Government of the People's Republic of Bangladesh

Local Government Reform Commission

Draft Six Laws under Report

Volume 2

April 2025

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2nd Part of Report

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The Local Government (Union Parishad, Upazila Parishad, Zila Parishad, Pourashava and City Corporation) Ordinance, 2025

The Local Government (Union Parishad, Upazila Parishad, Zila Parishad, Pourashava and City Corporation) Ordinance, 2025

(Ordinance No. ……/2025)

Promulgated to enact a new law by repealing the existing laws relating to the Union Parishad, Upazila Parishad, Zila Parishad, Pourashava, and City Corporation in the local government system, integrating the functions of these institutions

Ordinance

Whereas, for the purpose of strengthening and rendering more effective the local government system the "Local Government Reform Commission" has been duly constituted with the approval of the Hon'ble Chief Adviser of the Interim Government of the People's Republic of Bangladesh, with the mandate to recommend such reforms as may be deemed necessary;

Whereas, inspired by the spirit of the students and mass uprising in July-August 2024 to eliminate disparities and ensure the continuation of democratic governance, there remains a noble goal to establish the rule of law and a more participatory system in local government through popular will;

Whereas, local government is an integral part of the Constitution of the People's Republic of Bangladesh as a distinct entity, and the people are the owners of all power in the Republic, and hence, empowering the people requires the strengthening of local government;

Whereas, in order to ensure the rights of the people, it is necessary to enhance transparency and accountability of local government, prevent corruption, and establish good governance; and

Whereas, it is appropriate and necessary to make provisions for the reduction of government expenditure in local government elections, the governance of Local Government Institutions under a single legislative framework, the withdrawal of judicial functions from local government bodies and the establishment of ward-based dispute resolution center, and the enhancement of women's empowerment under the new electoral system;

Whereas, it is appropriate and necessary to repeal the existing laws and enact a new consolidated law to govern the functions of Union Parishads, Upazila Parishads, Zila Parishads, Municipalities, and City Corporations within the local government system; and

Whereas, Parliament remains dissolved and it has been satisfactorily established before the President that the necessary conditions exist for taking urgent measures for the governance of local government institutions;

Now, therefore, in the exercise of the powers conferred by clause (1) of Article 93 of the Constitution of the People's Republic of Bangladesh, the President is pleased to promulgate and issue the following Ordinance: —

Chapter One

Preliminary

1. Short title, commencement, and application —

(1) This Ordinance may be called the Local Government (Union Parishad, Upazila Parishad, Zila

Parishad, Pourashava and City Corporation) Ordinance, 2025.

(2) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.

(3) It shall extend to the whole of Bangladesh except the areas constituted under the Rangamati Hill District Council Act, 1989, the Khagrachari Hill District Council Act, 1989, the Bandarban Hill District Council Act, 1989, and the Cantonments Act, 2018.

2. Definitions— Unless there is anything repugnant in the subject or context, in this Ordinance—

(1) "Garbage" means refuse, waste, dung, animal carcasses, sewage sludge, sediment from sewerage systems, heaps of waste, debris, and any other polluted or objectionable substance;

(2) "Income" means any financial gain, excluding unearned income under this Ordinance;

(3) "Union" means any area declared as a union under section 4 of this Ordinance;

(4) "Union Parishad" means a Union Parishad constituted under section 13 of this Ordinance;

(5) "Improvement Trust" means any person or authority, including a development authority, responsible for executing urban development functions;

(6) "Building" means any structure built and used for residential, commercial, or other purposes as defined by the Building Construction Act, 1952 (East Bengal Act No. II of 1953) or its subsequent amendments;

(7) "Building construction" means the construction of a new structure;

(8) "Building reconstruction" means any substantial modification of a building as directed;

(9) "Building line" means a prescribed outer limit beyond which no part of the outer wall of a building may extend toward a road, whether existing or proposed;

(10) "Upazila" means any area declared as an upazila under section 4 of this Ordinance;

(11) "Upazila Nirbahi Officer" means the principal administrative and revenue officer;

(12) "Upazila Parishad" means an Upazila Parishad constituted under section 13 of this Ordinance;

(13) "Nuisance" means any act, defect, place, or thing which causes or may cause injury, danger, annoyance, or offense through sight, smell, or sound and is hazardous to life, health, or property;

(14) "By-law" means any by-law made under this Ordinance;

(15) "Surcharge" means any surcharge as determined under this Ordinance or the rules made thereunder;

(16) "Water wards" includes lakes, streams, springs, wells, pumps, reserved watercourses, tanks, pipes, sluices, culverts, and other equipment used for supplying or utilizing water;

(17) "Ward" means a single electoral area of a Union, Upazila, Zila Parishad, Pourashava, or City Corporation as specified under this Ordinance;

(18) "Conservancy" means the removal and disposal of garbage;

(19) "Commission" means the Local Government Commission constituted under the Local Government Commission Ordinance, 2025;

(20) "Tax" includes any tax, surcharge, toll, rate, fee, or other levies imposed under this Ordinance;

(21) "Councilor" means a ward councilor of a Pourashava or city corporation;

(22) "Rules of procedure" means the rules of procedure made under this Ordinance;

(23) "Functions" means the exercise of powers and the discharge of duties;

(24) “Factory” means a factory established under the Labour Act, 2006;

(25) “Cantonment Board” means a cantonment board established under the Cantonments Act, 2018;

(26) “Ethnic minority” means an ethnic group living in various districts of Bangladesh following its own language, culture, and lifestyle;

(27) “Holding tax” means a tax payable by the owner, occupier, tenant, or lessee for occupying any building or land, as determined by the relevant laws;

(28) “Food” means any consumable item excluding medicine and drink, intended for human consumption;

(29) “Public place” means any building, yard, or space freely accessible to the public;

(30) “Village area” or “Rural area” means any area not declared as a town or city;

(31) “Chairman” means the Chairman of a Union Parishad, Upazila Parishad, or Zila Parishad;

(32) “Chairman-in-Council” means the Chairman of a Council and three to five executive members nominated by him under this Ordinance;

(33) “Shadow Council Leader” means an opposition leader nominated by other members (excluding the Chairman and Speaker) of any Council constituted under this Ordinance except the Union Parishad;

(34) “Public road” means any road maintained by the Government or a local government institution or any other local authority;

(35) “Population” means the population as stated in the most recent census;

(36) “Land” means any land whether under construction, developed, or submerged;

(37) “District” means an administrative district established under section 4 of this Ordinance;

(38) “District Collectorate” means the office of the Deputy Commissioner or any officer specially appointed by the Government to discharge functions under this Ordinance;

(39) “Zila Parishad” means any Zila Parishad constituted under section 13 of this Ordinance;

(40) “Drug or Medicine” means any substance used as a medicine either internally or externally or any substance used in the preparation or mixing of such medicine;

(41) “Drain” means underground sewers, street drains, house drains, tunnels, culverts, ditches, channels, and other means for carrying stormwater or wastewater;

(42) “Schedule” means any schedule to this Ordinance;

(43) “Fund” means the fund of a Union Parishad, Upazila Parishad, Zila Parishad, Pourashava, or City Corporation;

(44) “Police Station” means any police station as defined in section 4(1)(s) of the Code of Criminal Procedure, 1898;

(45) “Occupant” means an owner in actual possession of any land or building, or a person temporarily holding it and liable to pay rent to the owner;

(46) “Dairy farm” means a farm, cattle shed, cow barn, milk storage area, etc.;

(47) “Urban area” means the area under a Pourashava or city corporation or any other area declared as a city or town by the Government;

(48) “Prescribed” means as prescribed by the rules or regulations made under this Ordinance;

(49) “Reserved seat” means a seat reserved under this Ordinance;

(50) “Prescribed authority” means the Government or any officer designated by the Government;

(51) “Election Commission” means the Bangladesh Election Commission;

(52) “Election Tribunal” means the Election Tribunal constituted under this Ordinance;

(53) “Election Appeal Tribunal” means the Election Appeal Tribunal constituted under this Ordinance;

(54) “Electoral offense” means such offenses as may be prescribed from the date of publication of the schedule under this Ordinance until the post-election gazette is published;

(55) “Electoral dispute” means such disputes as may be prescribed from the date of publication of the schedule under this Ordinance until the post-election gazette is published;

(56) “Path” means any walkway, square, field, courtyard, or road used or not used by the public for movement;

(57) “Council” means the Union Parishad, Upazila Parishad, or Zila Parishad constituted under this Ordinance;

(58) “Institution” means any local government institution named Union Parishad, Upazila Parishad, Zila Parishad, Pourashava, or City Corporation constituted under this Ordinance;

(59) “Chief Executive Officer” means the Chief Executive Officer appointed in a local government institution;

(60) “Regulation” means any regulation made under this Ordinance;

(61) “Pourashava” means any Pourashava constituted under section 5 of this Ordinance;

(62) “Municipal and City Corporation Fund” means the fund of the Pourashava or City Corporation;

(63) “Municipal Master Plan” means a comprehensive development framework including implementable projects within the jurisdiction of the Pourashava, which shall be the basis for the Pourashava’s master plan;

