



**Ministry of Local Government, Rural Development & Cooperatives**  
**Local Government Division**  
**Local Government Engineering Department (LGED)**

## **7.3 Guidelines for Implementation of Capacity Development for Standing Committee on law and discipline**

**Project Coordination Office (PCO)**  
**City Governance Project (CGP)**

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**Assisted by**  
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**Urban Management Unit, LGED**

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## **1. Introduction**

Rapid urbanization accelerated by industry led economic growth has been taking place in Bangladesh. Potential of economic growth in urban area is worthy of notice. There are 335 Local Government Institutions which cover 8% of total geographical area of Bangladesh and 30% of total population, while it accounts for 60% of total national growth. On the other hand, negative impact caused by the dramatic change in urban area is observed. It is because the functions of municipalities and city corporations prescribed in Local Government (Pourashava) Act 2009 and Local Government (City Corporation) Act 2009 which are very relevant to the demand of city dwellers and urban development are not implemented in an appropriate manner. In order to improve the public services provided by urban local governments, several urban development projects are/were implemented by LGD and LGED with financial assistance of different development partners and government own fund. Based on the experiences gained through implemented projects, effective activities for improvement of urban governance have been formulated as a program, and well accepted. The urban governance improvement programs have been implemented to ensure good governance of those urban local government institutions namely Paurashava for equal, social harmony and planned development. Initiating urban governance improvement, LGD and LGED with financial support of JICA commenced a project named City Government Project (CGP) in 5 City Corporations.

## **2. Justifications**

City Corporation is a local government body under the Local Government Division of the Ministry of Local Government, Rural Development and Co-operatives. City Corporation is composed with a body of elected representatives consisting of one Mayor and a number of Councilors to be determined by the government. To ensure participation of people in the function of the CC, the provision of Standing Committee has been provided in Section-50 of the LG (CC) Act, 2009. The Act provided fourteen Standing Committees in the CC, but in Section 50(2) it is also provided that the CC can form Standing Committees on the subjects as it deems fit on taking approval in the CC meeting beyond the number of Standing Committees as provided in Section-50(1) of the Act.

Though Standing Committee on Law and Discipline has not been provided primarily in the Act, it needs to be formed in all CC on taking approval in the CC meeting. The Standing Committee on law and discipline can play the role of arbitrator to mitigate the litigation of various nature, check the offenders who may cause obstruction in normal functioning of the CC, play protective role to the properties of the CC from loss and damage, create awareness of the people for maintenance of law and discipline in the CC area, help proper traffic management, take active part during natural calamities, help the law enforcing agencies identifying the offenders and any other matter arises from time to time for maintenance of law and discipline in the CC area.

To play such role, the members of the standing committee need to prepare themselves by acquiring knowledge in respect of rules and regulations of the CC as well as that of other agencies functioning within the CC area. The members of the standing committee need to be aware of their own responsibilities for proper functioning of the CC with a view to make the CC area an ideal place of living for the city dwellers. To make the member of the Standing Committee on law and discipline knowledgeable

about their duties, their capacity building in respect of discharging their responsibilities on law issues are primarily required.

### **3. Relevant Issues of ICGIAP**

#### **3.1 Task**

CC's officers do not have sufficient experience in law enforcement. Thus, it is necessary for CC officials who involve in law enforcement to be trained. This activity will be organized by CDU, magistrate, law officer and other concerned officials participate in the training program to build capacity to operate law enforcement activities.

Task 1: Participate in training on law enforcement

Task 2: Examines awareness campaign on law (proposed in activity 7.1)

Task 3: Examines plan of law enforcement activities (proposed in activity 7.2)

#### **3.2 Action by**

Magistrate, Law officer

#### **3.3 Time Schedule**

Task 1: by mid of 3<sup>rd</sup> year

Task 2, 3: according to necessity

#### **3.4 Indicators**

At least 1 (one) training conducted for members of the Standing Committee annually.

- Following activities to be checked to evaluate the achievement of the indicator;
- Standing committee of law and discipline makes proposal for training activity, and submit to CDU
- CDU organizes the training activity as per the proposal
- Training activity is implemented according to the plan
- Assessment of training activity is conducted

### **4. Objectives**

#### **4.1 Knowledge of law issues**

The executing officer of each branch of CC needs to be aware of the law issues involved to carry out the functions of the CC as laid down in Schedule -3 of Section 41 and Schedule-4 under Section -82 of the LG (CC) Act, 2009 and offences laid down in Schedule -5 under Section-92 of the Act.

