs confront no threats in business site marketing in RMA except collecting rent.

Introduction

In the wake of twenty first century Bangladesh faces a great challenge to employ its big size population and effective utilization of human efficiency. Within its limited territory population explosion creates adverse socio-economic conditions and causes numerous problems like, unemployment, poverty, malnutrition, corruption, terrorism etc. Like wise it presents a scenario of panoramic occupations. Force of circumstance caused business site marketing as an indispensable proposition. Business site is the means for positioning and presenting product of total business efforts. Marketing of business site is an important dimension of business in modern era. Rajshahi City is situated in the remote corner of Bangladesh. Bangladesh bureau of statistics (2009) discloses that the population of the city in the years 1961, 1974, 1981, 1991, 2001 and 2008 were 56,885, 132909, 253740, 544649, 646716 and 775495 respectively.¹ After 1961 the population growth rates of RMA is much explosive and up going. The study reveals that expansion of the magnitude of RMA, increase of employment opportunities, migration from neighbor country are the major determinants of population growth. The growth of business site in RMA was 27.27% in 1991-2000 while in 2001-2008 it's grown up to 115.38%.² It reports a rapid growth of business site during the latter period. Rajshahi is an education city with a stable market

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¹ Bangladesh Bureau of Statistics, *Statistical Year Book of Bangladesh*, 28th ed. (Dhaka: Planning Division, Ministry of Planning, 2009), p. 37.

² Documents of Rajshahi Development Authority (RDA); www.eraajshahi.gov.bd, access on 31.05.2010 and Table 1.

comprising significant numbers of academicians and their fellow internee; and this makes the city important. The present study recognizes many opportunities and problems of business site marketing in RMA.

Objectives of the Study

The broad objective of the study is to examine various aspects of business site marketing in RMA. However, the specific objectives are as follows:

1. To understand the growth of business site and its marketing system;
2. To identify the major variables affecting the growth of business site;
3. To understand the nature of customers and determinants of demand for business site;
4. To Identify the problems of business site marketing; and
5. To provide some recommendations to surmount the problems.

Methodology of the Study

The study used both primary and secondary data. To collect primary data the study interviewed 105 customers from a sample of 110 respondents and 20 owners of business site. Author selected both categories of sample purposively. It used two different sets of questionnaire for the customers and owners. The author• discussed with the authorities of Rajshahi Development Authority (RDA) and Rajshahi City Corporation (RCC) also. To interpret data the study used simple statistical methods.

The study also collected secondary data from books, journals, and documents of the RCC and RDA and relevant publications of the government of Bangladesh.

Conceptual Framework

Marketing is systematic, comprehensive and pervasive process launched in a planned and controlled manner that begins before production and ends after consumption with a view to the best satisfaction of the target customers.

Stanton (1994) defined "Marketing is a total system of business activities designed to plan, price, promote, and distribute want-satisfying products to target markets to achieve organizational objectives."³

Philip Kotler (1997) stated, "Marketing as a social and managerial process by which Individuals and groups obtain what they need and want through creating and exchanging products and value with others".⁴

Business site marketing is a concept of place marketing area. Kotler (1997) said. "Place marketing involves activities undertaken to create maintain or change attitudes and behavior towards particular places."⁵

Kotler (1997)⁶ further stated, "Business site marketing involves developing, selling, or renting business sites for factories, stores, offices, warehouses, and conventions."

Hence business site marketing may be defined as those activities to develop any particular place for industrial use with a view to earn profit through selling and renting the site.

³ William J. Stanton; Michael J. Etzel & Bruce J. Walker, *Fundamentals of Marketing*, 10th ed. (Singapore: McGraw Hill, Inc., 1994), p. 6.

⁴ Philip Kotler and Gary Armstrong, *Principles of Marketing*, 7th ed. (New Delhi: Prentice Hall of India, 1997), p. 6.

⁵ Ibid., p. 673.

⁶ Ibid.

Research Gap

In the area of business site marketing research works are not available. There are some studies regarding real estate marketing but that also insufficient, On the basis of these insufficient study works it's hard to comment anything on it. This diverts authors' attention to study business site marketing in Bangladesh.

Significance of the Study

In modern challenging and competitive business world development of business site and establishment of shopping center is an important area of marketing planning. This study will provides and enriches the idea and knowledge of the customers, sellers, business tycoons, entrepreneurs, political leaders and policy makers about business site marketing. The study will facilitates new entrepreneurs to take right investment decision in business site marketing. It would be a guideline for the political leaders and policy makers to overcome the existing problems. It also would be a good literature for researcher.

Growth of Shopping Center in RMA

The documents of the RCC reveal 37 shopping centers were belonging within its boundary during the year 2000. It reports to be increasing. The sample included 10 shopping centers those were established during the period of 2001-2008.

The study reveals the existence of two categories business sites in RMA, these are public and private. The RCC and RDA have established public business sites; On the other hand private entrepreneurs established private business sites. Out of 12 public shopping centers, RCC has established 7 and RDA established 5. Table-1 presents the growth of business sites periodically in RMA.

Table 1: Growth of Business Sites in RMA

Period	Numbers of business sites	Growth Rate %
1970	1	
1971-1980	5	83.33
1981-1990	8	61.54
1991-2000	3	27.27
2001-2008	10	115.38

Source: Documents of RDA

Figure 1: Growth Trend of Business Sites

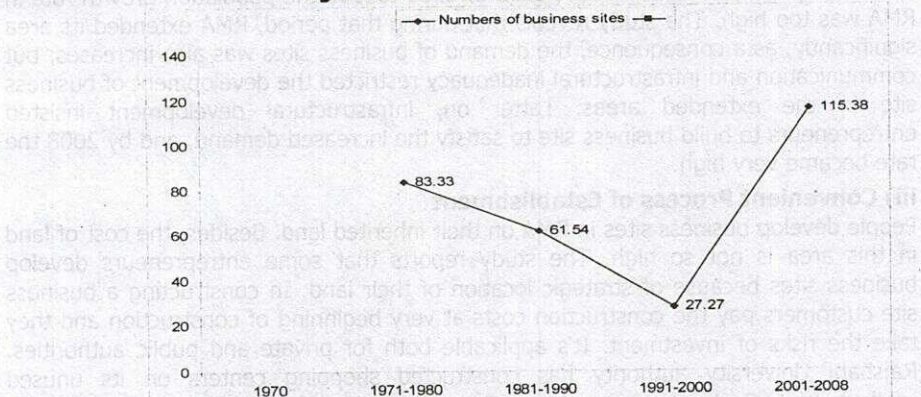


Table-I reveals a consistent growth by 2000. After 2000 it has developed rapidly; and curve-I shows a steady growth trend after 2000.

Variables Affecting the Development of Business Sites

- 1. Growth of Population:** Population growth performed an accelerating role to enhance the growth of business sites. Its' multiplier effects caused to construct business sites in a commercial manner. The study presents a high rate of population growth during the period of 1974 to 2008 in RMA.

Table 2: Population growth rates in RMA

Years	Population	Growth rate %
1961	56,885	-
1974	1,32,909	133.6
1981	2,53,740	90.9
1991	5,44,649	114.6
2001	6,46,716	18.74
2008	7,75,495	19.91

Source: Statistical Year Book 2008 and www.eraishahi.gov.bd

Table- 2 reveals, the growth of population during 1974-1980 and 1981-1990 were very much explosive and up going. At those periods the growth rates of business site were also high, 83.33% and 61.54%. This high growth of population creates the opportunities to establish more business sites and shopping complexes.

ii) Infrastructural Development

Basic structures and facilities are essential preconditions for a business site to function efficiently. Among these, transportation and communication facilities are crucial. During 1981-1991 RMA included areas with poor infrastructures. In consequence, it observed a diminishing growth rate of business site. Table-3 presents a comparative growth of population and business site.

Table 3: Comparative Growth Rate of Population and Business sites in RMA

Years	Growth of Population %	Growth of Business sites %
1981	90.9	83.33
1991	114.6	61.54
2001	18.5	27.27
2008	19.91	115.38

Source: Table I and 2.

Table-3 explores, that within the period of 1981 to 1991 the population growth rate in RMA was too high. The study reveals that during that period, RMA extended its area significantly, as a consequence, the demand of business sites was also increases; but communication and infrastructural inadequacy restricted the development of business site in the extended areas. Latter on, infrastructural development insisted entrepreneurs to build business site to satisfy the increased demand, and by 2008 the rate became very high.

iii) Convenient Process of Establishment

People develop business sites in RMA on their inherited land. Besides, the cost of land in this area is not so high. The study reports that some entrepreneurs develop business sites because of strategic location of their land. In constructing a business site customers pay the construction costs at very beginning of construction and they take the risks of investment. It's applicable both for private and public authorities. Rajshahi University authority has constructed shopping centers on its unused roadside land. Contractor was selected through open tender. Latter on, they has sold possessions to selected customers on a specific rent. This process of establishment

makes it convenient. The study finds that 78.3% respondents agree with this process, 61.5% of them are strongly and 16.8% are moderately.

Table 4: Determinants of Establishment of Business Site

Determinants	Strongly agree (%)	Moderately agree (%)	Total (%)
Convenient process	61.3	16.8	78.3
Construction cost of alternative	36.3	32.7	68.0
Present value of investment	48.3	9.4	57.7

Source: Survey.

iv) Costs of Alternatives

The owners of the land can use that on two alternative ways; one is establishment of business site and another is construction of residential building. In constructing residential building owners face financial problems. Commercial banks or any other financial institutions are the sources of finance. In that case the rate of return from investment or marginal efficiency of capital become lower because the rent of residential building is lower than interest rate in the money market. It reduces the present value of future profit. In this circumstance, entrepreneurs choose to construct business site transforming risks of investment to customers. The present study explores that 68% of the respondents agree with this, among them 36.3% are strongly and 32.7% are moderately.

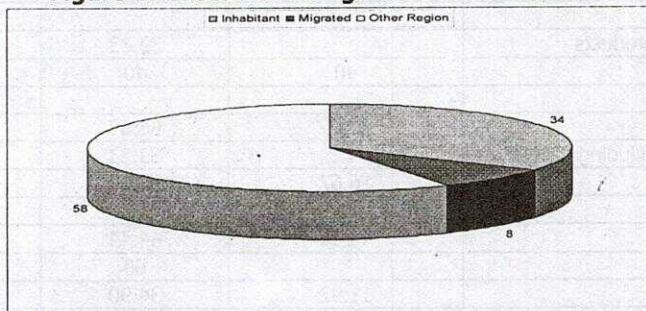
v) Present Value of Investment

Increase of present value contributes a significant role to construct a business site. In case of constructing business site, customers assist with interest free finance initially at the beginning of construction. It reduces capital cost, and in consequence, increases the value of the investment, being the capital cost becomes less than flow of earnings from business site. It's contributing investment in this sector being there are no relatively profitable alternatives to use their land. The present study reveals that 57.7% of the respondents think that the present value of future profit from their investment will be more.

Customer's Characteristics and Factors Affecting Their Demand for Business Site

The study finds three categories of customers, inhabitant, migrated, and customers of other regions of the country. Among them 58.09% inhabitant, 34.28% migrated and 7.6% are from other regions of the country. The Pie chart I presents the categories of customer.

Figure 1: Customer Categories of Business Site



i) Inhabitant Customers

This type customer constitutes major segment of the customer categories. Study explores that they are basically agro-based and residence of the region inclines towards metropolitan area. They are apathetic to service and interested to trading business. They need further employment opportunities with their core-occupation, but financial insufficiency restricts them to large-scale investment. Force of circumstance caused them to hold business sites as an opportunity to present and potential employment.

ii) Migrated from Neighbor Country

The study finds that migrated people are economically insolvent. They feel strong need for employment. This need is compelling them to hold business sites as a way of life. Study reports that in some areas they are so influential that they influence the customers of other areas to make decisions to buy a business sites.

iii) Customer of Other Regions

This type of customers is basically service holders. They have been living in this area over a long period of time and rehabilitated. They want to possess business sites as an investment. Some times they act as middlemen in the area of business site marketing. Their eventual target is to earn profit.

iv) Financial Ability of the Customers

Financial inability limits customers to pay high rent. They pay rent not more than taka 5000 per month. The study reveals that 90% customers are paying less than taka 4000. The study also explores that 46.82% customers have invested not more than taka 6 lacs. Table- 5 and Table- 6 show the rent and investment sizes of the customers in RMA.

Table 5: Ranges of Rent Paid by Customers! Shops in RMA

Ranges of rent (taka per month)	Percentage of Shops
Upto 1000	33.33
1001-2000	23.33
2001-3000	20.00
3001-4000	13.34
4001-5000	10.00

Source: Survey

Table 6: Size of Investment of Customer! Shop in RMA

Shops Categories	Size of Investments (Taka)		
	Up to 4 lakhs (%)	4-6 lakhs (%)	Above (%)
Food products	20	40	40
Beverage			100
Agricultural products		33.33	66.67
Stationary	40	40	20
Cloths			100
Sports items		66.67	33.33
Electronics including cables		33.33	67.66
Hardware	16.67	66.66	16.67
Footwear			100
Grocery	44.44	44.44	11.12
Medicine		60	40
Average	11.92	34.90	53.18

Source: Survey

Above table reveals that customers performing business activities related to beverage, rice, cloths, electronics and footwear have invested more than taka 6 lacs. Besides, 88% of the business firm in RMA is sole proprietorship and 12% is partnership. On the other hand, large segment of the population holds low disposable Income. Small size Investment and low disposable income of the population restricts together the growth of modern quality shopping centers.

Pricing of Business Site

Pricing methods in private and public sectors are somewhat different. Although both sectors basically follow cost oriented method.

Public authorities price the site on quotation methods. They invite quotation quoting a minimum rate. After obtaining quotations the authorities set the prices on the basis of those quotations. This may be at beginning of construction or after construction. The authorities determine basic rate following the construction costs as base. After selling the possession they set a specific rent. In setting rent authorities do not follow any hard and fast rule. The rent differs in relation with the strategic location and standard of the market. The study finds that 62.86% customers viewed their satisfaction to this renting system.

In setting price the private authorities consider both construction cost and demand for their sites. They don't follow quotation but discussions with customers.

Distribution of Business Site

The study observed that in allotting business site parties follow two types of contract. First is, possession selling and second is, deed for several years. In case of possession selling, the authorities sell possession for initial lump sum money. In return this document the customers enjoy the right to use the site for life long period on rent. In case of deed, the authorities rent the possession for several years considering certain terms and conditions. The study reports that authorities prefer possession selling than deed.

In distributing business possession, the study finds a crucial role of some affluent middlemen. Initially, they purchase the possession at a lower amount; afterwards, they sell it to third party at a higher rate. These middlemen are financially solvent and influential. Their performances are profit oriented.

Promotion

Private and public authorities perform little advertising activities in local media. Customers are conscious and seek site by self-interest. Some times authorities use hoarding by business sites. Authorities launch some promotional activities to motivate customers, like car parking facilities, good security arrangement, effective sanitation system etc.

Problems of Business Site Marketing in RMA

The present study finds that private and public authorities face some constraints in business site marketing, such as, lack of large scale business, scarcity of Industry, lack of favorable business and economic infrastructure, and population with low disposable income.

Beside these, it observes certain problems in business site marketing in RMA. They are as follows:

- Many business sites have been developed here and there without coordinating the central city plan. It's also observed the lack of co-ordination between plans for industrial, commercial, and residential areas. Also between RDA and RCC.
- The study reports that authorities feel embarrassed in collecting rent due to the lack of terms and conditions.
- It finds a crucial role of some affluent middlemen. Initially they purchase possession at a lower rate and eventually they sell it to third party, their performances are only for profit.
- There are some complain against RCC that the authority doesn't, performs their responsibilities properly related to development of shopping centers. Although there present numerous problems, they are not so crucial and virtually the authorities confront no threats in business site marketing. RDA and RCC confront no constraints as impediments for business site marketing except in collecting rent.

Recommendations and Conclusion

This study reveals some prospects and problems of business site marketing in RMA. On the basis of discussed findings some necessary recommendations will be provided.

- The private authorities, RDA and RCC should concentrate their attention in development of shopping complex in a well-planned and organized manner.
- The authorities should impose reasonable and pragmatic terms and conditions to ensure mutual benefits.
- The authorities should ensure the participation of market committee in decision making process.
- The authorities should think about the adverse role of affluent middlemen.
- RCC should perform their responsibilities properly Planned and organized business centers, mills, factories or industries and supportive infrastructures should be developed in order to achieve overall development of the city. If government, responsive authorities and people be more proactive, it may expect a prosperous, glorious and bright future of business site marketing in RMA.

PIRACY OF MUSIC VIDEO, AUDIO ALBUM AND CINEMA IN BANGLADESH

Kudrat-E-Khuda Babu*

Abstract: The Piracy levels are extremely high in Bangladesh. Bangladeshi audio and film industry is suffering from increasing trend of piracy of both audio and video products. The problem of piracy has arisen with the rapid advance of technology. These piracies are causing huge loss to film and music industry of the country.

1: Introduction

Most of the retail stores in Bangladesh, selling audio or video products are having computers inside their outlets, through which they are making fake copies of the music, drama and movie albums. Video piracy is causing a total loss of 150 million taka annually to local film makers. Local film producers invest more than 560 million taka annually to make 70-80 movies every year on an average. But for different reasons, including piracy, the producers can not get back 50 percent of their investment from 80 percent of the films. Though the police administration is continuing offensives on pirates, it is yet to take drastic steps in seizing computers from the outlets of retailers of audio and video products¹. In a word, the real situation is that Bangladeshi music video, audio and film industry is greatly suffering from increasing trend of piracy of both audio and video products. Audio industry in the country is still suffering from the heinous and illegal activities of the pirates.

2: Definition of Piracy

Piracy is the unauthorized duplication of an original recording for commercial gain without the consent of the rights owner. The packaging of pirate copies is different from the original. Pirate copies are often compilations, such as the 'greatest hits' of a specific artist, or a collection of a specific genre, such as dance tracks.

It is very clear that the problem of piracy has arisen with the rapid advance of technology. New techniques of printing, recording and fixation of broadcast or recorded programmed have emerged, making it easy for the pirates to carry on their illegal activities. However, Piracy is an illegal and criminal activity. It goes against copyrights and can also be accompanied by large fines, as well as jail time.

Piracy has been a constant threat to commerce ever since people started trading with distant land. Piracy has come to mean many different things over the years, but

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¹ Blitz (Volume # 5, issue # 44, Dhaka, 27 October 2010)

the origin of the word remains murky and ill-defined. Understanding the origins of the word and the practice of piracy can help make sense of the many modern permutations of the word.