(64) “Ordinary resident of the Pourashava” means a resident of the concerned ward or municipal area whose name is listed in the electoral roll of that area;

(65) “Municipal representative” means the Mayor or any person designated by the Mayor;

(66) “Fee” means any fee determined under this Ordinance;

(67) "Forum" means the Ward Forum constituted under this Ordinance;

(68) "Market" means any place where people gather to buy and sell fish, meat, fruits, vegetables, or any other food products, or for the sale and purchase of cattle, goats, or birds, and which is declared as a market in the manner prescribed by rules;

(69) "Budget" means the financial statement of estimated income and expenditure of a Council for a fiscal year;

(70) "Annual Value" means the total amount received or receivable annually as rent of any house or land;

(71) "Rules" means the rules made under this Ordinance;

(72) "Bazaar" means a place where goods are assembled for the purpose of sale and purchase;

(73) "Rent" means any amount or thing legally payable by a tenant or lessee in exchange for possession of a building or land;

(74) "Right to Vote" means the fundamental right to cast a vote in elections of local government institutions;

(75) "Metropolitan Area" means any area falling under the jurisdiction of a City Corporation as determined by the government;

(76) "Owner" means any person who currently collects rent of any land or building on his own behalf or as a representative, trustee, or manager for any other person, society, religious or charitable institution, or who would collect the rent if the land or building were let out to a tenant;

(77) "Mayor" means the Mayor of a City Corporation or a Pourashava;

(78) "Mouza" means a specific area recorded and defined in the land records of a district through a land survey;

(79) "Road" means any road open to or intended to be open to public use, and includes roads that may be opened in the future;

(80) "Rate" means the rate levied under this Ordinance;

(81) "Contagious Disease" means any disease that can be transmitted from one person to another and includes any other disease notified by the government through the official Gazette;

(82) "Member" includes all members of Union Parishads, Upazila Parishads, and Zila Parishads, as well as Chairmen, Presiding Officers, Shadow Council Leaders, members of the Chairman’s Executive Council and Mayor-in-Council, and Chairmen and members of Standing Committees;

(83) "Reserved Member" means 33 percent of the members of local government institutions who are women, including cases where the figure is rounded up from a majority fraction;

(84) "Government" means the Local Government Division;

(85) "Public Road" means any road maintained by the Government, a local government institution, or any other local authority for public use;

(86) "Presiding Officer" means a person who conducts meetings or sessions of a Council, similar to the role of the Speaker of the National Parliament;

(87) "Road Line" means the boundary line separating the land forming part of a road or intended to form part of a road from adjacent land;

(88) "Ordinary Resident" means a person who permanently or by rent resides in a particular ward and whose name is included in the voter list of that ward;

(89) "City" means any large urban area as specified in the Schedule of this Ordinance;

(90) "City Corporation" means any City Corporation constituted under Section 6 of this Ordinance;

(91) "Sewerage" means the system or process for disposal of wastewater, including sewage, sullage, stormwater, and any waste carried by a drainage system;

(92) "Local Authority" means any statutory body established by law other than a local government institution;

(93) "Standing Committee" means the Standing Committees formed under this Ordinance to execute functions of Union Parishads, Upazila Parishads, Zila Parishads, Municipalities, and City Corporations;

(94) "Hat-Bazaar" means a designated place as per rules where goods, food items, commodities, animals, etc., are periodically bought and sold.

Chapter Two

Formation and Classification of Local Government Institutions

3. Formation of Local Government Institutions as Administrative Units —

(1) According to Article 59(1) of the Constitution of the People's Republic of Bangladesh, each Union Parishad, Upazila Parishad, Zila Parishad, Pourashava, and City Corporation shall be considered an administrative unit.

(2) Each local government institution shall be a statutory body with perpetual succession and a common seal, and subject to the provisions and rules of this Ordinance, shall have the power to acquire and hold both movable and immovable property. It shall be able to sue and be sued in its own name.

Part 1:

Formation of Union, Upazila, and Zila

(1) **Formation of Union, Upazila, and Zila —**

(1) The Government may, by notification in the official Gazette, establish Unions, Upazilas, and Zilas.

(2) In establishing a Union, Upazila, or Zila, the following considerations shall be taken into account:

(a) Each ward of a Union Parishad shall comprise an area with a population of at least 1,200 to 1,500 persons;

(b) Regardless of population, each Union shall consist of a minimum of 9 (nine) wards; based on population, a maximum of 39 (thirty-nine) wards divisible by three may be constituted in other Unions;

(c) Each Union shall be divided into 3 (three) wards, and all Union wards together shall constitute the Upazila Parishad; however, if a Union has more than 18 (eighteen) wards, the Upazila may comprise up to 5 (five) wards;

(d) Each Upazila shall be divided into 3 (three) wards, and all Upazila wards together shall constitute the Zila Parishad; however, if an Upazila comprises more than 15 (fifteen) Unions, that Upazila may constitute up to 5 (five) wards of the Zila.

(3) The Government may, upon request of a Parishad or in consultation with a Parishad, and by issuing a notification:

(a) Relocate the headquarters of the Parishad by following the prescribed procedure;

(b) Coordinate with other government institutions to enhance the effectiveness of the Parishad:

(c) Provided that no Parishad shall be named after any individual.

(4) The Government may, in consultation with the relevant Parishad, release the Parishad from any liabilities if it has no jurisdiction over any area.

Part 2:

Pourashava and City Corporation

5. Establishment of Pourashava —

(1) Upon consultation with the Commission and analysis of necessary data, the Government shall, by notification in the official Gazette, express its intent to declare any area as a municipal area:

Provided that the following information shall be included among other relevant data:

(a) Population;

(b) Population density;

(c) Sources of local income;

(d) Percentage of non-agricultural occupations; and

(e) Economic significance of the area:

Further provided that before issuing such a Gazette notification under sub-section (1), the following conditions must be confirmed:

(a) Three-fourths of the people in the proposed municipal area are engaged in non-agricultural professions;

(b) At least 33 percent of the land in the area is non-agricultural;

(c) The population density is not less than 2,000 per square mile;

(d) The population is at least 50,000:

Provided further that any existing Pourashava that fails to meet the above criteria as determined by the Local Government Commission may, following proper procedure, be merged with another institution upon dissolution:

Also provided that municipalities failing to meet the criteria within three (3) years from the date of enactment of the Local Government (Pourashava) Act, 2009, and its subsequent rules, shall, based on the recommendation of the Commission, be dissolved or merged with another institution.

(2) If the boundary of a Pourashava is to be extended to include a Union Parishad or part thereof, the provisions of this Ordinance must be followed.

(3) Composition of Pourashava: A Pourashava shall consist of the following members—

(a) Mayor;

(b) Councillors as determined by the Government through notification in the official Gazette; and

(c) A certain number of councillors reserved exclusively for women as per sub-section (4).

(d) Councillors shall be elected by direct vote based on adult franchise in accordance with this Ordinance and rules made thereunder.

(e) Councillors shall elect one of their own as Mayor by secret ballot.

(f) The Mayor shall be deemed a Councillor of the Pourashava.

(g) The name of an existing Pourashava shall not generally be changed without consultation with the local Pourashava.

(h) The name of a newly established Pourashava shall be determined by Gazette notification in consultation with the local population as per the prescribed rules:

Provided that the name of a Pourashava shall not be after any individual.

6. Establishment of City Corporation —

(1) Upon enforcement of this Ordinance, existing City Corporations shall be deemed to have been established under this Ordinance, and the Government may establish a new City Corporation by notification in the official Gazette.

(2) The Government may, if necessary, by notification in the official Gazette, extend or reduce the area of

any City Corporation.

(3) Each City Corporation area shall be deemed a local administrative unit for the purpose of fulfilling Article 59(1) of the Constitution of the People's Republic of Bangladesh.

(4) The Corporation shall be a statutory body with perpetual succession and a common seal and shall have the authority, subject to this Ordinance and the rules, to acquire, hold, and transfer both movable and immovable property. It may sue or be sued in its own name.

(5) Proposal to establish City Corporation:

(a) The Government, in consultation with the Commission, shall issue necessary rules through Gazette notification and determine several specific criteria;

(b) Among other matters, such criteria shall include—

i. Population;
ii. Population density;
iii. Sources of local income;
iv. Percentage of non-agricultural land and occupations;
v. Economic significance of the area;
vi. Infrastructural facilities and scope for expansion; and
vii. Annual income of the existing Pourashava;

(c) If the criteria under clauses (a) and (b) are not met, no City Corporation may be established;

(d) If the criteria are met, the Government may declare the establishment of a City Corporation through Gazette notification on the basis of the opinion obtained through public consultation;

(e) If the boundary of a City Corporation is to include a Union Parishad or Pourashava or part thereof, the provisions of this Ordinance must be followed.

7. Formation of the Corporation —

(1) The Corporation shall be constituted with the following persons:

(a) the Mayor;

(b) a prescribed number of Councilors to be determined by the Government by notification in the official Gazette; and

(c) a prescribed number of Councilors reserved exclusively for women under sub-section (4).