#### **4.2 Develop capacity of standing committee members in enforcement of relevant laws of the CC**

The members of the Standing Committee on Law and Discipline who are councilors need to be aware of the relevant law issues involved for carrying out such functions and offences laid down in the Act. To be aware of such law issues, they need to acquire knowledge about the relevant rules and regulation of the functions to be carried out and the connected legal matters, which may arise during implementation of such functions.

### **4.3 Create awareness of relevant laws**

The chairman and members of the Standing Committee on Law and Discipline needs to acquire thorough knowledge about the LG (CC) Act, 2009 to carry out the functions of the CC as law and discipline is involved for discharging functions of each department of the CC. Hence, knowledge of rules and regulation under LG (CC) Act, 2009 and a brief knowledge about the related laws like traffic rules as per Motor Vehicle ordinance, 1983, Government and Local Authority Lands and Buildings (recovery of possession) ordinance, 1970, the City Corporations (Taxation) Rules, 1986, Public Demand Recovery Act, 1913, Deputy Commissioner's responsibilities and task, 2011, Executive power of the District Magistrate and Executive Magistrates under penal code, 1860, Criminal Procedure Code, 1898, Police Act, 1861, Police Regulation of Bengal, 1943, Land Acquisition Act, 1894, Disaster Management Act, 2012, Powers of Police Officer under Police Act, 1861 and Police regulation of Bengal, 1943, Relevant laws of the Department of Fire Service and Civil Defense under Fire Preventing and Extinguishing Act, 2003 and Civil Defense Act, 1952 and other related laws of the national agencies and private organizations as and when arises to carry out the functions of the CC are required for the chairman and members of the Standing committee of the CC. Hence, an arrangement of training by the resource person in respect of the relevant laws need to be done by the Capacity Development Unit (CDU) of the CC to improve the capacity of the chairman and members of the Standing Committee on Law and discipline .

## **5. Relevant Organizations, Stakeholders and their role**

### **5.1 Role of Capacity Development Unit (CDU)**

The CDU of the CC needs to play vital role for arranging training on capacity development to the chairman and members of the Standing Committee on law and discipline. CDU requests standing committee of law and discipline to make plan for capacity development. CUD review the plan and organize training activity.

### **5.2 Role of the National agencies and Private Sectors**

Apart from the departments of the CC, the law issues which are related with the national agencies and private bodies to carry out the functions of the CC may be incorporated in the process of implementation of Capacity development for the chairman and members of the Standing Committee on law and discipline. The resource person of the concerned national agencies and private bodies may be invited in the training program. The law officer will function as a desk officer for co-ordination in this regard.

### **5.3 Training providers**

The CDU needs to arrange the training program for capacity building to the chairman and member of the Standing Committee. The training program may be arranged locally inviting training providers as resource person who are experts on various law issues. The training provider needs to have knowledge about the law issues of CC as well as the related law issues of the national agencies. The CDU may also take the help of the National Institute of Local Government (NILG), and Local Government Engineering Department (LGED) which also arrange this sort of Training Program.

## **6. Necessary Tasks and Procedure**

### **6.1 Task:**

#### **6.1.1 Establishment of the Standing Committee on law and discipline**

There is no mention about “Standing Committee on law and discipline” in Section -50 (1) of the LG (CC) Act, 2009. But the CC can establish any standing committee on any subject taking decision in the CC meeting considering its necessity which has been provided in Section -50 (2) of the LG (CC) Act, 2009. Hence, City Corporation needs to establish standing committee of law and discipline initially taking decision in the CC meeting.

#### **6.1.2 Participate in training on law enforcement.**

Law and discipline standing committee needs to select the persons who will participate in the training program. The law officer functions as a desk officer who prepares list of participants and the law issues for the training purpose. The magistrate, law officer and other concerned officer of the CC, national agencies and that of the concerned private organization and companies like Titas Gas Transmission and Distribution Co.Ltd, Bakhraabad Gas Distribution Co.Ltd, etc. may participate the training program.