2.1: Meaning of Video piracy

Video Piracy means an act of copying, showing, distributing and selling a video of motion pictures without the due authority to do so for some consideration in return like money, etc. Unauthorized copying, showing, distributing and selling of a video is considered as an offence because of the fact that film producers own a copyright in their productions. Thus they are provided with legal protection by means of stringent copyright laws so as to safeguard their work from video piracy or invasion.²

2.2: Right of film producer

Two circumstances, the socio-cultural attitude towards intellectual and artistic creations and the industrial revolution have together brought up the concept of intellectual property. There are two main branches under it, industrial property and copyright. The area of industrial property concerns the protection of inventions, patents, trademarks and industrial designs and also the restraint of unfair competition. Copyright encompasses the protection of cultural works in all media—literature, music, art, architecture, audio-visual productions.³

2.3: Types of pirated video prints

With much difficulty four types of video prints have been identified as pirated. They are:

1. Prints made abroad which are recorded from the original film print without any due license.
- * First copy done from the original print within the country but without due license.
- * Re-recorded prints from DVDs/CDs which are not original prints and
- * Camera prints, i.e., video recording of films made clandestine.

2.4: Movie Piracy

Movie Piracy by definition is the illegal copying of movies for personal or commercial use. This is a new epidemic that is affecting the film industry financially on a global level. What are the necessary steps that can be taken on behalf of the film industry that can stop this illegal practice from occurring-this is the question. If any one walks down the city streets of Dhaka, he can easily find vendors selling their bootleg DVD copies of new released movies for half the price of a movie ticket. At the moment the quality of the movies aren't at its best, but with the technological advancements, the quality of these bootleg Digital Versatile Discs (DVD)'s are getting better, which means that movie piracy is actually on the rise. This continues to worry both film studios and copyright activist. Movie companies are the ones suffering the most from this illegal practice. While they continue to produce \$100 million movies, their profits continue to fall, when people decide to either pick up a burned copy or download the movie off some illegal Internet site. This essay takes a look at the different forms of movie piracy and what different organizations.

² "Issues of Piracy" afm.org (24 October 200 4& 17 July 2005)

³ "Piracy – A crime" riaa.com 1 Jun. 2005. 19 Jul. 2005

There are many different forms of piracy and can all affect the movie industry in various ways. The most common type is known as "Optical Disc Piracy," which is a major threat to the movie industry. "Pirate optical discs, which include Laser Discs (LD), Video Compact Discs (VCD) and Digital Versatile Discs (DVD), are inexpensive to manufacture and easy to distribute. In 2000, over 20 million pirate optical discs were seized, and by comparison, 4.5 million videos were seized worldwide in the same period" (Anti-Piracy). Most of this bootleg movies are made through the common practice of recording the movie with a hand held camcorder in the theatres.⁴

In the last few years technology has proved a boon to mankind in that the birth of video has made cinema come to the doorstep of the common people. The speedy circulation of cinema by videos has the negative side of it and that is video piracy, which has become a stunning reality. With the continuously growing technology it is the task of the law to keep pace with it.

With the introduction of television in mid 50's, the west has witnessed the closure of a number of movie theatres. The introduction of Television had chilled the bones of a many film producers in the initial days. However a much colder blast was awaiting the film producers for which they were wholly unprepared. This was the sale of old films to television. However, there was a stern reaction to this. An association of cinema owners who had organized themselves for better business banned it at once, but some producers found higher sale prices more attractive. Thus the film producers continued making films with the new market poised well enough to telecast them under the licenses and Television became the accepted mode of film screening. Fusion of Television with cinema was thus a forced one⁵.

With these already existing problems the cinematograph film producers had to face there toughest challenge, i.e., "VIDEO PIRACY". "Video Piracy" had its origin in mid 70's which was due to the introduction of VCRs. With the introduction of VCRs in the mid 70s, the film industry has to blame itself to have contributed to yet another self-inflicted suffering, i.e., "VIDEO PIRACY". The film producers thought they could cash in on the coming boom by selling their movies in a video cassette to the home market. The decision backfired. Most viewers only wanted to see a movie once or twice. Therefore, viewers started buying pirated or duplicate cassettes as they found it far cheaper than the original cassettes.

The film producers have copyright in their films. Copyright, it is said, is not the mere creature of a statute but a natural and civil right though by the Copyright Act, 1957 it is creature of a statute. The term "work" in Section 2(y) of the Act includes "Cinematograph film". By Section 14(c) of the Act it is the exclusive right of the Cinematograph film producer to do or authorize the doing of the acts prescribed therein. It is his exclusive right to make the copy of the film and cause the film to be seen or heard in public.⁶ In other words, copyright law is concerned with the negative right of preventing the copying of physical material.

Members of Rapid Action Battalion (RAB) and other intelligence agencies in cooperation with Bangladesh Film Producer's And Distributor's Association as well as apex body of Bangladeshi music companies are continuing drives to combat piracy.

⁴ 'Online Piracy' questia.com 29 Jul. 2003. 19 Jul. 2005.

⁶ e-Bangladesh

3: Video piracy causing huge loss to film industry in Bangladesh

Video piracy is causing a total loss of 150 million taka (2.58 million US dollars) annually to local film makers, the Financial Express reported Friday. Local film producers invest more than 560 million taka (9.6 million dollars) annually to make 70-80 movies every year on an average. But for different reasons, including piracy, the producers can not get back 50 percent of their investment from 80 percent of the films.⁷

Basically when a movie or other form of entertainment is pirated and sold or otherwise made available to others, the effect is that the people who own that property are deprived of profits they would otherwise have made. Movies, for one example, cost a great deal of money to make and take a great deal of work by very many people to make them. They go to this trouble in order to make money back, to pay for what the movie cost and to make a profit. Some of these profits go into making other movies.

Thousands of people have jobs making movies. If all movies were pirated, there'd be no money to make more movies, so we'd have less entertainment and all the people who worked to make movies wouldn't have jobs any more. It's easy to think we're just saving ourselves a few dollars when we buy or watch a pirated movie, and that we're not hurting anyone because movie companies have so much money that they don't notice anyway, but it's not that simple.

3.1: Piracy of movie products has both a positive impact and a negative impact

Piracy of movie products has both a positive impact and a negative impact on the legitimate sales of the movie product. On the one hand, movie piracy decreases the legitimate sales because the pirated movie user may not watch a theatrical movie; on the other hand, however, piracy increases the legitimate sales of the movie product through the impact of network externalities and the diffusion of information. If the positive and negative impacts of piracy on the sales of movie products coexist at the same time, the overall impact of piracy on sales will depend on which impact is superior.

3.2: Call to stop Bangla Movie and DVD Piracy

The downtown of Vyborg, the closest border town to Finland, is always packed with Finnish tourists shopping for crystal, vodka and pirated DVDs which 98 percent of us will not admit to as we are the least corrupt country in the world. It is easy to stay uncorrupted when there is no scope for corruption. Now, on the other side of the world in Bangladesh, we have less scope to stay uncorrupted while navigating through the alleys of Old Dhaka or posh new shopping centers from Dhanmondi to Gulshan. Bangladesh is a haven for pirated DVD shopping and everyone from British Airways flight attendants to Bombay Rockers Navtej Singh Rehal and Thomas Sardorf buys loads of DVDs to take back home. Navtej though did make a request to their fans not to buy pirated CDs while keeping on rocking; a classic example of "do as I tell you to do not what I do" or would you believe that Navtej only purchased authentic local DVDs such as Catherine and Tareque Masud's newly released "Matir Moira"?⁸

⁷ "Digiwood News" wired.com 17 Dec. 2004 20 Jul.2005

⁸ http://www.ehow.com/about_4597773_what-meaning-piracy.html#ixzz144JQQ0Zv
(Accede on 20 October 2010)

Government is very concerned about foreign influences, especially from our neighbors, filtering into the country and corrupting our innocent minds and they have legally banned all films with sub-continental languages in Bangladesh. Though the English films have no obligations, the Bangladesh Censor Board has during the last year effectively stopped two English language films "Bend It Like Beckham" and "Bride & Prejudice" on the grounds of "the films having elements that may hurt the sentiments of any section of the public". At the same time, the censor board has released local production titled "Noshto Maye" and the pirated Hindi version of the "Bride & Prejudice" starring Aishwarya Ray hit the DVD shops across town and local cable channels the day after the DVD's release in India in March 2005. No red tape and bureaucratic hassle and smooth and efficient operation for Bangladesh! The government is least bothered about the illegal practice of DVD pirating which provides 700 percent profit to black market entrepreneurs but is very concerned about the "wrong kind" of content entering the cinema halls where the government would receive 57 percent tax revenue on the proceeds.⁹

How about starting a new section of RAB and calling it Rabbit for Rab IT to help protect the intellectual copyright in this country. The white Rabbits with ponytails should hop from Kemal Atatürk's Lavender to Sheraton's DVD shops and everywhere in between and load up all the pirated DVDs on Panthopath and call for Bob the Builder to roll the roller all over them with the smiling Honorable Minister of Information and Information and Technology looking over¹⁰. That should stop the illegal activities and start bringing some life into the cinema exhibition industry in Bangladesh and give some more weight into the VAT returns from the sector. Especially when our government is so concerned about protecting the local cinema industry, they should stop the entry of the pirated foreign DVDs and persuade the viewers back to the cinema halls to enjoy healthy local and foreign films. India supports its exhibition industry by allowing new multiplexes a 5 year tax break which in turn helps the local cinema industry by providing more avenues for the films to be screened at. In order for any local industry to grow in any sector it cannot be kept blindfolded following the same old well-refined formula set by the earlier trendsetters but be exposed to quality work from all over the world. If our audiences love films from the surrounding regions maybe there is something to be learned from them. Maybe our commercial film producers in Bangladesh would take a hint or two for their scripts as well. Even Pakistan has agreed "in principle" to screen one of the great classics of Indian cinema, breaching a longstanding (40 year) ban on theatres showing Indian film. Indians also involve Pakistani artists in their mainstream productions and ensure that the totally unstoppable DVD piracy does not enter the cities and shopping malls but stays in the back alleys. Our government has shown its sincerity to protect the environment by banning polythene bags that were clogging our cities and causing harm to the environment. Likewise the government can easily control piracy if the political will to do so is there.

So maybe there are some things we can learn from our neighbors and not allow them to load pirated DVDs of films (often from their own countries) from our markets'

⁹ "Digiwood News" wired.com 17 Dec. 2004 20 Jul.2005

¹⁰ www.prothom-alo.com (Accessed on 25 October 2006)

shelves while stopping by Dhaka. Let them follow the Finns and travel to Vyborg for that if they wish.

3.3: Organized audio-film piracy rings in Bangladesh

It is very clear to everybody that Bangladeshi audio and film industry is greatly suffering from increasing trend of piracy of both audio and video products. Members of Rapid Action Battalion (RAB) and other intelligence agencies in cooperation with Bangladesh Film Producer's And Distributor's Association as well as apex body of Bangladeshi music companies are continuing drives to combat piracy. In recent months a number of notorious film pirates were arrested by the Rapid Action Battalion.

But, audio industry in the country is still suffering from the heinous and illegal activities of the pirates. According to information, most of the retail stores in Bangladesh, selling audio or video products are having computers inside their outlets, through which they are making fake copies of the music, drama and movie albums. Though RAB is continuing offensives on pirates, it is yet to take drastic steps in seizing computers from the outlets of retailers of audio and video products.

At Dhaka's Stadium Market, Gulistan, Patuatuli, Bashundhara City, Rajlaxmi Complex, London Plaza (Uttara), HM Plaza (Uttara), Mouchak Market, Rampura Road, Khilgaon, Shahjahanpur, Topkhana Road, New Market, Gulshan market, Rapa Plaza, Elephant road as well as in most of the towns and cities in the country, at least a few thousand computers are installed inside the retailer stores, making pirated copies of audio and video albums.

According to information, at least five million pieces of blank CD-R and DVDs are imported every month to Bangladesh, mostly from China. Even owners of some leading music companies are behind this import. It is alleged that, major portion of these imported materials go into hands of pirates, who later use blank CD-R and DVD in Bangladesh. According to existing rule, there is no import tax on CD-R and DVD as it is considered as 'Computer Accessories'.

According to the eminent film director Uttam Akash, 'The film industry is suffering from virtual collapse due to growing trend of piracy as well non cooperation from the government in encouraging the film producers in making films in the country. Bangladesh Film Development Corporation (BFDC), which has always been according credit facilities to the film producers in getting raw films has stopped the facility couple of years back. This has greatly hampered production of film in Bangladesh. Due to lower number of films produced in Bangladesh, a number of cinema halls in the country were already forced to closure'. Mr. Akash suggested the government to immediately re-open credit facilities to Bangladeshi film producers.

Meanwhile, describing the current situation in country's audio industry, Amanur Rashid, Manager of Crown Music told Weekly Blitz that, owners of music companies are suffering tremendous loss for years due to piracy. He also said that, most of the music companies are greatly deceived and virtually cheated by ring tone and caller tone companies. He also said, popular sites like You Tube are allowing people in illegally uploading music videos of various Bangladeshi music companies, which also is greatly hampering business interest of the investors. He called upon the government to initiate drive against audio-vide pirates to save country's music industry from possible collapse. He suggested that, members of law enforcing agencies need to confiscate computers and copying equipment from various audio-video retailers' stores in the country.

3.4: "Worried of Video Piracy"

Just before the release of *Monpura*, Director Gias Uddin Selim has expressed his worries about video piracy. "I'm worried about video piracy. It was not that big problem during the caretaker government. But as soon as the political government has taken charge, they have become active. Even they have already asked me for bribe".¹¹

The movie has already faced the audio piracy through internet. Now, on the eve of its release on theaters it's facing an even greater threat of video piracy. The songs of *Monpura* have made a huge hype about the movie. Almost all of the songs have achieved popularity. So *Monpura* has to meet the hype to satisfy the audience. "I think, the movie will satisfy the audience. Watching the movie they will not be bored. They will love this movie and come in numbers in theaters"- Said Gias Uddin Selim with confidence. "I have made this movie for mass. There are directors who will work for awards from home and abroad. They make movie for a definite class. I don't want to be one of them. When I made this movie, awards were not my concern. And *Monpura* is a totally commercial movie. Those who have watched this movie also told me the same."- He added. There is a plan to release the movie with even bigger arrangement in future. But this was not possible due to piracy threat this time. He dreams of making another movie after this. "In 2010 I will make another movie. In the interval I will work on a TV serial."

3.5: Task force's recent drive against obscenity and piracy

The recent drive against obscenity and piracy, two major issues that Dhaliwood (the Dhaka-based film industry) has been grappling with, has raised hopes in the industry. Task force is striking the possible places in search of 'cut pieces' featuring vulgar and obscene scenes that are added to films and officials are arresting individuals involved with such activities.

Many renowned directors, actors and producers gave up working in Dhaliwood, as they could not compromise with the ongoing trend of vulgarity in the mainstream cinema. Even the audience, especially the middle class stopped going to the movie theatres. Film producers appreciate the current drive against obscenity but at the same time they also want bold steps taken against piracy of films, which is also included in the TOR of the task force. Nasiruddin Dilu, Ex-president of Bangladesh Film Producers and Distributors Association (FPDA) said, "Video piracy is one of the major causes of our loss. We want the task force to raid stores at places like the Stadium Market where pirated VCDs of films are sold." "FPDA has requested all the members to register under 'Intellectual Property Act'. And many have already registered. We want immediate actions against video piracy", said Dilu¹².

On involving the task force in this mission, Managing Director of FDC, ANM Badrul Anin said, "For the last few months I had several sessions with actors, directors and producers on the issue of burgeoning vulgarity in our mainstream movies. Moreover, I personally monitored the activities at FDC. But, the initiatives were not enough to control the issue, as certain people continued making 'cut pieces' at other studios and added those parts with the censored prints at Bari Studio. Which is why I put forward the suggestion to the government to form a task force to assist us in controlling vulgarity and piracy?" On the TOR (Terms of Regulations) of the task

¹¹ Gias Uddin Selim, , Personal interview (28 August 2009)

¹² Dilu, Nasiruddin ; Badrul Amin, ANM, Personal interview. (28 June 2007, 29 June 2007)

force, Badrul Amin informed, "The task force is supposed to destroy these 'cut pieces', arrest the people involved with this activity and also arrest individuals involved with video piracy."

All the renowned directors, actors, technicians and producers have highly appreciated the latest actions against vulgarity initiated by FDC. Many, who left mainstream movies as a protest against vulgarity, are gradually coming back to the industry. They are hopeful that the movie industry will see its better days again.

On this issue ANM Badrul Amin said, "The problem of taking actions against piracy is that many producers do not register under 'Intellectual Property Act', the legal basis of claiming the ownership of the property. Which is why, we can arrest the people involved with piracy but cannot always take proper actions."

4: Music Piracy in Bangladesh

Music industry in Bangladesh is the victim of piracy and illegal activities by dishonest people that is harmful for music industry. Pirated CDs, DVDs, cassettes are available all over the country but none is there to look after it or prevent it. Many of the people aren't even aware of piracy. "Piracy" generally refers to the illegal duplication and distribution of sound recordings. (Anti piracy 2002 website) There are four specific categories of music piracy:¹³

- Pirate recordings are the unauthorized duplication of only the sound of legitimate recordings, as opposed to all the packaging, i.e. the original art, label, title, sequencing, combination of titles etc. This includes mixed tapes and compilation CDs featuring one or more artists.
- Counterfeit recordings are unauthorized recordings of the prerecorded sound as well as the unauthorized duplication of original artwork, label, trademark and packaging.
- Bootleg recordings (or underground recordings) are the unauthorized recordings of live concerts, or musical broadcasts on radio or television.
- Online piracy is the unauthorized uploading of a copyrighted sound recording and making it available to the public, or downloading a sound recording from an Internet site, even if the recording isn't resold. Online piracy may now also include certain uses of "streaming" technologies from the Internet.¹⁴

4.1: Real pictures of music Piracy in Bangladesh

Soundtek, G-Series, Ektar etc Company who are pioneer of Bangladesh music industry sell their CDs at a price in between Tk.50 – 80. They cannot afford to sell them at higher price because if the price goes higher most of the people will not buy the CDs as it is easy to get pirated copies and their profit margin will be lower. As a result the artists do not get a high royalty price that they should get from the production house. It is un-inspirational for the artist and also the production houses. So when the production houses release an album, they assume a certain percentage of music will be pirated. It varies from 45% to 75% that is really high and a big threat for the industry. Even it is assumed that the rate of piracy in Bangladesh is the

¹³ The daily Star weekend Magazine (Volume 6, Issue 18, 11 May 2007)

¹⁴ 'Online Piracy' questia.com 29 Jul. 2003. 19 Jul. 2005

highest among all other countries in Asia. Here is a data table of piracy levels in Asia of the year 2004.¹⁵

Domestic Music Piracy Level in ASIA (units)

Over 50%	25 to 50%	10 to 25%	Less than 10%
Bangladesh	India	Hong Kong	Japan
China	Philippines	Singapore	
Indonesia	Taiwan	South Korea	
Malaysia	Thailand		
Pakistan			

Source: Internet: <<http://www.ifpi.org/site-content/antipiracy/pirac2002b.html>>

This means that more than 50% of all CDs and cassettes sold in Bangladesh are pirated copies.