(2) The existing service-providing agencies operating within the territorial jurisdiction of the City Corporations shall be considered as associate agencies of the Corporation. Responsible representatives at the policymaking level of such agencies shall mandatorily attend meetings of the Council but shall not have voting rights. A list of such agencies is provided below:

(a) Chairman, RAJUK/CDA/RDA/KDA;

(b) Chairman/Executive Engineer, National Housing Authority;

(c) Chief Engineer, Roads and Highways Department/Public Health Engineering Department/Local Government Engineering Department;

(d) Chairman, Bangladesh Telegraph and Telephone Board;

(e) Director General/Director, Directorate General of Health Services;

(f) Metropolitan Police Commissioner;

(g) Chairman, Bangladesh Power Development Board/DESA/DESCO/DPDC;

(h) Deputy Commissioner/Additional Deputy Commissioner;

(i) Managing Director, WASA;

(j) Managing Director, Titas Gas/Karnaphuli Gas;

(k) Executive Engineer, Public Works Department;

(l) Director General/Director, Department of Forests and Environment;

(m) Director, BRTA/BWTA/CAAB;

(n) Chairman or Member, Sea and River Port Authority;

(o) Chairman/Member, BEPZA, BIDA, and all Industrial Development Authorities;

(p) Chamber of Commerce and Industry/Readymade Garments Association, Bar Council:

Provided that, if necessary, the Government may, in consultation with the respective City Corporation, include any other service-providing agency as an associate agency by notification in the Gazette.

(3) The Councilors shall be elected through direct election on the basis of adult suffrage in accordance with this Ordinance and the rules made thereunder.

(4) The Councilors shall elect one among themselves as Mayor through secret ballot.

(5) The Mayor shall be deemed to be a Councilor of the Corporation.

(6) (a) In the case of existing City Corporations, their names shall not generally be changed without consultation with the concerned City Corporation.

(b) In the case of newly established City Corporations, names shall be determined through public consultation following a process prescribed by rules and published in the official Gazette:

Provided that a City Corporation shall not be named after any individual.

8. Term of Office of Elected Representatives of the Corporation, etc.—

(1) The term of office of elected representatives of the Corporation shall be five (5) years commencing from the date of the first meeting to be held within three (3) days of the publication of the election results in the official Gazette.

(2) Notwithstanding anything contained in this Ordinance, if elections are held for 75% (seventy-five percent) of the total number of Councilors of a local government institution and the names of elected Councilors are published in the official Gazette, the institution shall be deemed to have been duly constituted subject to the other provisions of this Ordinance.

(3) After the Councilors are sworn in, the second phase of internal elections including the Chairperson, Mayor, and Leader of the Shadow Council shall be held:

Provided that one-third of the total ward-based seats shall be reserved exclusively for women:

Further provided that 33% of the total seats shall be reserved for women on a rotating basis, and the rotation system shall be prescribed and published in the Gazette by the Government in consultation with the Commission:

Further provided that women may directly contest in seats other than the reserved ones:

Further provided that the Commission shall make a recommendation on whether the quota for reserved seats should be abolished after the next three elections following the promulgation of this Ordinance.

(4) In regions other than the Chittagong Hill Tracts, if there exists any ethnic minority community, the Government may, in consultation with the Commission and if necessary, allocate reserved seats for such

communities through a prescribed process.

(5) The Mayor of the Corporation shall be deemed to be a Councilor of the Corporation.

(6) The salaries, allowances, honorariums, and other benefits of the Mayor, Chairperson, Executive Council, Leader of the Shadow Council, and other Councilors shall be determined by rules.

(7) In the distribution of functions of the Corporation, no discrimination shall be made between male and female Councilors.

PART 3

Classification of Local Government Institutions, etc.

9. Publication of Notification —

(1) Upon publication of a notification regarding the establishment of a "local government institution" in a given area, the concerned institution may, within one (1) month of such publication, submit a written objection against the proposal.

(2) The Government shall obtain the opinion of the Commission regarding such objection and take a final decision regarding the formation of the relevant local government area within one (1) month in the manner prescribed by rules.

10. Classification of Local Government Institution Areas —

The Government may, in consultation with the Commission and on the basis of specific criteria, classify local government institutions as Municipalities and City Corporations.

11. Term of Office of Elected Representatives of Local Government Institutions, etc.—

(1) The term of office of elected representatives of a local government institution shall be five (5) years commencing from the date of the first meeting to be held within three (3) days of the publication of election results in the official Gazette.

(2) Notwithstanding anything contained in this Ordinance, if elections are held for 75% (seventy-five percent) of the total number of members or Councilors of a local government institution and their names are published in the official Gazette, the institution shall be deemed to have been duly constituted subject to the other provisions of this Ordinance.

(3) After the oath of members/Councilors, internal elections such as Chairperson, Mayor, and Leader of the Shadow Council shall be held.

(4) Members/Councilors declared elected through judicial process shall assume office for the remainder of the institution’s term upon taking oath.

12. Duration of Local Government Institutions, etc.—

(1) The term of a Corporation shall be five (5) years from the date of publication of the Gazette upon the formation of an elected Council.

(2) Notwithstanding anything contained in this Ordinance, after the election of 75% (seventy-five percent) of the total number of Councilors of any local government institution, such institution shall be deemed to have been duly constituted.

(3) The Government, in consultation with the Commission—

(a) may announce the date of election within ninety (90) days before the expiration of the term of a local government institution, and the election shall be held within the following ninety

(90) days;

(b) if any complication arises concerning boundary determination, expansion, or ward delimitation, the election shall be held based on the previous boundaries used in the last election; and

(c) in case of formation or dissolution of any local government institution under section 96 of this Ordinance, elections shall be held within ninety (90) days from the date of the dissolution order.

Chapter Three

Procedure for the Formation of Local Government Institutions

13. Procedures —

(1) In accordance with the provisions of this Ordinance, Union Parishads, Upazila Parishads, Zila Parishads, Municipalities, and City Corporations shall be constituted as follows: —

(a) Union Parishad—

i. The Government shall constitute a Parishad in each union, the members of which shall be directly elected by the voters in accordance with the provisions of this Ordinance;

ii. The oath-taking ceremony shall be held in the Union Parishad premises or in a location determined by the Parishad, in the presence of voters, at a convenient time on the third working day following the publication of the election gazette;

iii. The Government shall make rules for conducting the oath ceremony and for the internal second-tier elections of the Parishad; the oath shall be administered as per **Schedule-2**;

iv. All voters listed in the latest voter list prepared by the Election Commission shall elect, through secret ballot, the designated number of members not exceeding the number of wards in the union, at the time, place, and manner determined by the Election Commission of Bangladesh;

v. In the case of Hill District Parishads, the Local Government Commission may, in consultation with relevant authorities, determine seat allocation for small ethnic groups as per a specified procedure;

vi. The names of the Chairman, Presiding Officers, Executive Members (after being elected by the members), and other members of each Union Parishad constituted under this Ordinance shall be published in the official Gazette;

vii. The Government shall, in consultation with the Commission, determine by notification the supervisory authority of the Parishad over all government officials working in the Union Parishad.

(b) Upazila Parishad—

i. Members representing each ward of the Upazila Parishad shall be directly elected by public vote;

ii. The elected members from all wards within the Upazila shall elect the Chairman and Presiding Officer by secret ballot;

iii. The oath-taking ceremony shall be held in the Upazila Parishad premises or at a place determined by the Parishad, in the presence of voters, at a convenient time on the third

working day following the publication of the election gazette;

iv. The Government shall make rules for the oath ceremony and internal second-tier elections of the Parishad; the oath shall be administered as per **Schedule-2**;

v. The elected Chairmen of Union, Upazila, and Zila Parishads shall nominate members (including one-third women) of their respective executive councils, and such nomination shall be considered the exclusive authority of the Chairman;

vi. In regions other than the Chittagong Hill Tracts, the Government, or where applicable, the Local Government Commission in consultation with concerned authorities, may determine reserved seats for small ethnic communities if necessary;

vii. The total number of unions within the Upazila shall be the primary determinant in determining the number of elected members, along with the number of ethnic minority communities;

viii. Until the formation of the "Local Government Service" or appointment of regular officers, the Upazila Parishad Chairman may temporarily appoint a person with equivalent rank and qualifications as 'Secretary' of the council. The Upazila Parishad Secretary shall work directly under the Chairperson;

ix. No full-time Upazila Nirbahi Officer or Chief Executive Officer of Upazila Parishad shall remain on deputation from the Ministry of Public Administration as a transferred officer. From all other transferred departments (excluding Public Administration), the senior-most or eldest officer by age shall serve as "Coordinator" to assist the Upazila Parishad Chairman and Chairman's Council by virtue of their position;

x. Through the 'Local Government Service' or until its formation, either directly or on deputation, one 'Finance and Budget Officer' and one Planning Officer shall be appointed;

xi. If the government so desires, the Upazila Nirbahi Officer may be retained as a non-transferred officer under the Deputy Commissioner of the district under a separate office with a different designation, while maintaining central government responsibilities as an officer posted in the upazila;

xii. The government shall, in consultation with the Commission, determine the control authority of the Parishad over all government officers working in the upazila through gazette notification;

xiii. Among the officials of the transferred sectors in the Upazila Parishad, the senior-most officer shall act as the Chief Executive or Coordinator subject to the satisfaction of the Chairman.