#### **6.1.3 Selection of Training Subject and Examination of awareness campaign on relevant rule of law (proposed in activity 7.1 of ICGIAP)**

The relevant law issues raised for Awareness Campaign for Rule of Law needs to be examined, and the same is selected for the purpose of training for capacity development of the chairman and members of the Standing Committee of Law and Discipline. The vital law issues may be taken up concerning collection of taxes, tolls, fees and rates, prevention of encroachment, issuance of licenses, enforcement of traffic rules, land acquisition for development of City Corporation, etc. for the Awareness Campaign and training purpose. The relevant laws involved on the above issues has been mentioned as follows-

- a) Local Government (City Corporation) Act,2009- for all the functions of the CC;
- b) The City Corporation (Taxation) Rules, 1986-for collection of Taxes, etc. of CC;
- c) Public Demands Recovery Act, 1913- for collection of CC dues;
- d) The Government and Local Authority Lands and Buildings (Recovery of Possession) Ordinance, 1970-for eviction of unauthorized occupants from CC land and properties;
- e) Traffic rules under Motor Vehicle Ordinance, 1983-for systematic traffic movement in CC area;
- f) Land Acquisition Act, 1984-for acquisition of land in respect of development activities of CC.

The law officer may examine the relevant law issues in the light of the above and place the same for preparation of training plan.

#### **6.1.4 Examine plan of law enforcement activities (Proposed in activity 7.2 ICGIAP)**

The capacity development of the chairman and members of the Standing Committee of Law and Discipline requires to be implemented in respect of the issues on law enforcement activity by LEU. Hence, the action points proposed in the plan for law enforcement needs to be integrated into the training activity. The law officer, therefore, examines the proposed action points of the plan for law enforcement as indicated in Para-3.1.6 of the Guidelines for Establishment of LEU (Activity 7.2 of ICGIAP). After examining it, the law officer primarily selects the issues on which the training will be required for members of the Standing Committee on law and discipline.

#### **6.1.5 Exchange of visit to other City Corporation**

Standing Committee of Law and Discipline makes visit program to other city corporation for exchange of knowledge amongst each other and enrich themselves sharing experiences on law and discipline of the respective city corporation as a part of capacity development activity. Law officer, as member secretary of the standing committee, make proposal for visit program as a training activity, and submit to CDU.

### **6.2 Procedure**

#### **6.2.1 Orientation Workshop**

An Orientation workshop or training in respect to develop the capacity of the chairman and members of standing committee on law and discipline is required. The members of concerned standing committees may also be invited in the workshop. The law officer will collect the law issues from all the department of the CC, compile the same, and arrange an workshop for orientation of all concerned about the law issues for rule of law and it's enforcement. A sample format for orientation workshop had been shown in **Annex II**.

#### **6.2.2 Formulation of training Program**

A training program needs to be chalked out for the chairman and members of the standing committee on law and discipline in respect of the relevant rules, regulations and the connected law issues for proper functioning of the city corporation. The law officer needs to collect the law issues involved from all the departments of CC in the course of discharging their respective functions. On collecting the law issues, the law officer compiles the same and select the topics for training program making priority. While drawing training program, the relevant Acts, rules and regulations brought in the awareness campaign for establishment of rule of law and that of law enforcement activities need to be given due consideration. A sample pro forma for training program has been shown in **Annex III**.

#### **6.2.3 Monitoring of training Program**

The activities of the training program needs to be recorded by the training co-coordinator after the training is over on each subject. The outcome of the training program requires to be monitored before the next training program is drawn. There is a provision to conduct at least one training program for the members of the standing committee on Law and Discipline annually in the performance review criteria of ICGIAP. So, the outcome of the training needs to be monitored on each subject by the



CDU taking report from each department of the CC for further improvement of the capacity of the members of the standing committee on law and discipline. A sample pro forma for monitoring the training program has been shown in **Annex IV**. Conventional format given to the guideline of CDU (Activity 2.4) may be used for this purpose.

#### **6.2.4 Assessment of training program**

An assessment of training program for developing capacity of the chairman and members of the standing committee on law and discipline needs to be done after the training program. The outcome of the training is explained as come out automatically after the training is over. The assessment will be done on the basis of the outcome of the training program. This is required to assess the impact about the effectiveness of training program. The assessment will help to draw up improved training program in the subsequent year. The assessment needs to be done by the Capacity Development unit. The law officer will function as desk officer for the same. A sample pro forma for assessment of training program has been shown in **Annex V**.

#### **6.2.5 Final report on CDU activity**

As at least one training program requires to be conducted for members of the standing committee on law and discipline annually. The final report needs to be submitted after the training is over arranged by CDU. The report needs to be prepared about the modus operandi followed in the training program and its outcome on assessing the training already conducted. The draft report on the training required to be prepared by the training coordinator. The draft report may to be placed by the law officer before the CDU for approval. A sample pro forma for writing report in this respect has been shown in **Annex VI**.