4.2: Negative Impacts & Victims of Piracy

Piracy is sometimes and mistakenly called a 'victimless crime'. It is not. The economic losses due to piracy are enormous and are felt throughout the music value chain. The victims include the artists whose creativity gets no reward; governments who lose millions of tax revenues; economies that are deprived of new investment; consumers who get less diversity and less choice; and record producers who are forced to reduce their artist rosters because it is impossible to compete against theft. Many do not understand the significant negative impact of piracy on the music industry. Though it would appear that record companies are still making their money and that artists are still getting rich, these impressions are mere fallacies. Each sale by a pirate represents a lost legitimate sale; thereby depriving the record company of profits, but also the artist, producer, songwriter, publisher, retailer, and the list goes on. The consumer is the ultimate victim, as a pirated product is generally poorly manufactured and does not include the superior sound quality, artwork, and insert information included in legitimate product.

- Music pirates are the first to lose because the recording industry and law enforcement officials are cracking down around the world. Do the crime and you will pay the fine or do the time.
- Consumers also lose because the shortcut savings enjoyed by pirates drive up the costs of legitimate product for everyone. Plus, good luck returning a pirated tape or CD when the quality is inferior or the product is defective, as it often is.
- Honest retailers (who back up the products they sell) lose because they can't compete with the prices offered by illegal vendors. Less business means fewer jobs, jobs often filled by young adults.
 - Record companies lose. Eighty-five percent of recordings released don't even generate enough revenue to cover their costs. Record companies depend heavily on the profitable fifteen percent of recordings to subsidize the less profitable types of music, to cover the costs of developing new artists, and to keep their businesses operational. The

¹⁵ <http://www.amarneed.com/2010/05/02/music-piracy-in-bangladesh/> ((Accede on 11 October 2010))

thieves often don't focus on the eighty-five percent; they go straight to the top and steal the gold.

- Finally, and perhaps most importantly, the creative artists lose. Musicians, singers, songwriters and producers don't get the royalties and fees they've earned. Virtually all artists (95%) depend on these fees to make a living. The artists also depend on their reputations, which are damaged by the inferior quality of pirated copies sold to the public.

4.3: Reason for buying pirated album

In the market the pirated CDs/DVDs/Cassettes are sold at a lot cheaper price than the original ones. Not only are this as the original albums not that much available in the market the pirated albums are dominating the industry. So, cheaper price and market availability of original albums will increase the number of people buying original albums. The main reasons behind high rate of using of pirated music are: A lot cheaper price than the original ones and Original music is not that much available.

People in Bangladesh are not really bothered about the venom – piracy that has scattered all over Bangladesh. From one of the survey it comes to know that almost 43% people think that the loss that is being faced by the industry is neither their business nor their headache. Though this is really selfish act but the main reason for this is public unawareness about the hazardous sectors of music piracy.

4.4: The industry facing problem

Piracy is sometimes and mistakenly called a 'victimless crime'. But it is not. The record companies but also the artists, producers, songwriters, publishers, retailers are facing low generation of profit and that means they are all suffering, as they are victim of music piracy.

It is obvious that pirated music is widely spread in our country and as a result not only production houses but also the artists, producers, songwriters, publishers, retailers are facing losses. Government also loses because the government due to this piracy misses a good amount of tax. In contrast, more surprisingly, the government has no enforcement of law against such criminals. They never eyed to such serious problem that is harmful for the music industry.¹⁶

Public opinion shows that they do not want that music piracy should be stopped in a third world country like Bangladesh because it is a lot cheaper as they don't really care about the quality and the losses the companies or artists are facing. But if a person likes an artist he or she should not copy that music and that's what I liked what Sumon of Aurthohin said about music piracy "Basically, it's about music — if you didn't create it, why should you exploit it? True fans don't rip off their artists."¹⁷

5: The piracy levels in Bangladesh

Piracy levels are extremely high in Bangladesh. Bangladesh should be placed on the Watch List. The piracy rate in Bangladesh for Sound recordings are close to 100%, due in large part to a lack of enforcement of Bangladesh's Copyright Act.¹⁸ In addition, two optical disc manufacturing plants are operational and further plants are

¹⁶ The daily Star, 16 November. 2007

¹⁷ Monopoly in piracy" mp3newswire.net 14 Mar. 2004. 17 Jul. 2005

¹⁸ The daily Star, 16 November 2007

likely to be opened, which could produce optical discs for the pirate market. There are also numerous CD-R duplication units operating in Dhaka. Bangladesh has not appeared on the Special 301 list. Bangladesh remains a cassette-dominated market. The market size is estimated at two million units of music cassettes per month and 0.7 million audio CDs per month. CD penetration for all formats is expected to increase significantly over the next two to three years, partly due to smuggling of CD players from Taiwan and China. In the recent years, the Government of Bangladesh should take several steps to address piracy:

- Crack down on pirate production facilities (especially pirate optical disc plants and CD-R duplication units) and pirate retail outlets through sustained raids by enforcement authorities (including surprise inspections), followed up by swift police investigations, efficient handling by prosecutors, imposition of deterrent penalties and destruction of all infringing articles as well as materials and implements used in the pirate activities.
- Enhance border enforcement, especially including seizures of imports and exports of pirated audio CDs, CD-ROMs and cassettes, and the tracking of machinery and parts (including masters and stumbers) used to produce such pirated goods, including optical disc production equipment.
- Promptly pass and implement an optical disc law to regulate optical disc production, production equipment, raw materials and facilities.
- Promptly accede to and implement the WIPO Copyright Treaty (WCT) and the WIPO Performances and Phonograms Treaty (WPPT) and update the Copyright Act.

5.1: Copyright Piracy in Bangladesh

Piracy levels are extremely high in Bangladesh. The recording industry reported that the piracy rate for music cassettes, still the dominant format, totaled 96% for all types of repertoire. Repertoire sold on cassettes is 80% Indian (Hindi), 16% Bangladeshi and 4% international. The annual retail turnover for both legitimate and pirate product is 160 million BDT (Bangladeshi taka) (US\$2.76 million). The retail price for local cassette albums is 35 BDT (US\$0.60). Because the Motion Picture Association does not have an anti-piracy operation in Bangladesh and would not be in a position to support Custom's actions against piratical import or export of pirated DVDs or VCDs, MPA is not requesting the Bangladesh Customs authorities to focus on intercepting optical disc products containing American filmed entertainment at this time.¹⁹

5.2: Copyright enforcement in Bangladesh

There is little or no enforcement of Bangladesh's recently amended Copyright Act. Bangladesh should step up its efforts to crack down on pirate production facilities (especially optical disc plants and CD-R duplication units) and pirate retail outlets. The government should organize sustained raids by enforcement authorities (including surprise inspections), followed up by swift police investigations, efficient handling by prosecutors, imposition of deterrent penalties and destruction of all infringing articles as well as materials and implements used in the pirate activities.

¹⁹ <http://www.amarneed.com/2005/02/music-piracy-in-bangladesh/> (Accessed on 20 October 2010).

Another important initiative should be the enhancement of border enforcement, including seizures of imports and exports of pirated audio CDs, CD-ROMs and cassettes, and the tracking of machinery and parts (including masters and stumbers) used to produce such pirated goods, including optical disc production equipment.

5.3: Copyright Law and related issues

The Copyright Act of Bangladesh went into effect in July 2000. Bangladesh should take the opportunity to update the Copyright Act in order to combat piracy and pave the way for intellectual property industries to develop, invest and create jobs. In addition to the rights granted in the Copyright Act, Bangladesh should accede to the WIPO (World Intellectual Property Organization) Performances and Phonograms Treaty (WPPT) as well as to the WIPO Copyright Treaty (WCT) and should update the Copyright Act to comply with the treaties. Accession and implementation of these two treaties ensures that the legal framework in Bangladesh offers an adequate basis to fight international piracy, ensures the protection of Bangladeshi right holders in foreign territories, and supports the development of electronic commerce in the region. In this context it is essential that Bangladesh grant producers of sound recordings exclusive rights for the communication to the public, public performance and digital transmission of their works.²⁰

An adequately broad right of communication to the public ensures that right holders enjoy adequate protection for all commercially significant uses of their works, including the making available of works so that individual members of the public are able to access them from a place and at a time of their liking. The granting of such a right guarantees right holders protection in new forms of communication, such as digital media. The public performance right is also very important for the protection of all categories of works. Bangladesh should revise its reproduction right for works as well as for neighboring rights, including for record producers, to include express protection of reproductions, whether temporary and permanent, partial and whole, or direct or indirect. The reproduction right continues to be a pivotal economic right in the new digital environment. A sufficiently broad reproduction right is essential on the one hand to enable right holders to devise and implement new licensing models and on the other to fight all forms of piracy.

The Copyright Act should be amended to provide adequate protection for all right holders against the circumvention of technological protection measures (TPMs), including access and copy controls, used by right holders to protect their works against unauthorized uses, as well as adequate protection against the manufacture and trafficking of devices and offering of services/information that enable the circumvention of such technological measures. The Bangladesh government should also add provisions prohibiting the illegal removal and altering of rights management information and the trafficking of copies that contain tampered with information. Such amendments would deal with key WIPO treaties requirements. The exceptions and limitations to exclusive rights in the current Copyright Act are very broadly formulated and should be amended in order to avoid prejudice to right holders' legitimate interests, which would be inconsistent with Article 13 of TRIPS (which

²⁰ WIPO (World Intellectual Property Organization)

<http://www.wipo.int/portal/index.html.en> (Acceded on 30 October 2010)

requires that exceptions and limitations to exclusive rights comply with the well-established "three-step test").

It is important that exceptions, such as the exemption for private copying, are sufficiently narrow so that broad unauthorized uses are not unintentionally permitted. TRIPS also requires civil and criminal sanctions that constitute a deterrent to further infringements as well as provide for adequate compensation to right holders for injury suffered due to infringement. Bangladesh could achieve this objective by offering injured right holders the opportunity to select pre-established (i.e., statutory) damages, and by substantially increasing the minimum and maximum fines and sentences for criminal offenses.

6: Punishment and remedies for piracy

Copyright infringement issue has raised an alarm in today's world. When a person intentionally or unintentionally copies or uses the work of another creator, without his prior consent/permission, or any contract or license or assignment with the author as covered by the copyright law, it amounts to infringement. However, where the work of a creator is being used for private non-commercial purpose, criticism or review, or for educational purposes, it is not considered as an infringement.

It is generally seen that the owner of the copyright often uses a statement with the © symbol, the name of the copyright owner and the year of publication on the work itself. Although this is not essential, it will let others know when the term of protection started and hence whether it is still covered by copyright, and indicate who to approach should they need to ask permission to use the work. This also serves as a hindrance to those who purposely try and take a defense that the infringer was not aware of the fact that the work is copyrighted.

6.1: Civil Remedy

In case of any civil suits regarding copyright infringement, the concerned District Court has the exclusive jurisdiction. The owner of the Copyrighted work shall be entitled to all such civil remedies available by way of injunction, damages, and accounts and otherwise as are or may be conferred by law for the infringement of a right, including but not limited to the recovery of possession of the infringed work, confiscate the items, recover any profits that have been earned.

6.2: Criminal Remedy

The punishment for infringement of copyright, as laid down the Copyright Act, 2000, is imprisonment for six months but which may extend to three years and with fine which shall not be less than TK. 60,000 but which may extend to TK. 2, 50,000. The punishment, in case of a second and subsequent conviction shall not be less than one year but which may extend to three years and with fine which shall not be less than TK 1,50,000 but which may extend to TK. 2,50,000.²¹ Seeing the foul side of the Copyright infringement, it is advisable that any person who wishes or intends to make use of any copyrighted work should do so either by taking prior written permission or through an explicit contract or license with the author or publisher and thus avoid infringement claims.

²¹ Narayan, P, "Law of Intellectual property", pp. 15-152

6.3: High Court orders govt. to prevent piracy

According to the report of *bdnews24.com* (Monday, May 24th, 2010), the High Court asked the government to explain why apt measures would not be taken to prevent piracy in line with the copyright law.

The trade, finance, culture, industry, science and ICT, and information secretaries, the police and Rapid Action Battalion chiefs, and the chairman and registrar of the copyright board have been asked to answer the rule nisi within the next three weeks. The bench of AHM Shamsuddin Chowdhury and Md Delwar Hossain issued the orders on Monday (May 24th, 2010) upon a writ petition filed by Gazi Majharul Anwar, president of the Bangladesh Film Producers and Distributors Association and Mohammed Shahed Ali, general secretary of the Music industries Owners' Association. The court also ordered the government to submit reports every other month on measures taken to stop piracy. Deputy attorney general Nazrul Islam Talukder represented the state while Mehedi Hasan Chowdhury stood for the petitioners.²²

7: Conclusion

It is known to every conscious person in Bangladesh that the Bangladeshi audio and film industry is greatly suffering from increasing the trend of piracy of both audio and video products and there is no doubt here. As the piracy levels are extremely high in Bangladesh and if these conditions continue, then these will be cause of huge loss to film and audio industry in Bangladesh. Although there is law or Act (Copyright Act, 2000) as well as there is an order of the High Court against piracy in Bangladesh but it is true that there is little or sometime there is no enforcement of that law or of that Act. As a result for call to stop music video, audio album and cinema piracy in Bangladesh, the proper enforcement of law is very much necessary. Beside this, every people have to be aware about the negative impacts of music video, audio album and cinema piracy and they also should be free from all types of piracy. If these are possible, then only it will be possible to stop music video, audio album and cinema piracy in Bangladesh.

²² www.bdnews24.com (24 May 2010)

REVISIT TO R. K. MUKHERJEE'S FIELD SITE: AN ANTHROPOLOGICAL STUDY OF SOCIO- CULTURAL CHANGE

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Md. Aminul Islam**

Abstract: This paper has its ethnographic base in one village of Fapor Union under Bogra District in the northern part of Bangladesh. A renowned Indian Anthropologist R.K Mukherjee previously studied the village during 1942-1945. The village, under study, Silimpur, has features of development in terms of available government institutions, facilities and literacy of the people. The researchers have conducted an intensive field work by living in the village about 6 months from October 2008 to February 2009. This study examines the changing development pattern in rural Bangladesh by particularly examining the changing patterns of traditional life.

1. Introduction: Culture, the distinctive feature of human being, always changes in the context of time, place, society, environment etc. Due to change of culture human's behavior, pattern of thinking, way of life, custom as well as social institutions are also changed. Under such a situation, Sociologist and Anthropologist have conducted researches on culture and its change. But there are a few studies on cultural change in village levels especially in northern part of Bangladesh. R. K. Mukherjee¹ is the first Indian anthropologist who conducted his fieldwork in the northern part of Bangladesh. In order to sketch the features of traditional village life e.g. economic activities as well as the interrelationships among various social institutions, he devoted his project. The researchers tried to see the same things like Mukherjee but in present context. They marked a substantial change between the findings of Mukherjee and the present study. In this study the researchers have took the findings of Mukherjee as the base and they tried to make a comparison with the findings of their own.

2. Objective of the Study: The main objective of this study is to revisit the one field site of R.K Mukherjee for examining the changing pattern in rural Bangladesh particularly by examining the traditional life. The specific objectives of this research are conceived as follows:

1. To examine the changing pattern of traditional village life,
2. To identify and compare the demographic and socio-cultural condition of the village and
3. To relate the present research findings to the general theoretical findings and problems in the field of cultural change.

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3. Methodology

a) Methods and Techniques: The researchers have applied both the qualitative and quantitative methods and techniques to conduct the research. The study was planned on two levels, first, the researcher wanted to broad survey of all the families of the village obtain data for each family on such items as data of and reason for living the village size of family, kinship, composition of households, the general levels of living, the religious life and life cycle. For the most of those items the researchers have full data on the village of *silimpur*, these data could therefore be used as a baseline from which to analyze the nature and direction of change. Second, the researchers planned to do intensive studies of a few selected families representatives of the different length of residence in the village and of different socio-economic levels. Other variables that might become significant in the course of the study were also to be taken into consideration. Purposive sampling was used for this study. The primary data have collected from the village through survey methods. The study was conducted on the basis of primary data through triangulation of participant observation, key informant interview, in-depth interview techniques. Secondary data were used in few cases. The researcher also used some techniques to gather data in relation to situation, such as, use of notebook, using of camera and daily dairy writing. At the time of survey code and number have been used for each household which was very helpful for data processing. Data have been processed through statistical method. The researchers have also used MS excel and others supported software's. The analysis of data and information has been prepared through table, chart and diagram.

b) Study Area: The research village named *silimpur* is located at Fapour Union of Bogra Sadar Upazilla in Bogra District .It area is 382 acres. The area is 4 kilometers away from the district headquarters. Its growth is obviously due to its proximity to the main town of Bogra district. The influence of urbanization on the village is so acute. To sketch the real picture of socio-cultural change the single village *silimpur* was selected. On the other hand, the researchers were very much familiar with the socio-cultural milieu of the village, which helped them to construct an understandable scenario of socio-cultural change of the village.

4. Demographic Features: As the current population census 2001ⁱⁱ, the total population of Bogra Sadar Upazila is about 694077. Among them about 3422 people live in *silimpur* in 755 households. There is too much pressure on land in the village. The total population of *silimpur* is about 3422; the sexual distribution of the population is given below:

Table-1: Sexual Distribution of the Population of Silimpur

Sex	N	%
Male	1720	50.27
Female	1702	49.74

Source: Field Survey-2009

The table provides that among 3422 peoples 50.27 % are male where 49.74 % are female. When the researchers have tried to see the age grouping of 100 households of the village, they have found that most of the population of the households are adult. Such as

Table-2: Age Grouping of the Population of 100 Households of Silimpur

Age Group	Age	Sex		Total	Age Group Total	%
		M	F			
Child	0-4	26	20	46	159	31.12
	5-9	29	27	66		
	10-14	29	18	47		
Middle Adult	15-19	30	15	45	45	8.81
Adult	20-44	132	92	224	286	55.96
	45-49	17	14	31		
	50-59	19	12	31		
Aged	60+			21	21	4.11
Grand Total					511	100

Source: Field Survey-2009

In the study village the people were in 4 age grouping levels. The age groupings are child, middle adult, adult and aged. From 0-14 peoples are considered as child and 15-19 year as middle adult and whose age are 60 and above are considered as aged. According to this consideration the number of child are 159 (31.12%), adult are 286 (55.96%) and aged are 21(4.11%). This data implies that, most of the populations of the village are adult and the villagers are very much aware about population control.

5. Land Ownership Pattern: Land ownership is an important socio-economic indicator. In the study, the researchers categorized the landowners into five categories.

Landless: Who do not occupy any cultivable land and found that among 100 households 14 households (14.74%) belonging this groups.

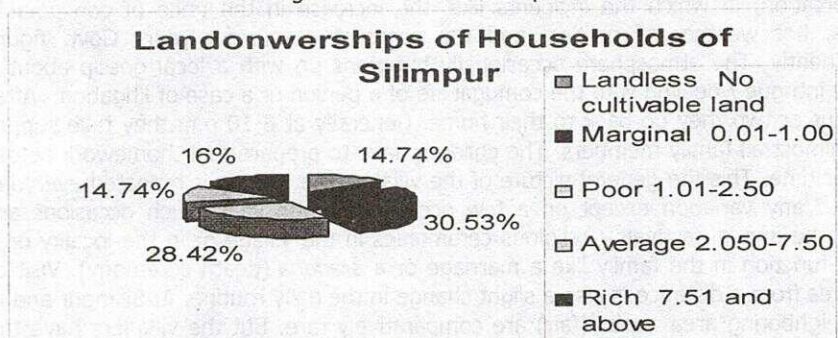
Marginal: The households occupy 0.01-1.00 acre have treated as marginal land owners. In the study village 30.53% (29) households are such categories.