(c) Zila Parishad—

i. Members representing each ward of the Zila Parishad shall be directly elected by public vote;

ii. The elected members from all wards of the Zila Parishad shall elect the Chairman and Presiding Officer by secret ballot;

iii. The power to nominate three executive members of the Parishad shall be reserved solely for the elected Chairman;

iv. Under the power mentioned in sub-clause (iii), the Chairman shall nominate two other members including one woman or five Chairmen members for the executive body of the Parishad;

v. In regions other than the Chittagong Hill Tracts, the Government or, where applicable, the Local Government Commission may determine reserved seats for small ethnic communities,

if required, in consultation with concerned authorities;

vi. The total number of unions within the district shall be the primary determinant in determining the number of elected members;

vii. The number of ethnic minority communities, where applicable, shall also be considered;

viii. The Chief Executive Officer of the Zila Parishad shall perform administrative functions, while the Deputy Commissioner shall coordinate administrative and other governmental responsibilities. Other officials working in the district shall perform duties under the overall supervision of the Parishad and attend the meetings of the Parishad and its Standing Committees;

ix. The Government shall, in consultation with the Commission, determine by Gazette notification the authority of the Parishad over all government officials working in the district;

x. The Parishad shall appoint a Secretary who shall perform functions under the supervision of the Presiding Officer.

(d) Pourashava—

i. A Pourashava shall consist of one Mayor and a number of Councilors as determined by the Government:

Provided that the number of Councilors shall not exceed the number of total wards;

ii. In regions other than the Chittagong Hill Tracts, the Government may, if necessary, and where applicable, in consultation with the Local Government Commission, determine seat allocation for small ethnic or indigenous communities under a specified procedure.

(e) City Corporation—

i. Mayor;

ii. Councilors in such numbers as determined by the Government through notification in the official Gazette.

(2) Notwithstanding anything contained in sub-section (1), thirty-three percent (33%) of the total number of ward seats in Union Parishads, Upazila Parishads, Zila Parishads, Municipalities, and City Corporations shall be reserved for women, which shall be filled through a rotating system as determined by the Government in consultation with the Election Commission:

Provided further that women candidates shall not be barred from contesting in the general (non-reserved) seats;

Provided further that the necessity for the continuation of reserved seats for women and the rotation system beyond three consecutive elections shall be reviewed based on data, research, and stakeholder consultations.

(3) Councilors shall be elected through direct vote in accordance with this Ordinance and the rules made thereunder.

(4) The Mayor shall be deemed a Councilor of the Corporation.

(5) The Mayor shall be considered the leader of the Councilors and the Chief Executive of the Corporation.

Chapter Four

Meetings, Powers and Functions of Local Government Institutions

14. Meetings of the Institution —

(1) Every institution shall arrange to hold at least one meeting per month at its office, and such meeting shall be held within a pre-determined time, with the date of the meeting fixed at the immediately preceding meeting:

Provided that the first meeting of a newly constituted institution shall be held within one (1) month of the oath-taking, and the Secretary of the institution shall issue the notice for such meeting:

Provided further that if 50% (fifty percent) of the members of the institution submit a written request to the Speaker to convene a summon meeting, he or she shall fix the date and time of such a meeting to be held within 15 (fifteen) days, and shall issue notice to the members at least 7 (seven) days prior to the meeting. If the Speaker fails to convene such a meeting, the said members shall convene the meeting themselves within 10 (ten) days and shall issue notice to the Mayor/Chairman and Members/Councilors of the institution at least 7 (seven) days prior to the meeting. Such a meeting shall be held at the institution's office during office hours on the fixed date. An observer appointed by the Election Commission may be present during such a special meeting and shall submit a written report to the designated authority and the Local Government Commission within 7 (seven) days of the meeting on its conduct and the decisions taken:

Provided also that if no date and time for the next meeting is fixed at any meeting, or if a meeting is not held on the scheduled date and time fixed at the previous meeting, the Chairperson of the institution shall convene the meeting at his or her discretion.

(2) The Chairperson, or in his or her absence, the person discharging his or her duties, may convene a meeting of the institution at any time, if deemed necessary.

(3) No business shall be transacted at any meeting of the institution unless at least one-third of the total number of members or councilors are present continuously throughout the meeting.

(4) Unless otherwise provided in this Ordinance, all decisions of the institution shall be taken by a majority vote of the members or councilors present.

(5) Each member or councilor shall have one vote, and in the case of a tie, if no majority is achieved after a second vote, the presiding officer shall cast a second or deciding vote.

(6) At a meeting of the Council, the Chairman/Mayor or, in his or her absence, the member/councilor discharging his or her duties under sub-section (2) of section 18, or in the absence of both, a member elected by the members present, shall preside.

(7) Officials designated by the Government for this purpose may attend and participate in the discussions of the meetings of the institution upon invitation but shall not have voting rights.

(8) Whether or not a proposal has been adopted by a majority vote shall be clearly stated by the presiding officer at the meeting.

(9) If an expert opinion is needed on any technical or important matter on the agenda of the meeting, the institution may invite one or more experts to the meeting to provide their opinion on the said matter(s).

15. Agenda for Institutional Meetings —

Except in the case of an adjourned meeting, a list of business to be transacted at every meeting shall be sent to each member of the institution in the prescribed manner at least 7 (seven) days before the scheduled date of the meeting. No matter outside the list shall be introduced or transacted at the

meeting without the approval of a majority of the members present. Provided that if the Chairperson deems it appropriate due to the emergence of a situation necessitating an urgent meeting, he or she may convene such a meeting by giving 3 (three) days' notice to the members:

Provided further that only one matter may be included in the agenda of such a meeting.

16. Disposal of Functions of the Institution —

(1) All functions of the institution shall be disposed of by the institution itself or by its standing committees or by its Chairman/Mayor, member/councilor, officer, or employee in accordance with the prescribed limits and procedures.

(2) Except for general meetings, all other meetings of the institution shall be presided over by the Chairman/Mayor or, in his or her absence, by a member as per the order mentioned in sub-section (2) of section 18.

(3) No act or proceeding of the Council shall be deemed invalid merely on the ground that any seat is vacant, or there is any defect in the constitution of the Council, or any person has acted despite being ineligible to attend or vote or otherwise take part in the proceedings.

(4) The minutes of each meeting of the Council shall be recorded in a designated register and preserved in soft copy.

(5) All decisions of the institution shall be sent within 14 (fourteen) days from the date of signing of the minutes as follows—

(a) In the case of Union Parishad, to the Upazila Nirbahi Officer with a copy to the Deputy Commissioner;

(b) In the case of Upazila Parishad, to the Deputy Commissioner with copies to the Government and the Local Government Commission;

(c) In the case of Zila Parishad, to the Divisional Commissioner, the Election Commission, and the Local Government Commission;

(d) In the case of Pourashava, to the Deputy Commissioner with copies to the Government and the Local Government Commission; and

(e) In the case of City Corporation, to the Divisional Commissioner with copies to the Government and the Commission.

(6) Every local government institution shall hold at least one meeting per month; however, this number may be increased if necessary.

17. Formation of Standing Committees —

(1) Every local government institution shall, within 10 (ten) days of holding its first meeting after assuming responsibility, form standing committees on the following matters for efficient execution of its functions:

(A) Union Parishad—

(a) Rural Infrastructure, Climate, Environment, and Disaster Management;

(b) Finance, Institution, Budget, Planning, Accounts, and Tax Assessment;

(c) Law and Order, Birth and Death Registration, and Dispute Resolution;

(d) Agriculture, Irrigation, Fisheries, and Livestock;

(e) Health, Family Welfare, Sanitation, Safe Water Supply, and Drainage System;

(f) Education, Culture, Sports, Recreation, Social Services, Child and Women Welfare.

(B) Upazila Parishad—

(a) Public Order and Security;

(b) Physical Infrastructure, Transport, Disaster Management, and Environment;

(c) Agriculture, Fisheries, Livestock, Irrigation, Fertilizer, Seeds, Pesticides, and Agricultural Extension related Activities;

(d) Education, Science and Technology, Culture, and Sports;

(e) Health, Family Welfare, Nutrition, Child and Maternal Health;

(f) Arbitration and Dispute Resolution;

(g) Industry and Commerce;

(h) Banking and Credit Activities;

(i) Public Institutions (Local Government, Cooperatives, and NGOs), Social Welfare, Women and Youth Welfare, Skills Development Training, and Social Safety Net Programmes;

(j) Finance, Planning, Budget, and Establishment.