### **7. Implementation Schedule**

A schedule of implementation is described in **Annex VII**.

### **8. Cost of Implementation**

#### **8.1 Budget allocation**

Since the training program is integrated in Capacity Development Program formulated by CDU. The budget for the training is also prepared through CDU.

#### **8.2 Logistics for implementation**

Necessary logistics, like the venue of the workshop and training, necessary training materials, transport, if required, etc. are required for implementation of the program. The provision to keep necessary logistics in the budget is kept for this purpose. The law officer needs to take initiative for such logistics in the budget.

## Annex I Sample format for raising law issue to be resolved

-----City Corporation

-----Section

-----Department

### Capacity Development to the members of the Standing Committee on Law and discipline

#### Law issues involved

SL. No.	Law issues involved against the subjects for implementation	Short descriptions of Law issues involved for implementation of function	Remarks
1	2	3	4
1			
2			
3			
....			

NB: If no law issue is involved, please write "Nil" in Column-3.

**Name and Designation  
of the reporting officer**

**Date:**

## Annex II Sample format for schedule of orientation workshop

-----City Corporation

### Capacity Development for the members of the Standing Committee on law and discipline

#### Schedule of Orientation Workshop

Venue: -----

Duration: ----- day (-----to-----)

No. of invitees:

List of Participants: Appendix- A

Coordinator:

Day	Time	Events	Resource Persons
	-----	Registration	-
Day-	<b>Inaugural Session</b>		
	-----	1. Recitation from Holy Quran 2. Welcome Speech 3. Keynote Speech 4. Inaugural Speech	1. ----- 2. ----- 3. ----- 4. -----
	<b>Business Session</b>		
	-----	Topics: a) Presentation on the topics  b) Discussion  c) Decision	(1) -----
	-----	Closing Remarks:	

## Annex III Sample format for training proposal

-----City Corporation

### Training on Capacity Development for the members of the Standing Committee on Law and discipline

Name of the Event: -----

Venue: -----

Duration: ----- day (-----to-----)

Number of invited trainees:

List of Participants: Appendix- B

Coordinator:

Day	Time	Events	Resource Persons
	-----	Registration	-
Day-	<b>Inaugural Session</b>		
	-----	Topics:  1. Recitation from the Holy Quran 2. Welcome speech 3. Keynote speech (Main purpose of the session or Messages to be communicated) 4. Inaugural Speech	1. 2. 3. 4.

#### Trainer's Session

#### Lessons plan for session Number and Name

Session: 1

Lessons Heading:

Day	Time allocated	Starting time	Instructions	Resource Person
			1. Context of discussion. 2. Invitation of questions from the trainee and open discussion between the trainee and trainer. 3. Assessment on the Session.	

## Annex IV Sample format for monitoring

-----City Corporation

### **Capacity Development for the members of the Standing Committee on Law and Discipline** **Monitoring of Training Program**

Sal. No.	Issues (Lesson's Heading)	Outcome on the training conducted	Quarterly review of the progress		Findings for Assessment	Remarks
			3 <sup>rd</sup> Qtr	4 <sup>th</sup> Qtr		
1	2	3	4	5	6	7

**Name and Designation  
of the Coordinator**  
**Date:**

**Annex V Sample format for Training Assessment**

-----City Corporation

**Capacity Development for the members of the Standing Committee on Law and Discipline**  
**Assessment of Training Program by CDU**

<b>Sal. No.</b>	<b>Issues (Lesson's Heading)</b>	<b>Finding on monitoring</b>	<b>Assessment on training program by CDU</b>	<b>Future Plan on Training</b>	<b>Remarks</b>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>

**Member-Secretary**  
**Capacity Development Unit**  
**Date:**

## Annex VI Sample of Final Report Format

-----City Corporation

### Capacity Development for the members of the Standing Committee on Law and Discipline

#### Final Report

Chairperson: Mr/Ms.....

Date: -----Time-----

Venue of Training: -----

Attendance in the Training Program: Appendix- A

Sal. No.	Issues (Lesson's Heading)	Discussion	Decision /Recommendation	Future Plan	Remarks
1	2	3	4	5	6

Member-Secretary  
Capacity Development Unit  
Date:

## **Annex VII Implementation Schedule**

-----City Corporation

**Capacity Development for the members of the Standing Committee on Law and Discipline**

**Implementation Schedule for Training**



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