Poor: The poor landowners occupy 1.01-2.50 acre and in the study village 28.42% households are poor landowners.

Average: The households that hold 2.51-7.50 acre is average landowner. In the study village 14.74% households are poor landowners.

Rich: Rich landowners occupy 7.51 and /or above land. This land must be cultivable land. In the study village only 16% households are rich landowners

Figure-1: Land Ownership Pattern



Source: Field Survey-2009

The data of the above tables implies that most of the land of the village belongs to average and rich landowners, though marginal and poor landowner household's

percentage is higher than average and rich landowners. Available data and information support that, 4 large *gosthi* of the village occupy most of the cultivable land. But cultivable land is turned into residential land with the growth of urbanization.

6. Kinship: Basically 4 dominated *gosthi* people live in this village, which makes them to maintain solidarity within and without the *gosthi* members. As all of the villagers are Muslims, Muslim caste system has an impact on *gosthi* status. The peoples of the Muslim *gosti* are most dominant in the village.

7. Daily Life: The connection of the village with the public administration and facilities is mainly through the local union board, the police station and the district board. But now the function of union board is not visible as earlier period. The union board is also supposed to look after the village. The village in return to pay a tax to the union board every year. The other organizations mostly concerned with the facilities in the district headquarters. As the village is located at so close to the Bogra district headquarters is responsible for the maintenance of roads, bridges etc. It also empowered to under take relief measure in case famine, and carryout any other local work likely to promote health, comfort or convenient of the people of the district at Silimpur, however, the people were so closed with modern's life. Many of the villagers have been to abroad and other parts of the country. Almost all of them have been to the cinema halls in the town for now and then. About 90 % people of this village regularly read newspapers and in general, the people were found to be more informed about the outer world. The village people were found to have simple ways of living life starts in every morning in the village. The people get up one / two hours before sunrises, after the morning toilet the men, women and children have a light meal, after the morning meal the men go to work and the women begin their duly round household's duties. The children go to school with their respected friends. At midday the men return for their meal. The men and women eating together and children take their first meal after returning from educational institutions. A short siesta for an hour / two after meal is very common aspects for the villagers, especially for agriculturalists in the busiest sessions of the year. After the siesta the work resumed until light fads out at dusk. In the evening the men sit in their houses on in an open courtyard where friends and relatives from neighboring houses also gather. Talk about their past, present, and future life is the main theme of the conversation; in which the incidents like, the increase in the price of consumable goods, hot weather of politics, and the prospect of current years Govt. figure prominently. The atmosphere occasionally brightens up with a local gossip about a family intrigue / dealing with the conjugal life of a person or a case of litigation. After an hour or two they go back to their home. Generally at 8-10 p.m they take supper with almost all family members. The children have to prepare their homework before supper time. This the general picture of the village. The routine is repeated everyday without any variation except on a few occasions in the year. Such occasions are either the annual festivals / religious ceremonies in the village or in the locality or a social function in the family like a marriage or a *sraddha* (death ceremony). Visit of relatives from a distance is also a slight change in the daily routine. At Silimpur and in the neighboring area *melas* (fair) are comparatively rare. But the villagers have the opportunity to visit town for leisure activities. They may visit one of the 7 cinema halls in the towns or see some friends or visit various diverse places like *Karupalli*, Palace Museum, Bogra Puraudan, Wonderland and Mahasthangar etc. During the

period of crickets and football game the villagers also enjoyed it at the Shohid Cahndou Stadium. They also sit in a shop in the bazar and chat for a while. As regards food and boiled rice is the staple diet of the people. Next to rice potato and vegetables are the most important food-items, of which potato is consumed all the year round. The main vegetables are onions and garlic through the year, brinjal, tomato, kidney bean (*Seem*) and *karola* (*Memodica charatica*) in winters and spring (that is, from October to March). The villagers frequently eat the seasonal vegetables. At Silimpur the above vegetables are not grown sufficiently and an appreciable quantity is, therefore, bought from the market by house who can afford it. The diets of the village families are simple. It depends on their income. An idea of nature of meals in the villages will obtain from the preparations that average villagers would generally consume everyday. The villagers live in bricks home built by experts. There were some mud huts built by them. The dwelling compounds have a courtyard in front of the living rooms and courtyard within, and a kitchen garden by the side or at the back. Within the compound there have a room with one or more bedrooms, a kitchen, a sitting rooms, a lumbers room, and a cattle shed. But many huts do not have the outer or the inner country and or a compound at all and the kitchen, in poor households there were not be any sitting room and only one bed roomⁱⁱⁱ The most of the houses of Silimpur was well furnished. The sanitation of the village mainly depends on the water supply and the methods of disposal of refuse and drainage. The source of water supply is the tube-wells. Now, at Silimpur there is no problem of water supply at all. There was one tube-well in every household. Every household was found to have well –latrines which regularly used by peoples of all ages. Silimpur was found to be as clean as the Bogra town, because, the villagers were greatly responsible for their health.

8. Marriage: During the fieldwork, the researchers concentrated their attention on reconstructing the traditional social structure, which made them less sensitive to the factors making for change. As regards the marital status of villagers early marriage is totally prohibited. Very few people remain bachelors until their establishment and women to remain a spinster natural phenomenon^{iv}. Among the villagers there are three main features in the traditional form of marriage. These features are as follows i) the bridegroom's party initiates the proposal of marriage. ii) The marriage usually takes places at the bride's home. iii) Marriage is arranged by the parents, others relatives, friends /acquaintances of parties to be united. Today in the village a young man, even of a lower class family selects his won wife and himself makes request of the girl's father for permission to marry her. It is remembered, however, that the boy's father and mother used to make this formal request. The researchers found that, one marriage were in fact parentally arranged and controlled, the girl having nothing to say in the matter and the boy very little. Widows and widowers were also not found during the fieldwork, because of common practice of marriage. Man can remarry as Muslims customs. Polygamy marriage, though allowed by the religion, is seldom practice in these days.

9. Family: A villager's interaction in the community involves various social institutions, all or most of which are based primarily on kinship. The basic kinship units are the family of procreations, poribars, agnatically related continuous households. *Poribar* is the basic unit of social organization and it is the generic term for 'family' in Bangladesh. However, the term '*Poribar*' is used polysemically in Silimpur. Such as depending upon the context, it refers to one's wife (ves) or the

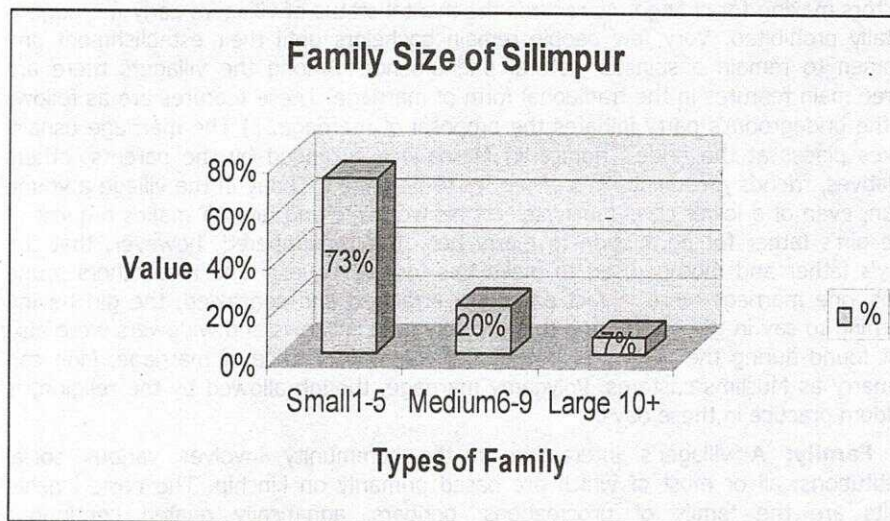
aggregation of family. Most of the village people live in nuclear family, but in tradition it is claimed that the people of the rural area of Bangladesh live in joint family. In this study, it has seen that most of the family is nuclear family and those who are belonging to joint family, have increased tendency to nuclear family. Family pattern of the study village is given below:

a) Nuclear Family: A nuclear family consists of a husband and a wife with or without children. It may also be a family of a widowed living together with her unmarried sons and the daughter. In some cases, one or more individuals may reside with them. They usually live one house and always have a common hearth. Nuclear families become extended through the addition of daughters-in-law and their children, and others lineal or collaterals.

b) Extended Family: The extended family is a group of nuclear families and related individuals from several generations who reside together in the same households, but their *chulas* (hearths) are separate. In this type of family, the constituting household units do not own land and property commonly. On the other hand, their land and property are held separately, although they live in the same *bari*. Each independent unit of the extended family is particularly free from the control of the other units. Major decisions are, however, taken, in consultation with the senior members of other units.

c) Joint Family: In joint families, the kin of three or more generations live under one roof and share all land and property. Such a family normally consists of brothers, their parents, unmarried sisters, wives and children. All the males' hearth is a co-owner of the land and property. They cook at a common hearth, store grain in a common granary and so on. The head of the joint family is the eldest male member or some others responsible male member of the family.

Figure-2: Types of Family

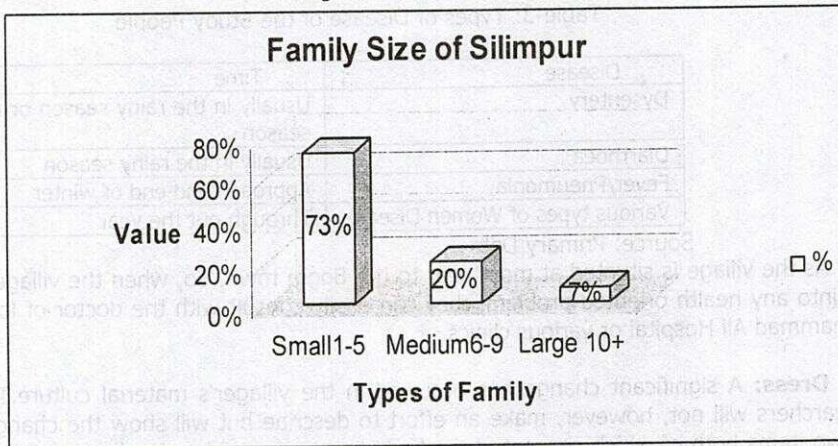


Source: Field Survey-2009

Among 100 households 73% are nuclear family, 20 % extended family and 7 % are joint family. Family size has an impact on family patterns. Most of the small size

member of the family belongs to nuclear patterns, where in the extended and joint family member of the households are large. The family sizes of the village are shown in the below chart:

Figure-3: Size of Family



Source: Field Survey-2009

Among 100 family 73 % are small, whose members is between 1-5 persons, 20 % medium size family and only 7% family are large size family. The above two figures show that, most of the people live in small size nuclear family in the study village and the large size joint family becomes decreased. The below causes for the tendency to keep the small family members and breaking of joint family, such as

a) Educational status has been increased, that makes awareness about the bad effect of high population. It also influences them to control childbirth and makes small size family.

b) Impact of urbanization and high levels of occupational specialization greatly influence the family size.

c) Economic hardship and external dependence bound them to keep the family within small numbers.

In the study village, it has seen that, those people who live in joint family are normally large landowners. Their family is also large 10+. The members of joint family engaged in different kinds of occupation. They live in common household and they have also common property ownerships.

10. Health: In Silimpur most of the people were seen to have a healthy figure or were of a sturdy body. During the fieldwork, the researchers have observed that, the villagers who became ill and who are not helped by the self-treatment make choice about whom to consult in the popular sectors, folk or professional sectors for further help. The choice are influenced by the context in which they are made, which includes – The types of helper actually available, whether payment for their services has to be made, whether the patient / villagers can afford to pay for these service and explanatory model that the villagers / patient uses in explaining their ill health^y. In Silimpur, when people suffer from physical discomfort /emotional distress, they have a number of ways of helping themselves, or of seeking help from other people.

It is a matter of great joy for the villagers that, a 500 seated medical college is build up in the southern side of the village. Table – 3 below shows the types of diseases of the study people.

Table-3: Types of Disease of the Study People

Disease	Time
Dysentery	Usually in the rainy season or any season
Diarrhoea	Usually in the rainy season
Fever/Pneumonia	Approach and end of winter
Various types of Women Disease	Through out the year

Source: Primary Data

As the village is situated at most near to the Bogra town. So, when the villagers' fall into any health oriented problem, they can easily consult with the doctor of local Mohammad Ali Hospital or various clinics.

11. Dress: A significant change has occurred in the villager's material culture. The researchers will not, however, make an effort to describe but will show the changes in two items both of which concerned the body and were visible, viz dress and hair-style. Now the most of the villager wear collar adds shirts with 'proper' sleeves with buttons and buttonholes. Both the young and old wear modern shirt and pant undoubtedly. They also wear long full-sleeved shirts. A thin towel was invariable draped over left shoulder. Most of them also wore thin factory made, effeminate sandals. In comparison to men dress, women's dresses have gone very slight change that was true of Bangladesh as a whole. The sari and blouse continued to the standard dress of village women. Now many women wore '*saloar*' and '*Kamij*' like younger girl. They also wear half-sleeved and wide modern blouses for weddings and festivals.

12. Education: Education is one of the important indicators of socio-economic status. The educational status of household head is as below:

Table-4: Educational Status of the Study Households of Silimpur

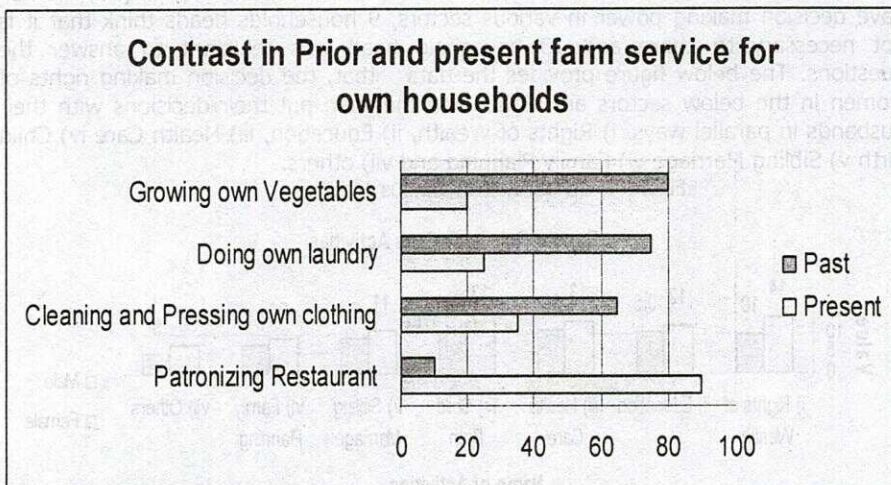
Educational Status	n				N	%
	Male	%	Female	%		
Illiterate	01	1.06	-	-	3	3
Read Only	-	-	-	-	-	-
Signature only	-	-	-	-	-	-
Read and Write	6	6.32	-	-	09	09
Primary (1-5)	13	13.68	-	-	13	13
Secondary(6-10)	16	16.48	-	-	16	16
S.S.C	27	28.42	-	-	27	27
H.S.C	26	27.37	4	80	26	26
Graduate	3	3.15	1	20	3	3
Post Graduate	3	3.15	-	-	3	3
Grand Total	95	95.00	5	100	100	100

Source: Field Survey-2009

The table implies that a few households' head is illiterate 3 %, among 100 households. Among the literate, the majority level, belong to S.S.C and/or H.S.C 28.42% and 27.37% heads of the households. So, we can say that most of the people of the studied village are educated. Today, though there are no schools in the village but most of the villagers are educated. Because the learned person of the village made it point to send their sons and daughters to various schools and college at Bogra town.

13. Economic Condition: The increasing heterogeneity is not merely a function of the size of the villagers. By this the researchers mean that, the mental world of one individual is much like that of any other, or to put the same thing, in other words, objects and acts have much the same meaning to everyone. Correspondingly, the division of labor becomes more complex, in the village, some men were agriculturists and to supply himself what he need, now it is increasingly constituted of interdependent specialists. The researchers have observed that, the proportion of secular specialist increases, their function are discharged as a matters of livelihood, and their fees, instead of being nominal or traditional, are dependent upon the fluctuations of free economic competitions. Communal labor, which is powerful instrument in maintaining the solidarity of the *samaj* members, breaks down with the introduction of money substitute, for personal labor. Lending of money, at first without interest, becomes subject to exorbitant interest rates, lands comes sale and then as security for debt and later banking begins. The production and distribution of economic goods gradually has been taken away from the family by specialized enterprises. Now the family produces little for its own consumptions. Framers, fishermen, miner and other extractors supply raw materials to village dwellers. Factories convert many of these raw materials into more consumable form, and stores distribute consumer goods to the villagers.

Figure-4: Contrast in prior and present farm services



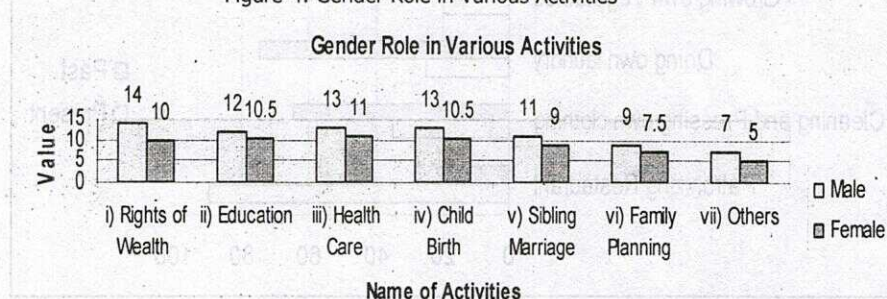
Source: Field Survey-2009.

14. Political Situation: There are two clear power domains in the study village. One is the *samaj* (an indigenous social organization) whose leaders may be designated traditional leaders. The other domain encompasses local govt. organization e.g. i) Union Parishad, ii) Community Policing iii) SMSS (Silimpur Manob Sheba Sonshta) and other local formal organizations. The leaders who run the UP, CP, and SMSS are called the formal leaders.