(C) Zila Parishad—

(a) Public Order and Safety;

(b) Planning Coordination and District Development Planning;

(c) Construction, Repair, Expansion, Operation, and Maintenance of Physical Infrastructure;

(d) Health, Nutrition, Family Welfare, and Other Health Services;

(e) Education, Culture, Sports, Recreation, and Libraries;

(f) Industry and Commerce;

(g) Rural Development, Poverty Alleviation, and Human Resource Development;

(h) Banking and Credit Activities;

(i) Finance, Planning, Budget, and Establishment;

(j) Monitoring and Evaluation.

(D) Pourashava—

(a) Municipal Infrastructure, Climate, Environment, and Disaster Management;

(b) Finance, Institution, Budget, Planning, Accounts, and Tax Assessment;

(c) Law and Order, Birth and Death Registration, and Dispute Resolution;

(d) Industry and Commerce;

(e) Health, Family Welfare, Sanitation, Safe Water Supply, and Drainage System;

(f) Education, Culture, Sports, Recreation, Social Services, Child and Women Welfare.

(E) City Corporation—

(a) Urban Infrastructure, Climate, Environment, and Disaster Management;

(b) Finance, Institution, Budget, Planning, Accounts, and Tax Assessment;

(c) Law and Order, Birth and Death Registration, and Dispute Resolution;

(d) Industry and Commerce;

(e) Health, Family Welfare, Sanitation, Safe Water Supply, and Drainage System;

(f) Education, Culture, Sports, Recreation, Social Services, Child and Women Welfare;

(g) Health, Nutrition, Family Welfare, and Other Health Services;

(h) Public Institutions (Local Government, Cooperatives, and NGOs), Social Welfare, Women and Youth Welfare, Skills Development Training, and Social Safety Net Programmes;

(i) Banking and Credit Activities.

(2) Subject to the provisions of this Ordinance, the institution may, if necessary, form additional standing committees or change the names of the existing standing committees, provided that the number of such committees shall remain within a reasonable limit.

(3) The Chairpersons and members of standing committees shall be elected from among the elected members/councilors of the institution. One-third (33%) of the positions of chairpersons and members of standing committees shall be reserved for members elected from reserved seats for women:

Provided that, in the case of Union Parishads, the Chairman, and in the case of Municipalities and City Corporations, the Mayor, shall only chair the Law and Order Standing Committee and may attend meetings of any other standing committee.

(4) A local government institution may co-opt any person with expertise in local government matters, other than council members, as a member of a standing committee if the institution deems such person(s) to have special qualifications to assist the committee. Co-opted members shall not have voting rights but shall be considered as associate members/councillors in all other functions of the committee.

(5) All decisions and recommendations of the standing committees shall be discussed and adopted at the general meeting of the institution.

(6) The Chairperson of the institution shall have authority over a standing committee on behalf of the institution only in the following cases—

(A) Failure to convene meetings regularly as per rules;

(B) Repeated failure to provide advice to the institution in the assigned matters;

(C) Performing any act contrary to this or any other Ordinance.

(7) The tenure of each standing committee shall be as follows—

(A) For all local government institutions, 2 years and 6 months.

(8) Each standing committee shall generally meet once every three months but may hold additional meetings if necessary.

(9) The Chairperson shall provide all necessary support for holding meetings of the standing committees.

18. Executive Powers of the Council -

(1) For the purpose of implementing this Ordinance and executing the decisions of the Council meetings, the Chairperson/Mayor shall exercise executive authority.

(2) In the event of a vacancy in the office of the Chairperson/Mayor, until a new Chairperson/Mayor is elected, the senior-most member of the Executive Council, in accordance with the prescribed procedure, shall perform the functions of the Chairperson/Mayor.

Provided that, if there are two or more members of the Executive Council/Councilors of the same age, the one with higher educational qualifications shall be preferred; if that too is equal, the person supported by the majority of the members shall be deemed to be the panel Chairperson/Mayor.

(3) Without prejudice to the provisions outlined section 52 of this Ordinance, the Chairperson/Mayor of the institution shall perform the following functions—

(a) The Chairperson/Mayor may order any urgent public safety work, provided it does not contradict any decision of the institution;

(b) The Chairperson/Mayor may authorize expenditure for such work from the institution's fund;

(c) The Chairperson/Mayor shall report such actions at the next meeting of the institution and obtain its approval; and

(d) All employees of the institution shall be considered under the authority of the Chairperson/Mayor.

(4) In addition to the powers specified in the aforementioned sub-sections, the Chairman of the institution shall have the following powers—

(a) He may ensure the presence of the concerned officers/employees of the institution as well as the relevant officers/employees of other government departments in the meetings of the institution;

(b) He may, in writing, summon any record or document pertaining to the administrative matters of the institution from the Chief Executive Officer or any other employee and issue orders in accordance with the procedure prescribed by law and rules, provided that he shall not summon any record or document that remains entirely under the exclusive custody of the Chief Executive Officer/Secretary or the concerned officer;

(c) He shall refer to the Government any decision taken in the meeting of the institution that is inconsistent with existing laws and rules and, if implemented, would endanger human life, health, or public safety; and

(d) He shall allocate duties and maintain discipline over the Village Police or the police force under the institution.

19. Functions of the Institution -

(1) The institution shall function as a local government body, and its core functions shall be as follows:

<u>Union Parishad</u>

(a) Issuance of birth and death certificates, and registration of births, deaths, marriages, and inheritance certificates;

(b) Collection of holding tax and other local revenues;

(c) Ensuring delivery of services to the public by transferred departmental officials;

(d) Managing its own staff and delivering services through them, e.g., maintaining law and order and round-the-clock area surveillance through village police;

(e) Preparation of annual and five-year development and service plans;

(f) Preparing budgets for all service, development, and establishment-related activities; and

(g) Undertaking special activities based on emerging situations or local public demand.

Upazila Parishad:

(a) Ensuring delivery of services of each transferred departments to the people maintaining transparency and integrity;

(b) Preparing and monitoring a list of manpower and services of each transferred department;

(c) Provision of physical infrastructure, communication, disaster management, and protection of environment and biodiversity;

(d) Agriculture, fisheries, livestock, irrigation, fertilizer, seed, pesticide, and agricultural extension-related all activities;

(e) Management and development of education, science and technology, culture, and sports;

(f) Management and development of health, family welfare, nutrition, child and maternal health-related hospitals, centers, and programs;

(g) Activities related to public institutions (local government bodies, cooperatives, and NGOs), social welfare, women's welfare, youth welfare, skill development training, and social safety nets; and

(h) Finance, planning, budgeting, and establishment.

Zila Parishad:

(a) Management of activities, manpower, funds, integrated development, and planning of district-level transferred departments, offices, and agencies;

(b) Ensuring proper management of assets and services under the Zila Parishad across the district;

(c) Preparation of an integrated district plan by coordinating development projects undertaken by local bodies, councils, and government offices operating throughout the district;

(d) Planning of inter-Upazila roads, construction and maintenance of secondary school and college buildings, conservation and development of rivers and water bodies, medium and large water control structures and their management;

(e) Monitoring and supervising all public and private secondary schools and colleges at the district level and establishing new institutions as required; facilitating the formation of executive councils, guardian councils, student councils, etc. in educational institutions as per government rules;

(f) Playing a role in quality control of services provided by all government hospitals and clinics at the district level;

(g) Reviewing the activities of the police department to improve law and order in the district;

(h) Creating a conducive environment for industrial and commercial development and promoting education, literature, culture, entertainment, and sports;

(i) Performing any other task delegated or assigned by the Government from time to time; and

(j) Supervising and reviewing the activities of all district-level operations of all government ministries and, if necessary, recommending amendments, additions, and implementation of departmental plans to the Government.

Pourashava:

(a) Issuance of birth and death certificates, registration of births, deaths, marriages, and inheritance certificates;

(b) Collection of holding tax and other revenues;

(c) Ensuring proper maintenance and improvement of waste management, sanitation, street lighting, vehicles, roads, and drains;

(d) Managing municipal staff and service delivery through them, e.g., ensuring law and order and 24/7 area surveillance through municipal police;

(e) Formulating annual and five-year development and service plans;

(f) Preparing budgets for service, development, and establishment-related activities;

(g) Controlling mosquitoes, rats, stray dogs, infectious diseases, and environmental pollution; and

(h) Undertaking special activities based on emerging situations or local public demand.

City Corporation:

(a) Issuance of birth and death certificates, and registration of births, deaths, marriages, and inheritance certificates;

(b) Collection of holding tax and other revenues;

(c) Managing city corporation staff and delivering expected services through them, such as maintaining law and order and area surveillance through city police, waste management, roads and lighting, sanitation, communicable disease control, epidemic mosquito control, environmental protection, and urban planning;

(d) Formulating annual and five-year development and service plans;

(e) Preparing budgets for all service, development, and establishment-related activities;

(f) Undertaking special activities based on emerging situations or local public demand;

(g) Playing a proper role in quality control of services of all government and private hospitals and clinics in the city; and

(h) Creating a favorable environment for industrial and commercial development, and promoting education, literature, culture, entertainment, and sports.

(2) Based on the core functions mentioned in sub-section (1), the scope of responsibilities of the Council has been detailed in **Schedule-4** of this Ordinance.