15. Technology: The researchers have seen a remarkable technological change in Silimpur. The most of the villagers are preferred modern life. But most remarkable change taken place in terms of electricity, during the visit of Mukherjee electricity was not introduced. And it was just like nightmare for the inhabitants of Silimpur that they can get electricity. But the researchers have observed that, every house has come under the coverage of PDB and Polli Biddut Samity and they have started to enjoy the fruits of modern electricity. For example, in Silimpur almost every family has got T.V, CD player, and freeze etc. But it should be mentioned here that Polli Biddut is primarily used especially for irrigation. Among the three or four village surrounding Silimpur, the researchers have seen one 'Rice Mill' and another one is 'Cotton Mill'. There goes a *vissay road* through the Silimpur that plays an important role in terms of communications. Another change that has taken place in Silimpur is standard of living, Gas pipes are being set up through Silimpur, a mobile tower has constructed. Besides these a medical college and nursing college has started their activities. In Silimpur the researchers have noticed a fuel station. There is a head office of Polli Biddut Somitiy in Silimpur. There are also a Soil Research Institute and Gas Transmission Company in Silimpur. So, in fine it can be said that, a significant change has taken place in Silimpur in terms of technological change.

16. Status of Women: Economic, political and social statuses of women in rural Bangladesh are lower than male. But this study provides information that the status of women has been increased. In this area women also work in public sphere like bank, school, NGO and GO. Women's status of the village is high, because most of the heads of the households share decisions with their wives. Among 100 households 78 households heads share decision with their wives, that's 88.11% (78) women have decision making power in various sectors, 9 households heads think that it is not necessary to share and 13 household head was reluctant to answer the questions. The below figure provides the data that, the decision making rights of women in the below sectors are higher and they can put their decisions with their husbands in parallel ways. i) Rights of Wealth, ii) Education, iii) Health Care iv) Child Birth v) Sibling Marriage vi) Family Planning and vii) others.

Figure-4: Gender Role in Various Activities



According to this figure we can say that the women role in the above sphere is really remarkable in Silimpur.

17. Cultural Materialism and Study Findings: Cultural materialism focus on the material side of life (technology, economics and physical environment) seeking to explain social organizational and behavioral differences among human societies.^{vi} The research finding also deals with the same issues of cultural materialism. With the passage of time all the social institutions of this village like- family, marriage, education, economy, health, politics, have changed drastically by the influenced of urbanization. Because, urbanization is not simple, unitary and universally similar process but it assumes different forms and meanings, depending upon the prevailing historic, economic and socio-cultural conditions. The present study took these conditions into consideration concerning socio-cultural change.

18. Conclusion: This study has described the changing pattern of village life of rural Bangladesh. Asserting two advantages, which in here the mode of defining a study of cultural change, which has been developed in the consideration of the study materials, can therefore summarize the trend of this paper. In the first place, the simultaneous study of village enjoying the same fundamental culture but exposed in different degrees to outside influences allows the study of cultural change directly - the data are under immediate observation - and without the necessity of waiting until the laps of time has brought about marked changes in *Silimpur*. In the second place, the change observed can be compared with other, so as to lead the study into scientific generations. A review of the specific changes, which the researchers have mentioned for Silimpur, will indicate direction to be taken by this generalizing terminology. During the period of Mukherjee the village was a relatively immobile society, culturally homogeneous in which the ways of life form a single web of inter related meanings. This culture is closely adjusted to its local milieu. Relationships are personal and the important institutional controls are familial. The sanctions which control conducts are prevailingly sacred and custom has the force of moral rule. On the other hand, with the passage of time, urbanization led the village towards a contesting type society. This is much more mobile and culturally heterogeneous. The ways of life are less closely interrelated; group habits exist more in terms of it and do not to the same degree evoke a body of closely associated and defamatory acts and meanings. This ways of life rest upon, but are not of their natural environment. Relationships are increasingly in personals and formal institutions qualify the acts of the individuals. Considering the importance as an instrument of control the familial organization is much reduced. Life is a few secularized, economic advantage and valuation have penetrated the social body and the individual acts from constraints or convenience rather than from deep moral conviction. Religious beliefs and actions are much reduced; the individual can no longer express himself in the comfortable grooves of sacred ritual.^{vii}

From the above descriptions, it may conclude that, this study has both academic and policy related implications. As the study has dealt with the changing social structure in the village and the mechanism by which these changes have come about, so it will provide a basis for developing a general theory of the processes of social change in rural Bangladesh.

End note

¹ Ramkrishna –Mukherjee is the renowned Indian anthropologist who devoted his field work in the northern part of Bangladesh to sketch the feature of traditional village life e.g. economic activities and the interrelationships among various social institutions. His findings was written in 1946 . In 1958 it was published as "paper" in the journal of Asiatic Society of Bengal . The name of his book is *Six Villages of Bengal*, (1971). He is renowned for the below contributions – i) *The Sociologist and Social Change in India Today (1935)* ii) *A note on village as unit or variables for studies of rural society (1961)* and iii) *The Dynamics of Rural Society (1957)*.

² *Bangladesh Population Census-2001*, Bangladesh Bureau of Statistics , Planning Division , Ministry of Planning , Government of Peoples Republic of Bangladesh , Dhaka , 2004 , P-22 and 98 .

³ Mukherjee, Ramkrishna, *Six Villages of Bengal*, Popular Prakasan, 35 c Tardeo Road, Popular Press (BOM.) P.Ltd, Bombay, 1971, pp-20-31.

⁴ Mukherjee, p.7.

⁵ C.G, Helman . *Culture, Health and Illness*. Butterworth-Heinemann Ltd, Linare House, Jordan Hill , Oxford , OX28 D , 1990, p-84 .

⁶ www.ltcconline.net/lukas/pages/theories.htm, Access on 06.11.10 (13:17)

⁷ Redfield, Margaret Park, *Human Nature and the Study of Society: The papers of Robert Redfield*, Vol. 1 , Chicagc: The University of Chicago Press, 1962

CHILDREN WITH DISABILITIES IN BANGLADESH: RIGHTS AND REALITIES

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Abstract — There are about 3.4 million disable children living in Bangladesh. Although disable children merely maintain a normal life in developed countries, they are the most marginalized people in Bangladesh society. This paper shows that the legal/constitutional framework to support children with disabilities in Bangladesh is well articulated; their specific needs and rights are granted by law. But the real situation of disable children is quite disappointing. Most of the disable children do not have access to education, skill-training, treatment and welfare supports. Family and social environments are not also supportive to them. Social welfare agencies are also limited as they lack recourses, trained staffs, and specialized organizations to deal with the specific needs of the disable children in Bangladesh.

I. Introduction

Disable people, particularly disable children receive considerable attention in the typical social welfare activities in high-income countries; and thus these people hardly face difficulties to maintain an independent and normal life. However their situation is rather complex in many low-income countries. Bangladesh is still a low-income country where disable people, especially children with disabilities are the most vulnerable, neglected and deprived segment of the population. In the absence of a good safety network, overall social welfare system as well as the care of disable children is mostly dependent on individual charity. Therefore disable children experience widespread deprivation and negligence. Many of them are victims of poverty, malnutrition, social exclusion, discrimination, violence, stigma, etc. They are also very limited to skill training, treatment, supportive environments, and other welfare services. They may also face discriminations such as abandonment from institutional care, exclusion from education, lack of birth registration, and so on.

There are also gender dimensions of the discrimination against the disable children in Bangladesh society. Girls with disabilities are particularly vulnerable to

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social discrimination and negligence. They even face multiple forms of discrimination. Girls with disabilities face more discrimination than boys within the family and are mostly denied access to health care, educational, vocational training, employment and income generation opportunities, and are excluded from social and community activities. Policy makers and social workers are not also well responsive to these issues. Girls with disabilities may encounter further discrimination as they are exposed to greater risk of physical and sexual abuse, denial of their reproductive rights, and reduced opportunity to select spouse by entering into marriage and family life. However there is less study that focused on these multiple dimensions vulnerability of disable children in Bangladesh, although an understanding of which is imperative to improve their situation.

II. Aim of the Study

The study is an attempt to explore the situation of children with disabilities in Bangladesh. Particular attention has been given to the situation of female children with disabilities. The rights of disable children declared in the child welfare policies and national constitutions have also been taken into account. Finally a set of recommendations has been suggested to promote more discussion on the issues.

III. Data and Methods

This paper is mainly based on secondary data and literature review. Documents and reports from United Nations and other national and international organizations are used as the source of secondary information. However, gender based information on the real situation of disable children were collected through qualitative interviews with 30 disable children and their parents in Dhaka city. The children were interviewed firstly individually and then along with their parents. The interviews focused on the daily life, activities, and difficulties of the children. A purposive sampling procedure was considered to identify the family with children with disabilities. 10 key informants (local residents) were also interviewed to understand common people's attitudes towards disable children. Key-informants were also selected purposively. They were 5 women and 5 men. Both documents and interviews were analyzed by qualitative analysis method that provides a broader picture of the situation of disable children in Bangladesh context.

IV. Constitutional Rights of Children with Disabilities in Bangladesh

The universal declaration of child rights is clearly documented in the UN Convention on the Rights of the Child (UNCRC) that urges to promote and protect the social, economic, cultural, civil and political rights of all children including children with disabilities in the world. UNCRC has been ratified by more than 192 countries ensures the most widely accepted and ratified Convention in the history of UN Conventions. Bangladesh is one of the first 22 states ratified UNCRC and thus is obliged to fulfill and realize the rights of all children in the country. All the rights declared in the UNCRC are also applicable to all children, including disable children in the country. It is also the first human rights treaty to make specific reference to disability in Bangladesh which includes two important articles: article 2 and 23.

Article 2 asserts that "the rights in the UNCRC apply to every child without discrimination on any grounds, including disability". No other human rights treaty makes this explicit provision. On the other hand, article 23 – which is a dedicated

article addressing the rights of disabled children which stresses that "governments must take action to ensure their fullest possible social inclusion".

These articles clearly indicate a specific focus of UNCRC that is on making special provision for disabled children, rather than removing the barriers which impede their inclusion. As such it reinforces a medical rather than a social model of disability. Governments disregard all but Article 23 when considering implementation and reporting on children with disabilities and most rights are not realized for children with disabilities.

The Government of Bangladesh has also undertaken other legal steps that somehow secure the specific needs and rights of children with disabilities in Bangladesh. They are Child Rights Act- 1974, National Policy for Children- 1994, 5 years action plans (1990-1995 & 1997-2002), Women and Children Repression Prevention Act- 2000, National Plan of Action to combat Sexual Abuse and Exploitation including Trafficking- 2002 and signed some International Declaration on Protection of Children. The Government also has been passed a bill in the Parliament "Disability Welfare Act- 2001". All the acts clearly indicate that society and government should play significant role to create appropriate environment to secure every rights of the children with disabilities in Bangladesh. However, "UN Committee on the Rights of the Child" has mentioned that except the endorsement of law and rules, no other minimum steps have truly been taken by the government for promoting/protecting the rights of disable children.

V. Practical Situations of the Children with Disabilities in Bangladesh

A. Right to Everyday Life

Family is the ideal place of a child's living. So the rights of disable children should be at first realized at family level - to grow up in loving and healthy atmosphere. However, to realize these, parents of children with disability should be provided proper education, counseling and support to reduce the risks of abandonment and anti-rehabilitation. But when a baby born with a disability, parents of the disable child, other family members, and even sometimes relatives fall into great embarrassment with the fears of blame or stigma. They thought disable children may not help anything in their life. People in Bangladesh still believe that disable children are the dependent members of the society. Therefore after having child with disability, other family members think that they got a burden. This is because disable children need specific training and environment to perform all daily activities normally. They may not need others' help all time if society provides a good supportive environment. However in the absence of a good welfare and right based system, disable children may need a significant help from their family members. However, in the case of Bangladesh, many family members do not like to send their disable children to social welfare organization. They have a traditional belief that 'disable children' may never be capable to carry out a life independently. These prejudice and negative attitudes are really very pathetic for the disable children in Bangladesh. Sometimes if parents have a normal child, this may lead their rejection of proper take care of a disabled child. Rejected disabled children may not receive adequate affection or care, which in fact may impede their normal social and psychological development and their social integration. In many families, disable children are not allowed to attend family gatherings, especially when all other family children are 'normal'. Children with disabilities also face a lot of problems in the society. Neighbors mostly bear negative attitude towards disability. They don't want

to co-operate with disabled children's family. A person may be disabled by various reasons but the people of a society never consider those reasons. Many people, like in many other developing countries of the world, consider children with disability as a curse of god upon the family, which not only invites a negative attitude toward a disabled child but also toward their family.

Gender differences are also observed in the situation of disabled children in Bangladesh where female disabled children maintain more vulnerable life. As an important category of social organization, gender is crucial to understand the situation of female disabled in any society. As a subordinated class of society, female disabled people are mostly denied from their rights, opportunities and resources at family level. They are more victims of stigma and family's deprivation. Girls and women with disabilities are particularly vulnerable to familial and social discrimination. Women are still blamed for giving birth to disabled children or for careless nursing of children.

In short, children with disabilities are being discriminated, ignored and deprived from many basic rights from their start of life, at family level.

B. Access to Education and Skill-Training

Education is the fundamental right for all able and disabled children. Proper education and training may make disabled children's life easier. However, access to education of the children with disabilities is very limited and often inaccessible in Bangladesh. Although many disabled children show high potentials in their early stage of life, they hardly able to carry on their education. There are a few specialized schools for disabled children, but they can only accommodate few disabled children and their facilities are not also well equipped. The common educational system and materials are not appropriate at all or can not give enough support to the disabled children. Teachers are not also well trained to teach them. School environment is not also friendly. According to Sinha (2006) less than two percent of disabled children in poor countries like Bangladesh attend school. Another study indicates that in Bangladesh, there are about 1.6 million children with disabilities within the school-going age, but less than 20,000 can have access to school education (Khan, 2003). The report also indicates that only 9000 of disabled get education opportunity (The Daily Star, December 09, 2007).

Khan (2003) also shows that only 11 % of the children with disabilities received some form of primary education: 8 % of them are currently enrolled in educational set up and remaining 3 % have either completed education or dropped out. Khan (2003) also revealed that children with disabilities that had dropped out from education are mainly because of an unfriendly attitude and situation prevailing both at educational settings and at home. Failure to achieve expected results had also caused to lose confidence and drop out from school (Khan, 2003). Even many of the school teachers also hold some prejudice such as many of them believe that spending money on disabled children is a waste of valuable resources. Another study commissioned by Directorate of Primary Education, Government of People's Republic of Bangladesh (CSID, 2001) also states that 8% of the children with disabilities were enrolled in different educational setups. Same study (CSID, 2001) also revealed that among the enrolled children, 48% were enrolled in formal education, 23 % in integrated school, 15 % in special education and a mere 5% in inclusive integrated education. Among the enrolled children 55 % were with physical disabilities. The visually impaired constituted 13 %, 12% were hearing and speech impaired, while

10% had intellectual disabilities. Another study indicated that only 4% children with disabilities account for school enrolment (Anam et.al. 2006).

C. Promotion and Protection

The social problem faced by both the children and adults with disabilities is very severe in Bangladesh context as disability is perceived as a curse. Many researchers have found that the children with physical, sensory, intellectual or mental health impairments are at increased risk of becoming victims of violence. A study states that 92% of young girls and adult women with disabilities were subjected to abuse (Rahman, et.al., 2005). Physical abuse was reported as the highest (82%) for young girls and adult women with disabilities. Emotional abuse was counted at 78%. The incidence of sexual abuse was high by any standard, 32% in adult women and 37% in young girls (Rahman, et.al., 2005). Another study indicated that 90% of female individuals with intellectual disability experienced sexual abuse in the life (Anam, et.al., 2001). Violence, abuse and negligence also lead to further disabilities in many cases. Many women and adolescent girls become disable for motherhood undernourishment, induced abortion, malnutrition after birth, injury, domestic violence, and lack of treatment (Khatun, 2006). A news report also indicated that 3.23% children with disabilities received wrong treatment in Bangladesh (The Daily Sangbadh, 2006). Same report also indicated that every year nearly 14 lack children are being disabled due to absolute poverty and lack of life saving vaccination (The Daily Sangbadh, 2006). During interviews, this study also found that family and parents are not so careful to their disable children, especially in low income households. Sometimes family also abuses disable children. There are many instances that poor parents prefer their disable children to be beggars.

D. Survival and Development

Children with disabilities in Bangladesh suffer from acute shortfall in food provision and suffer from malnutrition. Bangladesh is one of the few countries where children still face malnutrition and children with disabilities are the largest group of malnourished (Rahman, et.al. 2008). Study indicated that 43% of the disable children under age 5 are stunted, 13 % are wasted and 48 % are underweight (Rahman, et.al., 2005). Indeed, these are also the causes of disability of children in Bangladesh. Our study revealed that disable children, especially female disable children are given less food at family level, especially when food is limited. This food intake discrimination threatens the survival and proper development of the children with disabilities in Bangladesh. In real, most of the children with disability in Bangladesh are deprived of health care, an acceptable level of nutrition, safety and security (Rahman, et.al., 2005).

E. Participation and Recreation

The children with disabilities are deprived of the right to take part in recreation and pleasure. The level of participation and recreation of the children with disabilities within family and communities is much less than that of the children without disability. Rahman et.al. (2008) stated that about 54.19 % disabled children are not allowed to participate in any familial affairs, where they are mostly treated as no member. The rest 45.81% children are only allowed in the family affairs like marriage at own home. But data from our interviews suggest that many of them are also abused in the name of marriage, especially female disable children. Many parents

also treat their own disable daughter or daughter-in-law as domestic servants. However the study also indicated that about 75.86% children are deprived of the right to participate in any social affairs like community sports, cultural program or familial or social programs arranged outside the home, and most of the disabled children (59.60%) are not able to receive opportunities to play with their peers.

Moreover, some other disable children are seen nearby traffic signals, markets, public places, on the streets as they are begging, selling things or just moving around or sleeping on the street with postural deformity, movement problem; some are blind; some of them can not hear and speak, and some who have intellectual deficiency those are called "Street Children with Disabilities". Most of them do not have appropriate shelters, and families to take care. They are totally deprived from all the basic rights of shelter, food, cloths, health care and family care as well as special attention and care.

VI. Discussion and Conclusion

Purpose of the study was to explore the situation of children with disabilities in Bangladesh in connection with their rights and realities. Based on mainly secondary data and literature review and some primary data which were collected from disabled children including their parents' for interview, the study was conducted. In order to find out the real picture of disable children in Bangladesh, the study was carried out through some specific rights which were: right to everyday life, right to education attainment and skill training, right to survival and development, right to promotion and protection and right to equal opportunity for participation and recreation. Though the legal framework to support children with disabilities in Bangladesh is well organized as their specific needs and rights are clearly declared there, the real situation of disable children is quite different. Most of the disable children do not have access to education, training facilities, treatment, participation and recreational opportunities and other welfare supports. Family and social environments are not also supportive to them. This study evidenced that social prejudice related to disabilities and lacks of opportunities make the life of disable children more vulnerable. On the other hand, female disable children are the most vulnerable in Bangladesh. Social gendered norms and subordination of women may relate to the more deprivation of female children with disabilities. This study also suggests that social and cultural understanding of children with disabilities is very important in the present context. Therefore further study should be conducted to understand the gender dimensions and social mechanisms of disable children in Bangladesh. However, we strongly argue that legal and constitutional grantee is not enough to secure the rights of disable children in Bangladesh. To realize the rights, a socio-political commitment, social movement to change people attitude toward disability as well as well-organized professional endeavor are imperative to enhance the rights and welfare of disable children in Bangladesh society.