20. Publication of Citizen Charter.

(1) Every local government institution constituted under this Ordinance shall, in accordance with the prescribed procedure, publish a description of the various types of citizen services to be provided by the institution, the terms of service, and the time limit for service delivery, which shall be known as the "Citizen Charter."

(2) The Citizen Charter shall be updated or renewed every year.

(3) The Election Commission, in consultation with the Local Government Commission, shall prepare guidelines for a model Citizen Charter; each local government institution shall have the power to amend or revise the said guidelines, subject to law and rules.

(4) Budgets shall be prepared in accordance with the budget codes determined by the Government:

Provided that, any such amendment or revision must be reported to the Government and the Local Government Commission for information.

(4) The rules regarding the Citizen Charter shall include, among other things, the following—

(a) Accurate and transparent description of each service;

(b) Service fees;

(c) Eligibility and procedure for receiving and claiming services;

(d) Specified time limits for service delivery;

(e) Responsibilities of citizens regarding services;

(f) Assurance of service delivery;

(g) Process for resolving complaints regarding service delivery;

(h) Provision of the Citizen Charter; and

(i) Penalty for breaching the commitments made in the Charter.

21. Good Governance and use of advanced Information Technology

(1) Every local government institution shall ensure good governance through the use of advanced information technology within a specified time frame.

(2) For the fulfillment of the above objective, the Government shall ensure financial and technical support, including other assistance.

(3) Through advanced information technology, each institution shall arrange to inform citizens not only about modern services mentioned in the Citizen Charter but also about services provided by other government agencies.

Chapter 5

Regarding Boundary Demarcation

22. Alteration of the boundaries of local government areas -

The government, in consultation with the Commission, may, by notification:

(a) include any local government area or part thereof under the provisions of this law;

(b) exclude any local area from a local government area;

(c) include any neighboring area into the corporation area of a local government;

(d) divide an existing local government area into two or more local government areas;

(e) merge two or more neighboring local government areas into a single local government area;

(f) determine the boundaries of two or more local government areas.

Provided that the criteria for the formation of local government institutions as specified in Section 13 shall be followed in each case;

Further provided that the opinions of the concerned local government institution and the Commission shall be obtained before making the final decision;

And further provided that no notification shall be issued regarding any areas falling under the Cantonment Board Act in this process without obtaining the opinion of the Ministry of Defense.

23. Appointment of boundary demarcation officers -

(1) For the purpose of delimiting ward boundaries, the [competent authority] may appoint, in accordance with the rules, a requisite number of Delimitation Officers and Assistant Delimitation Officers from among persons employed in the service of the Republic, with the assistance of the Deputy Commissioner and District Election Officer.

(2) The Assistant Delimitation Officers shall assist the Delimitation Officer in discharging his functions

and may perform assigned duties under the Delimitation Officer's supervision.

24. Delimitation of Wards —

(1) In delimiting ward boundaries, due consideration shall be given to the geographical integrity of the area, and to the extent practicable, to population distribution as well as administrative and communication conveniences.

(2) For the purpose of delimiting ward boundaries, the Delimitation Officer may, as necessary, conduct inquiries, examine relevant records, and consider all complaints received in this regard. The Officer shall publish a preliminary list specifying the areas to be included in each ward at his office, the offices of the concerned councils, and such other public places as he deems appropriate, along with a notice inviting objections and suggestions within fifteen (15) days of such publication. If any objections or suggestions are received, the Officer shall dispose of them within fifteen (15) days from the date of receipt and submit a final report to the Election Commission and the Government. The Election Commission shall thereafter promptly publish a gazette notification to this effect.

(3) The Delimitation Officer shall, within fifteen (15) days, investigate any objection under sub-section (2) in such manner as he deems appropriate and render a decision thereon.

(4) Any person aggrieved by the decision of the Delimitation Officer under sub-section (3) may file a written appeal with the Deputy Commissioner within ten (10) days. The Deputy Commissioner shall provide the appellant(s) an opportunity of being heard, examine the decision of the Delimitation Officer along with relevant documents and information, and dispose of the appeal within fifteen (15) days of its filing. The decision of the Deputy Commissioner as the appellate authority shall be final. The Deputy Commissioner shall involve the Election Commission's officials in discharging these functions.

(5) Following the decision of the appellate authority under sub-section (4), the Delimitation Officer shall make necessary amendments, modifications or alterations to the ward boundaries and publish the final list of wards, specifying the areas included in each ward, at his office, the council offices, and such other public places as he may determine, and shall initiate the publication of the official Gazette.

25. Effects of changing the area of a local government institution

(1) If an area is removed from a local government institution under this ordinance, it will remain under the jurisdiction of that institution until the date specified in the notification, unless the government directs otherwise.

(2) If an area is included in another institution through a notification under this ordinance, it will remain under the jurisdiction of that institution from the specified date in the notification, unless the government directs otherwise.

(3) If an area is divided into two or more institutions under this ordinance, the areas must be reorganized as separate institutions, and from the date of the reorganization, the old institution will no longer exist.

(4) If an area is included in a new institution or an existing institution is divided or merged into another, the property, funds, liabilities, etc., of the affected institution will be transferred as determined by the relevant authorities, and the final determination will be binding.

(5) Any order made under sub-section (4) may include provisions necessary for the reorganization, including supplementary, consequential, and related provisions.

(6) Following bifurcation under sub-section (3) or amalgamation under sub-section (4), and where reconstitution of the Parishad becomes necessary -

(a) no general election shall be held for the newly constituted institution(s) without the consent of members of the former institution whose terms of office have not expired; and

(b) those members whose terms remain unexpired shall, by order of the Government or authorized authority through notification in the official Gazette, be declared as members of the Parishad constituted (wholly or partially) from those electoral areas. Such members shall have been originally elected from those electoral areas to previous Parishads and shall hold office in the newly

constituted institution for the remaining period of their term until the next election is held.

26. Consequences of inclusion of any Parishad or part thereof into a Pourashava or City Corporation, etc.—

(1) The Government may, in consultation with the Commission and by official notification, convert any Union or part thereof into a Pourashava or City Corporation, or include it within an existing Pourashava or City Corporation:

Provided that such Union or area must fulfill the conditions specified in section 5 or, as the case may be, section 6 of this Ordinance:

Further provided that after publication of the notification declaring the municipal area or City Corporation, the concerned local government institution of that area may submit written objections against the proposal within one month. The Government shall consider such objections after obtaining the opinion of the Commission and shall make a final decision regarding the formation of the municipal area or City Corporation within the following one month, in the manner prescribed by rules.

(2) If at any time the entire area of a Parishad is included within the administrative area of a Pourashava, City Corporation, or Cantonment Board by notification under any law in force at that time, such Parishad shall cease to exist with effect, whichever is earlier, the date specified in the notification, or six months from the date of the notification, or the date of completion of elections of the newly constituted body. All properties, funds, and other assets vested in such Parishad, along with all its rights and liabilities, shall stand transferred to the concerned Pourashava, City Corporation, or Cantonment Board as per order of the competent authority. Persons employed by such Parishad shall be deemed to have been transferred to the concerned Pourashava, City Corporation, or Cantonment Board with effect from the date the Parishad ceases to exist, with continuity of service and on terms not less favorable than their previous employment.

(3) If at any time part of a Parishad is included within the administrative area of a Pourashava, City Corporation, or Cantonment Board by notification under any law in force at that time, the area of such Parishad shall stand reduced with effect, whichever is earlier, the date specified in the notification, or six months from the date of the notification, or the date of completion of elections of the newly constituted body. All properties, funds, and other assets pertaining to the included area, along with all rights and liabilities of the Parishad relating to such area, shall stand transferred to the concerned Pourashava, City Corporation, or Cantonment Board as per order of the competent authority. Unless otherwise directed by the Government, all rules, orders, directives, and notifications applicable to the area under the jurisdiction of such Pourashava, City Corporation, or Cantonment Board shall apply to the included area of the Parishad.

27. Formation of Union Parishad comprising entire or partial area of Pourashava, etc.—

(1) If the Government considers that the entire area or any part of a Pourashava, City Corporation or Cantonment Board has undergone territorial changes necessitating the formation of one or more Union Parishads, the Government may, by notification in the official Gazette after pre-publication of the draft notification,

(a) either include such area within an existing Union Parishad by Government notification or

(b) form one or more Union Parishads comprising such area:

Provided that such draft notification shall be published in at least two widely circulated daily newspapers (including one locally published) from the district where such Pourashava, City Corporation or Cantonment Board is situated, inviting objections and suggestions within two months from the date of publication. An authority appointed by the Government shall decide on the objections or suggestions after giving the objectors or proposers an opportunity of being heard.

(2) Elections for the Union Parishad in the specified area shall be held within ninety days from the date of issuance of the notification under sub-section (1), and from the date of completion of such elections,

the area shall be deemed to be included within the specified or newly formed Union Parishad, as the case may be, and the Pourashava, City Corporation or Cantonment Board in such notified area shall cease to exist.

(3) With effect from the date of inclusion in the Union Parishad—

(a) The properties, funds and liabilities relating to the included area of the concerned Pourashava, City Corporation or Cantonment Board shall vest in and stand transferred to the Union Parishad as determined by the competent authority; and

(b) The persons employed by such Pourashava, City Corporation or Cantonment Board in the included area shall be deemed to have been appointed to the Union Parishad if they express such intention and subject to the prescribed rules.

28. Reorganization of a Parishad due to river erosion or natural disasters etc.

If the entire area or any part of a Parishad is lost or ceases to exist due to river erosion or any other natural disaster, the Government shall, in consultation with the Local Government Commission, reorganize such Parishad. Until the formation of the new Parishad, the existing Parishad shall continue to perform all its functions in accordance with the provisions of this Ordinance.

29. Appointment of a special administrator during the creation of a new Parishad

(1) After declaring any area as a Union Parishad/Upazila Parishad/Zila Parishad, the Local Government Commission shall appoint a competent officer serving under the local government in the concerned upazila/district as Administrator to perform its functions, and the Administrator shall discharge administrative responsibilities until the formation of the Parishad: Provided that the term of the Administrator shall not exceed one hundred eighty (180) days.

(2) The Government may, if necessary, appoint a committee comprising such number of members as it deems proper to assist the Administrator in performing his duties.

(3) The Administrator and members of the committee, if any, shall exercise the powers of the Chairman and members.

Chapter 6:

Formation of Wards

30. Formation of Wards

(1) The government shall determine the number of wards on the basis of population and geographical conditions for the election of other members including the seats fixed for the Union Parishad, Pourashava, and City Corporation

(2) For the election of members to the designated seats, the Union Parishad, Pourashava, and City Corporation shall be divided into the necessary number of wards as per Sub-section (1): *Provided* that the number of wards shall not be less than 9 or more than 39 for Union Parishads and Municipalities.

(3) For Upazila Parishads, wards shall be limited to 3 (three) per Union in small Unions and 5 (five) per Union in large Unions.

(4) For Zila Parishads, wards shall be limited to 3 (three) per Upazila in small Upazilas and 5 (five) per Upazila in large Upazilas.

(5) Thirty-three percent (33%) or one-third of the total wards shall be reserved for women members, to be filled through direct election by rotation.

(6) In allocating reserved wards to institutions, one additional women's seat shall be added in case of a majority fraction.

(7) The Government shall, in consultation with the Bangladesh Election Commission, determine the rotation system and procedure for reserved women's seats:

Provided that such reserved seat system for women members shall remain in force for 3 (three) consecutive general elections and may subsequently be extended or suspended after special evaluation.

(8) For small ethnic communities in districts other than Chittagong Hill Tracts, the Government may make provisions for including special wards or members as needed.

31. Ward (Voter) Forum

One Ward Forum shall be formed against each ward of Upazila Parishad and City Corporation under this Ordinance.

32. Open Voter Forum at the Ward Level

(1) A Union shall be divided into three wards of the Upazila Parishad, and the ward forum of the Upazila Parishad shall hold stepwise at least three meetings in different wards within its local boundaries per year. Provided that Pourashava wards shall also be included under the jurisdiction of the relevant Upazila voter forum.

(2) The Upazila Parishad and City Corporation shall issue a public notice at least 7 (seven) days before each ward forum meeting through appropriate, simple and acceptable means.

(3) The Upazila Parishad Chairman/City Corporation Mayor shall ensure such meetings are held, with the respective ward member presiding as chairperson.

(4) The Ward Forum shall facilitate public accountability of elected representatives including Members of Parliament, and Chairmen of Union, Upazila and Zila Parishads.

(5) The Ward Voter Forum shall have no executive powers or functions, serving solely as an open forum for public accountability of elected representatives to voters.

33. Responsibilities of the Ward Forum

(1) The ward forum shall perform the following responsibilities:
   (a) Each elected individual will present a performance report of past actions and be held accountable before the local people;
   (b) To be informed of local issues and the measures taken to address them;
   (c) Special discussions on issues like floods, waterlogging, water scarcity, land use; and
   (d) Special awareness discussions on issues such as environmental pollution, law and order, drugs, health, education, culture, etc.

(2) The Upazila Parishad shall be responsible for recording and preserving proceedings, meeting expenses and determining dates for subsequent meetings.

Chapter 7:

Election of Members/Councilors

34. Voter List.

(1) There shall be a voter list for each ward of Union, Upazila, Zila, Pourashava and City Corporation prepared by the Election Commission.

(2) A person shall be entitled to be enrolled in the voter list of any ward if s/he:
   (a) is a citizen of Bangladesh;
   (b) is not less than 18 years of age;
   (c) has not been declared bankrupt or mentally unsound by any competent court; and
   (d) is deemed to be a resident of the concerned ward.

35. Voting Rights.

(1) A person's name shall be included in the voter list of one ward only, and such person shall be eligible to contest in the election for the position of member in any one ward of the concerned institution and shall be entitled to cast vote only in the election of his/her own ward. However, no person shall be a voter in more than one ward or in any local election under dual citizenship in the country.

36. Conduct of Election.

(1) The Bangladesh Election Commission shall arrange, conduct and complete all election-related rules and regulations for the election of members of the institutions. In such rules, the Election Commission may act on all or any of the following matters, namely: —

(a) Appointing returning officers, assistant returning officers, presiding officers, and polling officers from the Election Commission's staff, along with conferring powers and responsibilities on these officers;
(b) Nomination of candidates, objections to nominations, and scrutiny of nomination papers;
(c) The nomination fee to be paid by the candidates, and whether the fee is refundable or forfeited by the institution;
(d) Withdrawal of nominations;
(e) Appointment of agents by candidates;
(f) The process of declaring a by-election in the case of an uncontested election;
(g) Election date, time, location, and other election-related matters;
(h) Voting methods;
(i) Counting of votes, announcement of results, and procedure in the case of a tie in votes;
(j) Safekeeping and distribution of ballot papers and other election-related documents;
(k) Conditions under which voting may be suspended and the process for re-election;
(l) Election expenses;
(m) Penalties for electoral fraud, illegal activities, and other election-related offenses;
(n) Formation of an election tribunal, appeal tribunals, and other related matters;
(o) Recalling elected members through a voter-initiated process.

(2) When filing nominations, candidates must submit a signed declaration in a prescribed form, which is known as an affidavit. The declaration shall include:

(a) Whether the candidate is currently accused in any criminal case;
(b) Any previous criminal cases filed against them, including the outcome of those cases;
(c) Business or professional details;
(d) Sources of income;
(e) Details of personal and family assets and liabilities (excluding guarantors); and
(f) A declaration not to engage in the illegal accumulation of assets.

(3) Failure to submit the declaration under Sub-section (2) will result in the disqualification of the nomination.

(4) For matters described in clause (m) of sub-section (1), the rules may prescribe punishment of imprisonment, fine or both, provided that the term of imprisonment shall not be less than 2 (two) years and more than 7 (seven) years.

Provided that any decision of the Returning Officer regarding scrutiny, validity or rejection of nomination may be appealed before the Election Commission, and the decision of the Election Commission shall be final.

37. Declaration of Election Results.

(1) The Election Commission shall publish in the official Gazette, as soon as possible, the names of all persons elected as members/councilors after the election.

(2) In the second phase, the Election Commission shall publish in the official Gazette, upon certification by the Deputy Commissioner or District Election Officer, the election results of the Speaker, Chairman, Mayor, Executive Council, Shadow Parishad Leader and Shadow Council Leader elected by the members and councilors.

Chapter 8:

Parishad and Council Management Procedures

38. Organizational Structure

(1) Members or councilors of all local government institutions, whether rural or urban, shall be the primary decision-makers in all decisions of the local government institutions.

(2) The organizational structure of the local government institution, as detailed in Schedule-3, shall be divided into two main parts:
   (A) Legislative part; and
   (B) Executive part.

(3) The head of the legislative part shall be the "Speaker" (similar to the Speaker of the National Parliament), elected by the members, and the head of the executive part shall be the "Chairman or Mayor," who shall also be recognized as the Council Leader.

(4) The Speaker, in consultation with the Chairman, shall call the council meetings/sessions. They shall ensure that all members express their opinions and participate in debates on specific issues. Similarly, they shall facilitate the formation of Standing Committees and ensure their regular meetings.

(5) The Speaker shall be assisted by a three-member Secretariat, led by a full-time Secretary, regulated by government rules.

(6) After the Gazette notification by the Election Commission, all members shall take an oath in a public gathering of voters, as per the oath schedule in Schedule-2, by placing their hands on their religious scriptures and signing the oath.

(7) In the first council meeting after the oath-taking, the Speaker shall be elected by a vote of all general members. A representative of the Election Commission shall oversee the oath-taking and election process, receive nominations, and conduct the election via secret ballot

(8) After being elected, the Speaker shall oversee the election of the Chairman or Mayor in their presiding capacity. Members shall elect the Chairman or Mayor from among themselves via secret ballot. An officer appointed by the Upazila Election Office or the Election Commission shall be present at the meeting to assist the Speaker in the election.