Acknowledgement

The qualitative fieldwork of this study was carried out under the support of Mr. Ashfaq-UL-Kabir of Tauri Foundation, Dhaka, Bangladesh. The foundation is working for the improvement of the life of disable children in Bangladesh. Authors are thankful to both Mr Kabir and his foundation. Mr. Karim contributed to the editing and analysis. The first two authors are solely responsible for the data and studies.

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'AMAR SUNDAR': AN AESTHETIC AUTOBIOGRAPHY OF KAZI NAZRUL ISLAM

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Abstract: Kazi Nazrul Islam (1899-1976) is among the greatest contributors to the Bengali cultural heritage expressing himself in various literary genres, which remain a most interesting field of aesthetic investigation to his readers and researchers. In his attempt to combine loud proclamation of man's rebellious self with the introvert mystic within him, he outlined an aesthetics of his kind with beauty, both positive and negative, as he explains in his article—Amar Sundar (My Beauty), a confessional prose surprisingly revealing his inscape—the aesthetic stream of the poet. Here he narrates what he wrote, why he wrote parallel to the inner and outer occurrences influencing his life. And this confession may suitably be described as an aesthetic autobiography of Nazrul.

Introduction

Nazrul's great creative outpouring, in the form of poetry, songs, plays, and essays etc, was therefore crammed into the years between 1919 and 1942, approximately twenty-three years.¹ Even that brief period was ridden with poverty, personal tragedies and constant harassment by the British colonial government which sent him to jail on charges of sedition as well as proscribed several of his books. He produced at least 25 books of poetry, 4000 songs and gazals, 3 books of stories, 3 novels, 3 books of translations, 29 plays and operas, 2 movie scripts and 5 books of essays and other writings.² Every occurrence in his personal life as well as socio-political life in the country turned into an aesthetic experience to him, which is why he started expressing himself eloquently in his writing and speaking and singing. He suffered a lot, but no suffering was ugly or beautyless to him.³ Nazrul wrote the article '*Amar Sundar*' on June 02, 1942 just 23 days before his severe illness on July 09, 1942.⁴ In this article he has given a very brief life story and experiences of his life metaphorically with an exposition of his aesthetics. In describing various shades and meanings of beauty Nazrul has dealt with the momentary human life he lived between the beginning and the end of a cosmic equation with a vital force called

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¹ Winston E. Langlay, *Kazi Nazrul Islam: The Voice of Poetry and Struggle for Human Wholeness*. (Dhaka: Nazrul Institute, 2009), p. 12.

² Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. 236-40.

³ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 36.

⁴ Rahman Habib, *Nazrul Nandantatta* (Aesthetics of Nazrul). (Dhaka: Nabajuga Prakashani, 2005), p. 76.

human being.⁵ This study attempts to analyse the confessional article of Nazrul- *Amar Sundar* to show how he narrated his brief creative life by giving in such a way aesthetic ideas that the article appears to be an aesthetic autobiography of the poet himself.

Aesthetics and Autobiography

Aesthetics may be defined narrowly as the theory of beauty, or more broadly as the philosophy of art. The traditional interest in beauty itself broadened in the eighteenth century to include the sublime, and since 1950 or so the number of pure aesthetic concepts discussed in the literature has expanded. Traditionally, the philosophy of art concentrated on its definition, but recently this has not been the focus; careful analyses of aspects of art have largely replaced it. Philosophical aesthetics is here considered to center on these latter-day developments. "Sublime" and "beautiful" are only two amongst the many terms which may be used to describe our aesthetic experiences.⁶

Though Nazrul expressed—আমি আর্টের সুনিশ্চিত সংজ্ঞা জানিনে, জানলেও মানিনে।⁷ [I don't know the concrete definition of art, if I know I don't care.] But in another writing he said—‘এ তাজমহল শুধু beautiful নয় এ sublime মহিমাময়।’⁸ [This Tajmahal is not only beautiful, it is sublime and majestic.]. Here we find that "Sublime" and "beautiful", two very important words for expressing aesthetics are common in Nazrul's writing. It proves that he was very much conscious about aesthetics.

An autobiography is an account of a person's life written by that person. Obviously an autobiography runs the danger of being highly subjective.⁹ In a sense, autobiography (from the Greek *eauton* = self, *bios* = life and *graphein* = write) is a form of biography, the writing of a life story. Autobiography focuses on the "life and times" of the character.¹⁰ Autobiographical works are by nature subjective. The inability—or unwillingness—of the author to accurately recall memories has in certain cases resulted in misleading or incorrect information. Some sociologists and psychologists have noted that autobiography offers the author the ability to recreate history.¹¹ We find most of the characteristics of an autobiography in Nazrul's 'Amar Sundar'.

Aesthetic view of Nazrul

The famous books of poetry of Nazrul on love, nature and aesthetics are—*Dolan Champa* (name of a fragrant monsoon flower, 1923), *Chhayana* (The Raga of Chhayana, 1925), *Puber Hawa* (The Eastern Wind, 1925), *Sindhu Hindal* (The

⁵ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 37.

⁶ <http://www.utm.edu/research/iep/a/aestheti.htm> (Accessed on February 26, 2010)

⁷ Abdul Quadir (ed.), *Nazrul Rachanaboli*. (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.396.

⁸ Ibid, p. 102.

⁹ <http://fictionwriting.about.com/od/glossary/g/autobiography.htm> (Accessed on February 26, 2010)

¹⁰ <http://www.wordiq.com/definition/Autobiography> (Accessed on February 26, 2010)

¹¹ Berghegger, Scott. (2005). "Sublime Inauthenticity: How critical is truth in autobiography?" Student Pulse. <http://studentpulse.com/articles/31/sublime-inauthenticity-how-critical-is-truth-in-autobiography>

Undulation of the Sea, 1927), *Jinjir* (Chain, 1928) and *Chacrabak* (The Flamingo, 1929). His most famous '*The Rebel*' explores simultaneously the expression of socio-political protest and aesthetics.¹² Besides these, Nazrul has expressed his views on aesthetics in his several essays and other writings. It is necessary to mention some of them which are relevant to analyse Nazrul's aesthetics:

1. সুন্দরের ধ্যানী দুলাল কীটসের মত আমারও মন্ত্র 'Beauty is truth, truth is beauty.'¹³
[Like the thoughtful child of beauty as Keats my motto is also 'Beauty is truth, truth is beauty.']

2. সুন্দরের ধ্যান, তাঁর স্তবগানই আমার উপাসনা, আমার ধর্ম¹⁴
[Meditation of beauty and worship for Him is my religion.]

3. আমি শুধু সুন্দরের হাতে বীনা, পায়ে পদ্মফুলই দেখিনি, তার চোখে চোখ ভরা জলও দেখেছি। শূশানের পথে, গোরস্থানের পথে, তাঁকে ক্ষরা-দীর্ঘ মূর্তিতে ব্যথিত পায়ে চলে যেতে দেখেছি। যুদ্ধ ভূমিতে তাকে দেখেছি, কারাগারের অন্ধরূপে তাকে দেখেছি। ফাঁসির মঞ্চও তাঁকে দেখেছি। আমার গান সেই সুন্দরকে রূপে রূপে অপরূপ করে দেখার স্ত বস্তুতি।¹⁵

[I've seen not only the veena in the hands of beauty or lotus on its feet, but also tears in His eyes. I've seen Him in the form of poverty on the ways to crematorium or graveyard. Seen Him in the battlefield, in the black holes of prison or on the scaffold for hanging. My song's to get that beauty in multifarious forms.]

4. সুর আমার সুন্দরের জন্য, আর তরবারি সুন্দরের অবমাননা করে যে - সেই অসুরের জন্য।¹⁶

[Music is for my Beauty, and the sword is for that demon who defies the Beauty.]

5. "... ছোট দুটি কথা - 'সুন্দর' ও 'বেদনা'। এই দুটি কথাতেই আমি সমস্ত বিশ্বকে উপলব্ধি করতে পারি। 'সুন্দর' ও 'বেদনা' এ দুটি পাতার মাঝখানে একটি ফুল-বিকশিত বিশ্ব।¹⁷

[...Two simple words—'beauty' and 'grief'. I can realise the whole world only with these two words. Between these two leaves 'beauty' and 'grief' exists a world in the midst of blooming flowers.]

6. 'যে সমস্ত শাসন সমস্ত বিধি নিষেধের উর্ধ্বে উঠে সুন্দরের স্তবগান করে Skylark-এর মতো। সে কেবলি বলে "সুন্দর বিউটিফুল"।'¹⁸

[He who stands beyond all laws and do's and don'ts to sing hymns to the beauty like Skylark. He just says "beauty and the beautiful".]

¹² Rahman Habib, *Nazrul Nandantatta* (Aesthetics of Nazrul). (Dhaka: Nabajuga Prakashani, 2005), p. 66.

¹³ Abdul Quadir (ed.), *Nazrul Rachanaboli*. (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p. 90.

¹⁴ Ibid, p. 91.

¹⁵ Ibid, p. 91.

¹⁶ Ibid, p. 102.

¹⁷ Ibid, p. 401.

¹⁸ Ibid, p. 402.

7. 'এ তাজমহল শুধু beautiful নয় এ sublime মহিমাময়।'¹⁹

[This Tajmahal is not only beautiful, it is sublime and majestic.]

Amar Sundar: An Aesthetic Autobiography of Nazrul:

There are 18 paragraphs in this article and Nazrul has mentioned different types of beauty here. Even a hasty scanning of the text reveals 17 types of 'sundar' or beauty that the poet identified while passing through the tumultuous days of his life. All these are seemingly opposite and contradictory, but complementary in the final analysis based on a kind of Habermasian legitimization.²⁰ He has identified Sundar' as varying forces as *might or power or strength (shokti)*, *most intimate relative (antaratamay)*, *expression (prakash) as homeland, youth (jauban)*, *love (prem)*, *grief (shok)*, *filial affection (sneha)*, *Infant (shishu)*, *destruction (proloy)*, *Killing (sanhar)*, *meditation (dyhan)*, *earth (dharitri)*, *flowered (puspita)*, *creation (sristi)*, *poison (bis)* and *golden glow (swarna- jyoti)* and *amar sundar*. Practically all of these beauties (his expressions) bear his life story and experiences. Aesthetically all these beauties are multidimensional, vivid and spread over the path of human life. Analysing the whole article we can easily find that it becomes an aesthetic autobiography of Nazrul. In the first paragraph he said:

আমার সুন্দর প্রথম এলেন ছোট গল্প হয়ে, তারপর এলেন কবিতা হয়ে। তারপর এলেন গান, সুর, ছন্দ ও ভাব হয়ে। উপন্যাস, নাটক, লেখা (গদ্য) হয়েও মাঝে মাঝে এসেছিলেন। “ধুমকেতু” “লাঙল” গণবাণী’তে, তারপর এই “নবযুগে” তাঁর শক্তি-সুন্দর প্রকাশ এসেছিল; আর তা এল রুদ্র-তেজে, বিপ্লবের, বিদ্রোহের বাণী হয়ে। বলতে ভুলে গেছি, যখন যুদ্ধক্ষেত্র থেকে সৈনিকের সাজে দেশে ফিও এলাম, তখন হক সাহেবের দৈনিক পত্র “নবযুগে” কি লেখাই লিখলাম, আজ তা মনে নেই; কিন্তু পনের দিনের মধ্যেই কাগজের টাকা বাজেয়াপ্ত হয়ে গেল।²¹

[Amar Sundor (My Beauty) at first came as short stories, then as poetry. Thereafter it came in the guise of tunes, rhythms and ideas. At times it also came as novels, plays and writings (prose). His *Shokti-sundor* (power-beauty) got expression in The *Dhumketu* (Comet), The *Langol* (Plough), then in The *Gonobani* (People's Message); and it came with terrible glow, as the message of revolution and revolt. I don't remember now what I wrote in Huq Sahib's daily *Novajoog* (New Age) after coming back from Warfield as a soldier, but within fifteen days the security deposit of that news paper was forfeited.]²²

Here Nazrul starts with the description of his creative life. His first publication, "Baunduler Atma-kahini" (Life Story of a Vagabond) a short story was published in The Saogat magazine in 1919 (1st year, 7th issue, in Calcutta, Muhammad Nasiruddin, editor). His first article, "Turki Mahilar Ghornta Khola" (Unveiling Face of a Turkish Woman), was published in The *Saogat*, (1st year, 12th issue). His first poem "Mukti (Freedom) was published in the Bangiya Mussalman Sahitya Patrika (Bengal Muslim Literary Magazine) and first song "Udbodhan" (Inauguration) was published in The

¹⁹ Ibid, p.102.

²⁰ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 24.

²¹ Abdul Quadir (ed.), *Nazrul Rachanaboli*. (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.32.

²² Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 25.

Saogat, (2nd year, 6th issue) in 1920. Nazrul joined the 49th Bengali Paltan in 1915 and rose to the rank of a Havilder. He went to Nawshera, Karanchi with his Paltan, but did not participate in direct warfare. He returned to Calcutta and took the profession of a journalist, was appointed joint-editor with Mujaffar Ahmad of the Daily Navajug (New Era), founded by A.K. Fajlul Huque.²³ He wrote many fiery writings in this Daily. He described the beauty as portrayed in the Nabajug (1920), The *Dhumketu* (The Comet, 1922) and The Langol (The Plough, 1925) and The *Ganabani* as *shokti sundar* (strength beauty), because this beauty was achieved through the struggle against the British misrule.²⁴ His aesthetics explores his creativity and he comments:

এই গান লিখি ও সুর দিই যখন, তখন অজস্র অর্থ, যশ-সম্মান, অভিনন্দন, ফুল, মালা—বাঙলার ছেলেমেয়েদের ভালোবাসা পেতে লাগলাম। তখন আমার বয়স পঁচিশ-ছাব্বিশ মাত্র। এই সম্মান পাওয়ার কারণ, সাহিত্যিক ও কবিদের মধ্যে আমি প্রথম জেলে যাই, জেলে গিয়ে চল্লিশ দিন অনশন-ব্রত পালন করি, রাজবন্দীদের উপর অত্যাচারের জন্য। এই অপরাধে আমাকে জেলের নানারকম শৃঙ্খল-বন্ধন (“লিঙ্ক-ফেটার্স”, “বার-ফেটার্স”, “ক্রস-ফেটার্স” প্রভৃতি) ও লাঞ্ছনা সহ্য করতে হয়। এই সময় রবীন্দ্রনাথ তাঁর “বসন্ত” নাটক আমায় উৎসর্গ করেন। তাঁর এই আশীর্বাদ-মালা পেয়ে আমি জেলের সর্ব-জ্বালা যন্ত্রণা, অনশন-ক্লেশ ভুলে যাই। আমার মত নগণ্য তরুণ কবিতা-লেখককে কেন্‌ তিনি এত অনুগ্রহ ও আনন্দ দিয়েছিলেন, তিনিই জানেন। আমি কোনদিন জিজ্ঞাসা করিনি, তিনিও বলেননি। আজ এই প্রথম মনে হল, তাঁর দক্ষিণ হস্ত দিয়ে আমার সুন্দরের আশীর্বাদ এসেছিল, জেলের যন্ত্রণা-ক্লেশ দূর করতে। তখন কিন্তু একথা মনে হয়নি।

তখনো একথা ভাবতে পারিনি, এ লেখা আমার নয়, এ লেখা আমার সুন্দরের, আমারি আত্ম-বিজড়িত আমার পরমাত্মীর।²⁵

[As I wrote songs and set tunes to them, I began to get huge money, honour-respect, congratulations, flowers, wreaths and love from the children of Bangla (Bengal). I was then twenty-five/twenty-six years old only. The reason of getting this honour is my being thrown behind the bars, first among the poets and writers, where I continued a hunger strike for forty days inside jail protesting against tortures inflicted on political prisoners. For this crime I had to be chained (link-fetters, ber-fetters, cross-fetters etc) and tortured in various ways. This time Rabindranath dedicated to me his play *Bosonto* (Spring). Being blessed by him this way, I forgot all pains and suffering of hunger strike inside jail. Why he extended so much kindness and delight to an ignoble young versifier like me, he knows best. I never asked him (about this), and he too never revealed it. Today it strikes my mind for the first time that, the blessings of beauty came to me from his right hand to remove my pains and sufferings behind the bars. But then I did not think this way.

I could not till then think that this writing is not mine, it is of my beauty, of my Absolute one related to my soul.]²⁶

²³ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. 236-45.

²⁴ Rahman Habib, *Nazrul Nandantatta* (Aesthetics of Nazrul), (Dhaka: Nabajuga Prakashani, 2005), p.76.

²⁵ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.33.

²⁶ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 26.

At the end of this paragraph he mentioned that his writing really comes from the inner of his beauty which is related to his heart.

Nazrul's most celebrated poem '*Bidrohi*' (*The Rebel*) was published in the January 6th issue of the *Shaptahik Bijl* (weekly Lightning) in 1922. '*Bidrohi*' was also published in the *Muslim Bharat*. His first book *Byathar Dan* (Offerings of Pain), a collection of short stories, was published in Calcutta. On August 11, in the same year a bi-weekly the *Dhumketu* (The Comet) published its first issue. Nazrul is its editor. On September 26, Nazrul's poem "*Anandamayee Agamaney*" (coming of Goodes Durga) was published in the *Dhumketu*. On October 13, for the first time India's complete freedom from the British government was demanded in the *Dhumketu*. On November 8, a warrant for arrest was issued against Nazrul on charges of sedition and he was arrested in Cumilla on November 23.²⁷ Nazrul is the first poet who went to jail among the poets and literary figures of India. He was sentenced to one year imprisonment of hard labour. The whole nation protested against this verdict. Nazrul himself went on hunger strike inside the jail during April-May for long 40 days against the tyranny of British government in jail. Including his mother and other persons from every corner of the country requested him to give up the strike. Tagore sent a telegram, saying: "Give up your hunger strick, our literature claims you". Nazrul was released from jail in December. Tagore dedicated his play *Basanta* (spring) to Nazrul. Nazrul was so happy to get it.²⁸

Nazrul loved people very much and people loved him in the same way. He traveled through the country for raising people about their rights. He demands the independence of this country and wrote and sang songs in favour of his position. That's why he thought that his inner beauty is doing this and this is what his 'expression beauty' is exactly. He said:

জেলে আমার সুন্দর শৃংখলের কঠিন মালা পরিয়েছিলেন হাতে-পায়ে; জেল থেকে বেরিয়ে এলেই আমার অন্তরতম সুন্দরকে সারা বাংলাদেশ দিয়েছিল ফুলের শৃংখল, ভালোবাসার চন্দন, আত্মীয়তার আকুলতা। আট বৎসর ধরে বাংলাদেশের প্রায় প্রতি জেলায়, প্রতি মহকুমায়, ছোট বড় গ্রামে ভ্রমণ করে দেশের স্বাধীনতার জন্য গান গেয়ে, কখনো কখনো বক্তৃতা দিয়ে বেড়ালাম। এই প্রথম আমার মাতৃভূমি বাংলাদেশকে ভালোবাসলাম। মনে হল, এই আমার মা। তাঁর শ্যাম-স্নিগ্ধ মমতায়, তাঁর গভীর স্নেহ-রসে, তাঁর উদার প্রশান্ত আকাশের কখনো ঘন, কখনো ফিরোজা-নীলে আমার দেহ-মন-প্রাণ শান্ত-উদার আনন্দ-ছন্দে ছন্দায়িত হলে উঠল। আমার অন্তরের সুন্দরের এই অপরূপ প্রকাশকে এই প্রথম দেখলাম প্রকাশ-সুন্দর রূপে, আমার জননী জন্মভূমিরূপে।²⁹

[In jail my beauty made me wear hard wreaths of chains around my hands and feet; soon after my getting out of jail the whole of Bangladesh chained my innermost beauty with flower fetters, offered him sandalwood of love, eagerness for being his relatives. For long eight years I travelled through the whole of Bangla, almost all its districts, subdivisions, big and small villages singing for the country's freedom, at times making public oratories. This is for the first time that I loved my mother land called Bangladesh. I got to know that my land is my mother.

²⁷ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*, (Dhaka: Nazrul Institute, 2000), p. 236-45.

²⁸ Ibid.

²⁹ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.33.

Her calm-green affection, her deep filial love, her limitless quiet sky with its condensed, at times turquoise-blue, delighted my body and soul with its rhythmic flow. This time I first saw the unprecedented expression of the beauty of my heart as *Prokash-sundor* (expression-beauty), as my motherland which is also my mother.]³⁰

After Nazrul's release from jail, the people gave him warm and heartfelt reception and he thought this reception was given to his internal beauty and the patriotic and the internal being of his creativity of the rebel.

The year 1925 is both political and poetical to Nazrul. This year he met Gandhi, wrote and announced the pamphlet of 'The Labour Swaraj Party of the Indian National Congress' etc. the *Langol* (The Plough) was the party magazine. In 1926 the *Langol* was renamed *Gono-bani* (People's Voice). In 1928 he wrote and sang two inaugural songs for Nikhil Varot Krishak o Shramik Dal (All India Farmers and Workers Party) and All India Socialist Youth Congress, presided over by Pandit Jawaharlal Nehru, at Calcutta. In 1931 Nazrul met Tagore. The next few years he presided over several conferences in various parts of Bengal. Some of them are Sirajganj Bangiya Muslim Tarun Sammelan (Sirajganj Muslim Youth Conference, 1932), Faridpur Muslim Students Conference (1936), Bangiya Mussalman Shahitya Sammelan (Bengal Muslim Literary Conference in Calcutta, 1938) etc.³¹ He said:

আমি সেদিনের ভারতের সর্বশ্রেষ্ঠ নেতা ও নেত্রীদের আহ্বানে বাংলাদেশ পরিক্রমণ করেছি; আমি তরুণদের সাথে মিশেছি – বন্ধু বলে, আত্মার আত্মীয় মনে করে। তারাও আমায় আলিঙ্গন করেছে বন্ধু বলে, ভাই বলে – কিন্তু কোনো দিন আমার নেতা হবার লোভ হয়নি, আজও সে লোভ হয় না। আমার কেবলই যেন মনে হত, আমি মানুষকে ভালোবাসতে পেরেছি। জাতি-ধর্ম-ভেদ আমার কোনোদিনও ছিল না, আজও নেই। আমাকে কোনোদিন তাই কোনো হিন্দু ঘৃণা করেননি। ব্রাহ্মণেরাও ঘরে ডেকে আমাকে পাশে বসিয়ে খেয়েছেন ও খাইয়েছেন। এই আমি প্রথম আমার যৌবন-সুন্দর, প্রেম-সুন্দরকে দেখলাম।³²

[That day I toured the whole of Bangladesh at the call of the greatest leaders of India (undivided); I interacted with the young people as friends, taking them as relatives of my soul. They too embraced me as their friend and brother – but I never became greedy of being a leader, the greed that does not take me over as of today. It seemed to me continuous that I was able to love mankind. I never knew even what the meaning of difference between races till today. So no Hindu hurled hatred at me any day. Even the Brahmins invited me to their homes and ate and treated me as well giving a seat beside them. This is for the first time I saw my *joubon-sundar* (youth-beauty), my *prem-sundar* (love-beauty).]³³

We find here, he is expressing his feelings and his idea of equality for the common people. He thought that this was his *Jauban Sundar*-'youth beauty' and Prem sundar-'love beauty'.

The year 1930 is one of the most tragic years in his life. He said:

³⁰ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 27

³¹ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. 236-45.

³² Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.33.

³³ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 27.

তারপর আমার সুন্দর এলেন শোক-সুন্দর হয়ে। আমার পুত্র এল নিবিড় স্নেহ-সুন্দর হয়ে। বাইরে মোমের মত ছিল সে সুন্দর, মমতার মধু-মাধুরী, রস-সুরভি ভরা ছিল তার অন্তরে। সে আমাকে আত্মার মত জড়িয়ে ধরল। যেখানে যেতাম, সে আমার সাথে যেত। আমার সাথেই খেলত, মান-অভিমান করতো। যে সুর শিখাতাম, সে সুর দুবার শুনেই সে শিখে নিত। তখন তার তিন বছর আট মাস বয়স। একদিন রাত্রে বলল, “বাবা, চাদের মধ্যে কে একটি ছেলে আমাকে বাঁশি বাজিয়ে ডাকছে।” হঠাৎ আমার দেহে-মনে কি যেন বিষাদের, বিরহের, বেদনার ঢেউ দুলে উঠলো। চোখের জলে বুক ভেসে গেল। সেই রাত্রে তার প্রবল জ্বর এল। ভীষণ বসন্ত-রোগে ভুগে হাসতে হাসতে আনন্দধামের শিশু আনন্দধামে চলে গেল।³⁴

আমার সুন্দর পৃথিবীর আলো যেন এক নিমিষে নিভে গেল। আমার আনন্দ, কবিতা, হাসি, গান যেন কোথায় পালিয়ে গেল, আমার বিরহ, আমার বেদনা সইতে না পেরে। এই আমার শোক-সুন্দর!³⁵

[Then my beauty came as *shok-sundar* (grief-beauty). My son came as intimate *sneho-sundor* (affection-beauty). He was as beautiful as wax on the outside, as sweet as honey in attachment, his heart was full of juice and smell. He entrained and showed his touchy nature me like my soul. He accompanied me where I went. He played with me with vanity and self-conceit. Any tune that I taught him ever, he could learn hearing it only two times. He was then three years and eight months. One night he said, 'Daddy, someone, a boy, is calling me playing a flute in the moon.' Suddenly my mind and body shivered with unknown agony, pangs of separation, waves of pains. My chest was inundated with my tears. That night his temperature rose high. Suffering from a killer disease called smallpox the child coming from the world of delight returned there again smilingly.]³⁶

[The light of my beautiful world seemed to have been extinguished in a moment. My joy, poetry, smile, song seemed to have fled somewhere not being able to stand my suffering caused by separation from my son. This is my *shok-sundor*, beauty in suffering]³⁷

His son Bulbul, who had earlier shown astounding talent in music, died of small pox on May 7.³⁸ And it disturbed him violently. He did never recover from the mental shock he conceded. Nazrul describes this as his *Shok-sundar* (beauty in suffering).

But this tremendous shock made Nazrul a different one. He started worship and meditation following a guru of Hindu religion and did many things to get Bulbul alive again. He mentioned:

এই আমার প্রথম প্রশ্ন জাগল – কোন্ নিষ্ঠুর এই সৃষ্টি করে, কেন সে শিশু-সুন্দরকে কেড়ে নেয়? এই শোকের মাঝে জেগে উঠল স্রষ্টার বিরুদ্ধে প্রগাঢ় অভিমান, সেই অভিমান ঘনীভূত হয়ে আমার সর্ব অস্তিত্বে দেখা দিল ভীষণ মৌন বিদ্রোহ হয়ে, বিপ্লব হয়ে। চারিদিকে কেবল ধ্বনি

³⁴ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.33.

³⁵ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.33.

³⁶ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 28.

³⁷ Ibid.

³⁸ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. Introductory.

উঠতে লাগল, “সংহার কর! ধ্বংস কর! বিনাশ কর!” কিন্তু শক্তি কোথায় পাই! কোথায়, কোন পথে পাব সেই প্রলয়-সুন্দরের, সংহার-সুন্দরের দেখা? আমি বসে চিন্তা করতে লাগলাম। কোথা হতে একজন সাথী এসে বললেন – “ধ্যান কর, দেখতে পাবে।” আমি বললাম, “ধ্যান কি?” তিনি বললেন, “একমাত্র তাঁকে ডাকা ও তাঁর চিন্তা করা।” এই প্রথম এলেন আমার ধ্যান-সুন্দর। মাঝে মাঝে ভালো লাগত, মাঝে মাঝে লাগত না। মাঝে মাঝে ভ্রান্তি, মায়া আমাকে নানারূপ প্রলোভন দেখাতে লাগলো। তাঁরা বলল, “আমরা তোমার প্রলয়-সুন্দরের প্রলয়-শক্তি, আমাদের সাথে পথ চল, তাহলে স্রষ্টাকে দেখতে পাবে— তাহলে আমাদের শক্তিতে সংহার করতে পারবে।” আমার যে সহজ সাবলীল আনন্দ-চঞ্চলতা, যৌবনের মদির উন্মাদনা, গান, কবিতা, ও সুরের রসমাধুরী ছিল, এদের সাথে পথ চলে যেন সব শুকিয়ে গেল।³⁹

[This time the question woke up first in my mind — who is that cruel creator who creating this *shishu-sundor* (child-beauty) snatches it again? In this grief woke up a deep sense of touchiness as a protest against the Creator, the extreme *obhiman* (conceit) that was transformed into silent revolt and revolution engulfing my whole being. All around I heard the sounds, ‘Kill and Destroy and Demolish.’ But where shall I get the strength? Where, in which way to see that *proloy-sundar* (destruction-beauty). that *sonhar-sundar* (killer-beauty)? I sat and thought for the answer. A friend came from nowhere and said, ‘Go on meditation, you will see.’ I said, ‘What is meditation?’ He said, ‘Only call Him and think of Him.’ This is first when my *dhyansundor* (meditation-beauty) appeared. At times I felt good, at times bad. At times mistakes and illusions offered me different kinds of allurements. They said, ‘We are the destructive power of your *proloy-sundar* (destruction-beauty), walk with us, you will see the Creator — then you will be able to kill by our might.’ The humble, easy flowing delightful mobility, sweet craziness of youthfulness, song, poem and happy elegance that I possessed, all seemed to have been exhausted as I walked along with them.]⁴⁰

Nazrul describes it as *Dhan sundar*-meditation beauty. And he thought that all of his creativity was faded by the *proloy sundar* (destructive beauty). He tried to find the real path:

আমি আমার প্রলয়-সুন্দরকে প্রাণপণে ডাকতে লাগলাম, “পথ দেখাও, তোমার পথ দেখাও।” কে যেন স্বপ্নে এসে বলল, “কোরান পড়; ওতে যা লেখা আছে তা পড়লে তোমার প্রলয়-সুন্দরকে —আমারও উর্ধ্বে তোমার পূর্ণতাকে দেখতে পাবে।” আমি নমস্কার করে বললাম, “তুমিই কি আমার কবিতায়, লেখায় বিদ্রোহ হয়ে বিপ্লব-বাণী হয়ে আমার কল্পনায়, আমার চেতনায় প্রকাশিত হয়েছিলে?” তিনি আমায় বললেন, “হ্যাঁ, আমি তোমারই পূর্ব-চেতনা প্রিকনসাস্যাসনেস।” ইংরাজিতে বললেন, বোধ হয়, আমি যদি পূর্ব-চেতনার অর্থ না বুঝি তাই। আমি বললাম, “আবার তোমার সাথে দেখা হবে?” তিনি বললেন, “আমি যে নিত্য তোমার মাঝে আছি, আমি যে তোমার বন্ধু!” তিনি চলে গেলেন। সুখ-স্বপ্ন ভেঙে গেল, কিন্তু শিরায়-শিরায় অণু-পরমাণুতে সেই স্বপ্নের আনন্দ-অমৃতের শিহরণ সর্ব অঙ্গে জড়িয়ে রইল প্রিয়ার পুষ্প-মালার মত হয়ে।⁴¹

³⁹ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.33.

⁴⁰ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 29.

⁴¹ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.34.

[I started to call my *proloy-sundor* (destruction-beauty) with all my heart saying, 'Show me the path, your path.' someone, as if in dream, came and said, 'Read the holy Koran; if you read what is written there you will see *proloy-sundor* (destruction-beauty) — and even above me the fullness in you.' I saluted him and said, 'Are you the one who has been expressed in my imagination, in my consciousness in the form of my poetry, my writings as a revolt, as the message of revolution?' He replied to me, 'Yes, I am your *purbachetana*, pre-consciousness.' He uttered the English word 'pre-consciousness' lest I should fail to realize its meaning. I said, 'I will meet you again.' He said, 'Know that I am always within you, I am your friend.' He left me. The happy dream shattered, but in all my cells in all my veins that the shivering of ambrosia of that dreams delight encompassed me like the flower offering of my beloved.]⁴²

গোপনে পড়তে লাগলাম, বেদান্ত, কোরান। আমার পৃথিবীর আকাশ যেন কোন বজ্রনাড়ে ও তড়িৎ-লেখার তলোয়ারে বিদীর্ণ হয়ে গেল। আমি যেন আরো, আরো উর্ধ্ব যেতে লাগলাম। দূর হতে দেখতে পেলাম অপরূপ স্বর্ণ-সুন্দর জ্যোতি। এই আমার স্বর্ণ-জ্যোতি সুন্দরকে প্রথম দেখলাম।⁴³

[Silently I started reading Vedanto and Koran. The sky above my earth seemed to have been split at some thunderclap and by the strike of electricity writing. I seemed to climb higher and higher. From a distance I could see an incomparable glow as beautiful as gold. This is my sworno-jyoti (gold-glow). I saw now for the first time.]⁴⁴

Bulbul's death introduced the element of spirituality (including fatalism, mysticism, and magic power) in Nazrul's mind—an involvement that would influence his songs as well. In fact, Nazrul was violently taken to spirituality by the agonies of the beloved son on his deathbed. Khan Muhammad Moinuddin (1901-81), a Nazrul associate and his biographer, records that at the last stage of Bulbul's illness Nazrul lost balance of mind and, in great bewilderment, sent for a *sadhu* or holy man reputed to have healed sick people with spiritual powers.⁴⁵ Nazrul tried to revive himself and he did it and found it as his golden beauty for the first time. But this new change turned him into another change:

সহসা যেন কোন করাল ভয়ঙ্কর-শক্তি আমায় নীচের দিকে টানতে লাগল। বলতে লাগল, "তোমার মাতৃ-ঋণ – তোমার স্বদেশের ঋণ শোধ না হতে কোথায় যাবে উন্মাদ?" আমি বললাম, "সাবধান! আমার মাঝে আমার প্রলয়-সুন্দর আছেন।" সেই ভয়ঙ্কর বিরুদ্ধ শক্তি প্রবলবেগে নিম্নপানে টানতে লাগল। বলল, "সেই প্রলয়-সুন্দর তোমার মত অজ্ঞানোন্মাদ নন, তোমার সেই পৃথিবীর ঋণ, ভারতের ঋণ, বাঙলার ঋণ, মানব-ঋণ, তোমার আত্মার আত্মীয়ের ঋণ সম্পূর্ণরূপে শোধ না করে তুমি যেতে পারবে না।" আমি বললাম, "তুমিই কি কোরানে লিখিত অভিশপ্ত শক্তি শয়তান!" সে হেসে বললে, "হাঁ, চিনতে পেরেছ দেখে আনন্দিত হলাম। কোরানে কি পড় নাই, আমার ঋণ শোধ না করে তুমি স্রষ্টার কাছে যেতে পারবে না, তাঁকে দেখতে পারে না, আমার

⁴² Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 29.

⁴³ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. Dhaka: Bangla Academy, 1993, p.34.

⁴⁴ Mchammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. Dhaka: Nazrul Institute, 2001, p. 30

⁴⁵ Priti Kumar Mitra, *The Dissertation of Nazrul Islam: Poetry and History*. New Dillhi: Oxford University Press, 2007 p.86

বাধাকে অতিক্রম করে যেতে পারবে না!" অনুভব করতে লাগলাম, আমার প্রলয়-সুন্দর আর যেন সাহায্য করছেন না। মাটির মানুষ মাটিতে ফিরে এলাম। এই পৃথিবীর মাটির মায়া আমাকে মায়ের মত প্রগাঢ় আলিঙ্গনে বক্ষে ধরলেন, চুম্বন করতে লাগলেন, কাঁদতে লাগলেন। আমি বিদ্রোহ করে এই বন্ধন ছিন্ন করতে চাইলে সেই ভয়ঙ্কর শক্তি পৃথিবীর কোল থেকে কেড়ে নিয়ে ভীষণ প্রহার করতে লাগলেন। আমার সহধর্মিণী অর্ধাঙ্গিনী শক্তিকে অর্ধপঙ্গু করে শয্যাশায়ী করে দিলেন। অর্থ কমিয়ে দিলেন, ভীষণ ঋণ-দেনার রজ্জু বন্ধন করে প্রহার করতে লাগলেন।⁴⁶

[All of a sudden some cruel terrible power seemed have appeared trying to drag me downward. He went on saying, 'Where will you go, O lunatic, before repaying your homeland's debt, the debt of your mother?' I said, 'Be aware! Within me lives *proloy-sundor* (destruction-beauty).' That fierce, terrible, opposing beauty started me dragging down with a violent force, He said, 'That *proloy-sundor* (desruction-beauty) is not nonsense-mad like you, you will not be able to go anywhere without fully repaying the debt of your that earth, that India, that Bangla, that mankind, that relative of your soul.' I said, 'Are you the cursed power named Satan written in the Koran?' He said smilingly, 'Yes, I am glad to know that you have recognized me. Have you not read in the Koran that you would not be able to reach your Creator, to see him, to cross my hurdles without paying my debts?' I started realizing that my *proloy-sundor* (destruction-beauty) is no more cooperating with me. The man of earth came down to earth again. The maya (illusion) of this earth took me to his bosom in deep embrace like my mother, kissing me, bursting into tears. As I attempted to tear this bondage rising in revolt, that terrible took me away from the lap of earth and started bearing me fiercely. I left my life-partner, my better-half half-paralised on the bed. It decreased my money, started me wheeping chining with the rope of horrible debts and dues.]⁴⁷

In this period Nazrul passed through very hard times. He tried to return to his nature of rebellion. But his *Proloy sundar* gave him pressure. Then he realises that he has many things to do for his motherland and he returns to his real path. But again he felt into difficulties. In 1938 a family disaster occurred and the lower part of Pramila's body got paralised. Nazrul again fall in under financial crisis.⁴⁸ His beloved wife Pramilla became paralised and he felt into deep money crisis and so many debts surrounded himself.

Beyond these crises Nazrul revolted again for the sake of his country and he said:

আমার পৃথিবী এসে আমাকে ধরে আমার জ্বালা জুড়িয়ে দিলেন। এমন সময় এলেন আমার এক না-দেখা বন্ধু। তিনি তাঁর বন্ধু, আমার এক বিদ্রোহী বন্ধুর মারফতে আমায় অপরূপ চেতনা দিলেন। আমি আবার এই প্রথম ধরিঙ্গী-সুন্দর মাকে ভালোবাসলাম, জড়িয়ে ধরলাম। আমার পৃথীমাতার অঙ্গ-প্রত্যঙ্গের দিকে, বাঙলার দিকে, ভারতের দিকে চেয়ে দেখলাম, দৈন্যে, দারিদ্র্যে, অভাবে অসুরের পীড়নে তিনি জর্জরিতা হয়ে গেছেন। তাঁর মুখে-চোখে আনন্দ নেই, দেহের শান্তি নেই, অঙ্গ-প্রত্যঙ্গ দৈন্য-দানব-রাক্ষসের নির্যাতনে ক্ষত-বিক্ষত। আমি উচ্ছেৎস্বরে চিৎকার করে

⁴⁶ Abdul Quadir (ed.), Nazrul Rachanaboli (Works of Kazi Nazrul Islam), New Edition. Dhaka: Bangla Academy, 1993, p.35.

⁴⁷ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 31.

⁴⁸ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. Introductory.

বললাম, “আমি ব্রহ্ম চাই না, আল্লাহ চাই না, ভগবান চাই না, এই সব নামের কেউ যদি থাকেন, তিনি নিজে এসে দেখা দেবেন। আমার বিপুল কর্ম আছে, আমার অপার অসীম এই ধরিত্রী মাতার ঋণ আছে। আমার বন্দিনী মাকে অসুরের অত্যাচার থেকে উদ্ধার করে আবার পূর্ণশ্রী-সুন্দর আনন্দ-সুন্দর না করা পর্যন্ত আমার শক্তি নেই, আমার শান্তি নেই।”⁴⁹

[My earth came down and embraced me allaying my burning. Then a friend came whom I had not seen before. He gave (me) an unprecedented consciousness through his friend, who is my rebellious friend as well. I again loved for the first time my mother dhoritri-sundar (earth-beauty) and embraced her. All my burnings seemed to have been allayed in a gradual manner. My blindness ended. I speared my look towards the limbs and organs of my earth-mother, my Bangla, my India—all of them afflicted by poverty, want and demon's tortures. Her face limbs and organs severely wounded by the oppression of monsters. I shouted at the top of my voice, 'I don't want Brohmaon or Allah, or Bhogowan. If somebody exists under any of such name he will see me in person. I have enormous work to do, I have my debt (to repay) of my endless limitless earth-mother. I have no peace; I have no freedom till I will not be able to make my mother a full-beauty a joy-beauty freeing her from the fetters of demon's oppression.]’⁵⁰

Here he promised to do all for his motherland which is *Dharitri sundar* to him. And he wanted to make the country into *Purnasri sundar* and *Anada sundar*.

He saw his country again in different angle and he described it as 'Puspita sundar':

ভয়ঙ্কর শক্তি আনন্দে হেসে উঠল। আমি বললাম, “এ তোমার অভিনয়।” সে বলল, “এই আমি প্রথম তোমার কাছে সত্যি করে হাসলাম, অভিনয় করিনি।” চেয়ে দেখি, আমার পানে চেয়ে পৃথিবীর ফুল আনন্দে ঝরে পড়ল। আমি মাটি থেকে তাকে বুকে তুলে বললাম, “কেন তুমি ঝরলে?” ফুল বললে, “আমার মা-লতাকে জিজ্ঞাসা কর, আমার রূপ-রস-সুরভি-মধুকে জিজ্ঞাসা কর। তুমি যে এই পৃথিবীর সুন্দর মানুষ, তোমার মাঝে আমার সুন্দর আছেন, সেই সুন্দরকে দেখে আমি ঝরে পড়লাম।” আমি ফুলকে চুম্বন করলাম, অধরে বক্ষে কপোলে রেখে আদর করলাম। ফুল বলল, “আমার সুন্দরকে পেয়েছি, আমার এই রূপ-রস-মধু-সুরভি নিয়ে তোমার মাঝে নিভা হয়ে থাকব।” এই আমি প্রথম পুষ্পিত সুন্দরকে দেখলাম। এইরূপে তাঁদের আলো, সকাল-সন্ধ্যার অরুণ-কিরণ, ঘনশ্যাম-সুন্দর বনানী, তরঙ্গ-হিল্লোলিতা বার্না, তটিনী, কূলহারা নীল-ঘন সাগর, দশদিক-বিহারী সমীরণ আমায় জড়িয়ে ধরল। আমার সাথে মধুর ভাষায় বন্ধুর মত সখার মত, কথা কইল। আমায় “আমার সুন্দর” বলে ডাকল।⁵¹

[My proloy-sundar (destruction beauty) burst into a laughter. I said, 'this is your acting only. He said, 'this is for the first time I truly laughed before you, and acted merely.' I gazed and saw the flowers of earth dropping down happily giving a look at me. I took them to my bosom from the soil and said, 'why did you drop down?' The followers said, 'ask my mother-creeper, ask my beauty-juice-honey-fragrance. That you are the beautiful man of this earth, in you resides my beauty, which I saw and

⁴⁹ Abdu. Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. Dhaka: Bangla Academy, 1993), p. 35.

⁵⁰ Muhammad J. ur-R. Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2011), p. 21.

⁵¹ Abdu. Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. Dhaka: Bangla Academy, 1993), p. 35.

dropped down in the ecstasy of seeing it.' I kissed the flower, fondled her pressing against my lips chest forehead. The flower said, 'I have got my beauty, taking these my beauty-juice-honey-fragrance with you I would exist eternally within you.' This is how I first saw the *pushpita sundar* (flowered beauty). This way the beam of moon, the sunrays of morning and evening, the rivers, the coast less deep-blue sea, the ten-direction-traveling wind caressed me and wrapped me up. They conversed with me like a friend like a beloved in sweet language. They addressed me, '*Amar Sundar*' or my beauty.]⁵²

Here we see how dear the country to him was. And this is his real beauty- *Amar sundar*.

Nazrul's *prolay sundar* came again but in different nature. He revolted again and asked:

সহসা এল উর্ধ্ব-গগনে বৈশাখী ঝড়, প্রগাঢ় নীলকৃষ্ণ মেঘমালাকে জড়িয়ে। ঘন ঘন গম্ভীর ডমরু ধ্বনিতে, বহির্বর্ণা দামিনী-নাগিনীর ত্বরিত চঞ্চল সঞ্চরণে আমার বাহিরে-অন্তরে যেন অপরূপ আনন্দ তরঙ্গায়িত হয়ে উঠল। সহসা আমার কণ্ঠে গান হয়ে, সুর হয়ে আবির্ভূত হল –“এল রে প্রলয়ঙ্কর সুন্দর বৈশাখী ঝড় মেঘমালা জড়িয়ে!” আমি সজর ব্যাকুল কণ্ঠে চিৎকার করে উঠলাম, “তুমি কে – কে?” মধুর সহজ কণ্ঠে উত্তর এল, “তোমার প্রলয়-সুন্দর বন্ধু।”⁵³

[Suddenly the upper sky saw a *Boishakhi* storm (nor'-western), coiling up dark deep blue-black clouds. Repeated thunderbolts in quick succession, fire-coloured lightning-snakes in their restless extension seemed to have swelled up with unprecedented waves of my inner and outer being. Suddenly in my voice appeared in the form of a song and a tune, 'There comes the all-terrible *Boishakhi* storm (nor' western) wrapping the clouds.' I shouted in an eagerly wet voice, 'who are you—who?' A sweet easy voice replied, 'Your friend, *prolay-sundar*, the destruction-beauty.]⁵⁴

He got the answer from his *prolay sundar*:

আমি তখন বললাম, “তুমি তো আমায় ত্যাগ করে চলে গিয়েছিলে, আবার কি জন্যে এলে?” সে আমার আত্মাকে জড়িয়ে ধরে বলল, “তুমি স্রষ্টাকে সংহার করে, তোমার মাকে সংহার করতে, মাতৃহত্যা করতে চেয়েছিলে, আত্মসংহার করতে চেয়েছিলে। তাই আমি তোমার দু'ধারি তলোয়ার কেড়ে নিয়ে অভিমানে ফিরে গেছি। তোমার চৈতন্য ফিরে এসেছে, তোমার মাঝেই তোমার স্রষ্টাকে দেখতে পাবে আজ – সৃষ্টিতে, পৃথিবীতে, আকাশে, বাতাসে, রস-ভরা ফলে, সুরভিত ফুলে, স্নিগ্ধ মৃত্তিকায়, শীতল, জলে, সুখদায়ী সমীরণে, তোমার সৃষ্টিসুন্দরকে প্রকাশ-স্বরূপে দেখেছ! তোমার না-দেখা পরম প্রিয়তম, পরম বন্ধুকে পেতে, বিপুল অসহ তৃষ্ণা, স্বপ্ন, সাধ, কল্পনা, বাধ-না-মানা বেগসহ অসীমের পানে প্রবল প্রবাহ নিয়ে উজান গতিতে উর্ধ্ব পানে চলেছিলে, আজ সেই পরম পূর্ণতার, পরম শান্তির, পরম মুক্তির আনন্দবাণী নিয়ে আমি তোমার কাছে এসেছি তোমার বন্ধু হয়ে। এই পৃথিবীতেই তাঁর সঙ্গে তোমার অপরূপ পূর্ণ মিলন হবে। তাঁর আগে তোমাকে এই অসুন্দর পৃথিবীকে সুন্দর করতে হবে; সর্ব অসাম্য, ভেদকে দূর করতে

⁵² Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 32.

⁵³ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.35.

⁵⁴ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 33.

হবে। মানুষ যে তাঁর সৃষ্টির শ্রেষ্ঠ, পৃথিবীতে তা তোমাকে প্রমাণ করতে হবে। তারপর হবে তোমার সুন্দরের সাথে পরম বিলাস, পরম বিহার।”⁵⁵

[I then said, 'you left me out, why have you come back again?' He embraced my soul and said, 'killing the creator you tried to kill your mother and kill yourself. So I have back out of my *obhiman* (vanity) snatching away the double-edged sword from you. You have come back to your senses, you would today see your creator within yourself—your *sristi-sundar* (creation-beauty) would reveal its identity in the creation, on earth, in the sky, in wind, in fruits full of juice, in fragment flowers, in calm soil, in cold water, in delight-giving breezes. In a bid to get your unseen absolute beloved, absolute friend you went on climbing upwards, towards the limitless with forceful tidal waves, with unquenchable thirst, dreams, desire, fancies and unobscuretable passions—today I have come to you as your friend as an embodiment of that absolute happiness. On this earth will happen your incomparable union with Him in the full. Before that I shall have to make this beautyless earth beautiful; I shall have to remove all inequalities and differences. You have to prove on this earth that a man is the best of all he has created. Thereafter you would have *bilas* (consumption) with your beauty and your absolute *bihar* (pleasure-trip).]”⁵⁶

Here he started his vision again to make the country free from enemies. He needs his *Bis sundar* to kill the enemy. He said:

শুনে আমি অপরূপ আনন্দে মাভেঃ ধ্বনি করে বললাম, “তবে দাও বন্ধু আমায় দু’ধারি তলোয়ার, দাও আমায় তোমার বিপ্লবের বিষাগ-শিঙ্গা, দাও আমায় অসুর-দৈত্য-সংহারী ত্রিশূল ডমরুধ্বনি। দাও আমায় ঝঞ্ঝার জটিল জটা, দাও আমায় বাঙলার সুন্দরবনের বাঘাঘর। দাও ললাটে প্রদীপ্ত বহিঃশিখা, দাও আমার জটাছুটে শিশু শশীর মিশ্র হাসি। দাও আমায় তৃতীয় নয়ন, দাও সেই তৃতীয় নয়নে অসুর-দানব-সংহারের শক্তি। দাও আমার কণ্ঠে এই পৃথিবীর বিষ, করো আমায় বিষ-সুন্দর নীলকণ্ঠ। দাও আমায় দামিনী-তড়িতের কণ্ঠমালা। দাও আমার চরণে নটরাজের বিষম তালের নৃত্যায়িত ছন্দ।”⁵⁷

[Listening to that I shouted 'Hurrah' in uncontrollable joy, 'then O my friend, give me your double-edged sword, give me your bishansinga (horn or bugle) of revolution, give me your demon-giant-killer weapons trishul (trident) trumpets. Give the complex jota (matted hair) of whirlwind; give me the velour of the Royal Bengal Tigers of my Sundarban. Give the burning fire flame on my forehead; give the soothing smile of a child in my jotajut (mass of matted hair). Give me the third eye; give the strength in that third eye to kill demons and monsters. Give in my mouth the poison of this earth, make me bish-sundar (poison-beauty) Nilkontho (a blue necked bird that can digest poison). Give me the necklace of lightning around my neck. Give in my feet of Notoraj (the best dance, especially Shiva).]”⁵⁸ His *Amar sundar* (My beauty) replies:

⁵⁵ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.36.

⁵⁶ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 33.

⁵⁷ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.36.

⁵⁸ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 34.

বন্ধু হেসে বললেন, “সব পাবে, তোমার অপ্রাপ্য কিছুই নেই। আর কিছু দিন দেরি আছে। তুমি অভিমান করে বিদ্রোহ করে নিজের কি ক্ষতি করেছ, নিজে কি কখনো চেয়ে দেখেছ? তুমি অরণ্য-কন্টক-কর্দমাক্ত পথে নিজের সর্বাত্মকে ক্ষত-বিক্ষত শক্তিহীন করে ফেলেছ। তোমার এইসব অপূর্ণতা পূর্ণ হোক, তখন তোমার প্রলয়-সুন্দর তোমার সর্বদেহে আবির্ভূত হবেন। তোমার সুন্দরকে তুমি লতার মত জড়িয়ে ধরবে, তার না-শোনা বাণী তোমার লেখায় ফুলের মত ঝরে পড়বে।” আমি বললাম, “তথাস্তু!” প্রলয়-সুন্দর বললেন, “সাধু! সাধু! তথাস্তু!”⁵⁹

[The friend said smilingly, ‘You will get everything; there is nothing ungettable for you. Things will be delayed for a few days. Have you ever seen the damage you have done to yourself by revolting out of *obhiman* (self-conceit)? You have left your whole body strengthless suffering from endless wounds treading the path of woods and thorns and mud. Let all these incompleteness be removed, then your prolay-sundar (destruction-beauty) would reappear in all your body. You would hug your beauty like a creeper; his unheard message would bloom in your writings like flowers. I said, ‘Tothashu, that’s right.’ Prolay-sundar (distraction-beauty) said, ‘Shadhu! Sadhu! Sadhu! (thanks in applause).’]⁶⁰

This last paragraph indicates the ultimate success of Nazrul’s career as a poet. Nazrul got many things from people and is still getting the honour and respect from them. *Navajug* was republished in 1940 with Nazrul as its Chief Editor. This year he also attended the year-end ceremony of Dhaka Radio. In 1941, the Banagaon Literary Society started its annual conference under his chairmanship. And he delivered the final address of his life on April 5-6, while presiding over the Silver Jubilee Celebration of the Bangiya Muslim Samity. The speech is known as ‘jodi ar banshi na banje’ (If the flute plays no more). On May, 25, Nazrul’s birth day was celebrated in Calcutta, presided over by Poet Jatindra Mohan Bagchi. On July 10, 1942 Nazrul lost his power of speech at a time when he was conducting a children’s programme in All India Radio. He did not improve by any effort.⁶¹

Nazrul’s condition in this tragic stage of his life perfectly resembled the picture he had drawn of himself in a poem addressed to a row of betel nut tress that he had composed in Chittagong in 1929:

...I will never wake again.
Won’t make noise all day
to break any one’s repose.
Silent and motionless
I’ll burn alone myself
like incense fragrant.⁶²

The second occasion he described himself was in a speech delivered in April 1941 when he was already a spent force:

⁵⁹ Abdul Quadir (ed.), *Nazrul Rachanaboli* (Works of Kazi Nazrul Islam), New Edition. (Dhaka: Bangla Academy, 1993), p.36.

⁶⁰ Mohammad Nurul Huda, *Nazrul’s Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 35.

⁶¹ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. Introductory.

⁶² Priti Kumar Mitra, *The Dissent of Nazrul Islam: Poetry and History*. (New Dillhi: Oxford University Press, 2007), p.91.

...The power from a mysterious golden sky that used to supply joy for me...sometimes gets lost in a trance. Then I also turn speechless, my flute gets silent, the flow of joy frizzes up, my delightful person turns into a sane idol. This is not death, but something gloomier than death.⁶³

Jagattarini Gold medal was awarded to him in 1945 by the Calcutta University. In 1960, the government of India honoured the poet with a Padmabhusan (Lotus-decorated), the third highest national award of the country. In 1969, the Rabindra Bharati University of Kolkata awarded the speechless poet an honorary D.Litt degree.⁶⁴ On May, 24, 1972 Nazrul was brought to the Independent Bangladesh. In 1974 Nazrul was made guest of Honour in the International Conference of Writers held in Bangla academy. In 1975 Dhaka University conferred an honorary D.Litt on Nazrul. In 1976 Nazrul was conferred citizenship of Bangladesh and also awarded Ekushe Padak by the government of Bangladesh.⁶⁵ The same year on August 29, Nazrul breathed his last in Dhaka.

Conclusion

Despite all hostile conditions governing his life, he was enormously welcomed by the people at large, especially the young community of the country. So he became one of the most popular poetical and political personalities of undivided India under colonial rule. Hence, beauty with its very intrinsic nature does not remain connotative in a singular way with identical significance everywhere or with its neutrality in a no-man's land. His personal life, the sociopolitical life, the life of a creative artist—all mingled together to render his living into an interdisciplinary discourse. So beauty came to him rather as an ever-evolving Concept or Cognition of being under erasure,-- whatever it may be,--with the evolution of his changing life-pattern frequently shaping into an altered ego. It is also a cognition of his life-cycle dominating the metamorphosis of aesthetic consummation within his being. So Beauty which appears at the outset of his literary career as various literary genres such as short story or novel or poetry or play, shapes itself into a transitory persona charming from happiness to grief, might to debility, poison to honey, destruction to creation, childhood to youth, bud to flower, darkness to golden glow and so on and so forth. In fact, Nazrul could have added on to this series of metaphors for beauty, but he stooped since one has to stop somewhere.⁶⁶ In all its senses, the article '*Amar Sundar*' takes the position of an aesthetic autobiography of Nazrul.

⁶³ Ibid, p.93.

⁶⁴ Ibid, p.86.

⁶⁵ Sajed Kamal, *Kazi Nazrul Islam: Selected Works*. (Dhaka: Nazrul Institute, 2000), p. Introductory.

⁶⁶ Mohammad Nurul Huda, *Nazrul's Aesthetics and other Aspects*. (Dhaka: Nazrul Institute, 2001), p. 35-36.

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