(9) Upon election, the Chairman/Mayor shall assume office as Council Leader and form an Executive Council of 3 to 5 members, including at least one-third women members, and submit it to the Speaker for council's information.

(10) After forming the executive council or council, the remaining members shall elect a "Shadow Council Leader" from among themselves through a secret ballot, although this does not apply to Union Parishad.

(11) The Chairman or Mayor shall form up to 6 standing committees in Union Councils, 10 in Upazila Councils, 10 in Zila Councils, 6 in Municipalities, and 10 in City Corporations. The names, subjects, and procedures of the committees shall be determined by rules. However, the respective council shall decide the names, subjects, and procedures of the standing committees while maintaining the number of committees as prescribed in Section 17.

(12) The Order of Precedence in Parishads/Councils shall be as follows:

First : Chairman or Mayor (Council Leader)
Second : Speaker
Third : Shadow Council Leader (in Upazila, Zila, Pourashava, and City Corporation)
Fourth : Executive Members/Executive Councilors
Fifth : Chairperson of Standing Committees
Sixth : General Members/Councilors

Provided that the Chairman/Mayor and Executive Council members shall be full-time executives, entitled to regular salaries/allowances. The Chairman/Mayor shall serve as the Chief Executive of their institution.

(13) The responsibilities, rights, allowances, leave, meeting procedures, annual/five-year plans, and budgets

for Presiding Officers, Chairmen, Mayors, Shadow Council Leaders (where applicable), Standing Committee members, and general members shall be governed by rules under this Act:

Provided that Standing Committee Chairpersons/members shall be honorary, not full-time officials. They may pursue other professions but shall receive an honorarium for meetings (or monthly, if applicable).

Further provided that if any Chairman, Mayor, Chairperson, member, or councilor wishes to work without receiving any remuneration, they may inform the council and serve without compensation.

Chapter 9: Qualifications and Disqualifications

39. Qualifications and Disqualifications of Members of the Institution

(1) A person shall be eligible to be elected or hold the position of Chairman/Mayor or member/councilor, subject to the provisions of sub-section (2), if:

(a) He/she is a citizen of Bangladesh;

(b) The person is at least 22 years old to be a member or councilor, and at least 25 years old to be a Chairman/Mayor/Chairperson or Shadow Council Leader;

(c) His/her name is listed in the voter list of the relevant ward;

(d) He/she has resided in the relevant institution's ward for at least 5 years or owns a residence there; and

(e) Government or private employees shall be eligible to contest for member and councilor positions with the consent of their authorities, as there shall be no duties associated with these positions.

(2) A person shall be disqualified from being elected or holding the position of Chairman/Mayor or member/councilor if:

(a) He/she renounces or loses Bangladeshi citizenship;

(b) He/she is declared insane by a competent court;

(c) He/she is declared bankrupt and has not been relieved of debts;

(d) He/she is convicted of a criminal offense and sentenced to at least 6 months of imprisonment, and no election occurs after his/her release;

(e) He/she does not resign from or take unpaid leave from any full-time government or institution job before standing for election as Chairman/Mayor, Chairperson, Executive Councilor, or Shadow Council Leader;

(f) He/she or their family members are contractors or involved financially with the institution's work;

(g) He/she has unpaid loans from certain banks or debts owed to the institution;

(h) He/she is an elected member of another local government institution or the National Parliament;

(i) He/she fails to pay due taxes, fees, or fines to the government or institution;

(j) He/she is dismissed from a government, semi-government, autonomous body, or local authority due to moral turpitude or corruption, and a certain period has not passed since the dismissal;

(k) He/she is convicted of electoral fraud;

(l) He/she is convicted under specific provisions of the Penal Code (sections 189, 192, 213, 332, 333, 353);

(m) He/she is declared a fugitive by a court;

(n) He/she fails to transfer responsibilities or submits a false affidavit concerning ineligibility and is convicted; and

(o) He/she fails to pay financial dues to the local government or auditor's report.

(3) Every candidate for the position of Chairman/Mayor and member/councilor shall submit an affidavit, as per Schedule-1, declaring that they are not disqualified under sub-section (2).

40. No Candidacy for Multiple Positions

(1) A person shall not contest for multiple positions in Union Parishad, Upazila Parishad, Zila Parishad, Pourashava, or City Corporation simultaneously.

(2) If a person submits nominations for multiple wards in the same institution, all their nominations shall be deemed invalid.

(3) A person shall not contest in a local government institution or National Parliament election until their current term ends.

41. Recall by Voters

If a representative is deemed not beneficial for the institution and the public, and no actions are taken under the provisions of Section 58, the voters of the elected ward may propose a recall of their representative's membership.

Provided that for the recall the application of a voter with the signature/tips of more than 1(one) % votes received by the concerned member shall be required and the election commission will dispose of the application within one month in consultation with the commission as per rules

Chapter 10: Electoral Disputes

42. Filing of Electoral Petitions. —

(1) No objection regarding any election or election-related activity conducted under this Ordinance shall be raised before any court or authority other than the Election Tribunal.

(2) No person, except for a candidate in the election, shall raise an objection or seek remedy regarding the election or election-related activities by filing an application to the Election Tribunal.

(3) An electoral petition must be submitted to the Election Tribunal appointed under section 43 of this Ordinance in the prescribed manner.

43. Formation of Election Tribunal and Election Appeal Tribunal. —

Immediately after the announcement of the election schedule by the Election Commission under this Ordinance, it shall declare the formation of the Election Tribunal and the Election Appeal Tribunal. For Union/Upazila/Municipal elections, one or more Senior Assistant Judges will be appointed, and for District Council/City Corporation elections, judicial officers of the rank of Joint District Judge will be appointed for the Election Tribunal. The Election Appeal Tribunal will consist of judicial officers of the rank of Additional District and Sessions Judges, as required.

44. Transfer of Electoral Petitions. —

The Election Commission, on its own initiative or based on the petition of one party, may transfer any electoral petition or appeal from one tribunal to another, or, as the case may be, from one appeal tribunal to another. The tribunal or appeal tribunal receiving the transferred petition shall continue hearing the case from the stage it was transferred to.

However, the tribunal may, if deemed appropriate, summon or re-examine any witness already examined.

45. Disposal of Electoral Petitions, Appeals, etc. —

(1) The Election Tribunal and Election Appeal Tribunal shall conclude the proceedings in a summary manner.

(2) The decision of the Election Appeal Tribunal shall be considered as final.

(3) The procedure for filing electoral petitions and appeals, the procedure for resolving electoral disputes and offenses by the tribunals and appeal tribunals, their powers and authority, the remedies available to the parties, and other relevant matters shall be determined by rules.

Chapter 11: Provisions Related to the Chairman, Mayor, Members, etc.

46. Oath of the Chairman/Mayor and Members/Councilors —

(1) Before assuming office, the Chairman/Mayor and each member/councilor shall take an oath or make a declaration in front of the people of their elected ward in the form prescribed in Schedule 2, in the presence of a person designated by the Election Commission, and shall sign the oath or declaration.

(2) Within three (3) days of the publication of the names of the elected members/councilors in the official gazette, the government or the designated authority shall make necessary arrangements for the taking of the oath or making of the declaration by all members/councilors.

(3) After the members and councilors take the oath, the first session of the respective institution shall be convened. During this session, the members shall elect a speaker, Chairman/Mayor, and the leader of the shadow council, in the presence of representatives from the Election Commission and the government.

47. Term of Office of Chairman/Mayor and Members/Councilors —

(1) The Chairman/Mayor and members/councilors of any institution shall hold office for a term of five (5) years from the date of the publication of the Gazette notification of the institution's formation, subject to the provisions of this Ordinance, and no longer

(2) A general election for the formation of the institution shall be held within a period not exceeding five (5) years from the date of the previous general election for that institution.

48. Handover of Responsibilities —

After the formation of the institution, the outgoing Chairman/Mayor, Speaker, Executive Council/Councilors, or the leader of the shadow council shall, as soon as possible or on the date, time, and place designated by the Election Commission, hand over all cash, assets, documents, registers, and seals in their possession or control to the newly elected Chairman/Mayor, Speaker, Executive Council/Councilors, or the leader of the shadow council, or, as the case may be, to the responsible member appointed by them, in the presence of the institution’s secretary and a 1st class officer designated by the Election Commission.

49. Penalties for Failure to Handover —

(1) If a Chairman/Mayor, Speaker, Executive Council/Councilor, or the leader of the shadow council, or any member responsible for the Chairman/Mayor's duties, fails to hand over responsibilities as per section 48 within the designated time and prescribed procedure, they shall be liable to imprisonment for a term not exceeding six (6) months or a fine of any amount between 100,000 to 200,000 taka, or, as the case may be, a financial penalty

(2) 2) If any Chairman/Mayor, Speaker, Executive Council/Councilor, or the leader of the shadow council, or any member responsible for the Chairman/Mayor’s duties, submits a false affidavit regarding their disqualification as per sub-section (3) of section 39, they shall be liable to imprisonment for a term not exceeding three (3) years and a fine of 2,000 taka.

50. Resignation of Chairman/Mayor and Members/Councilors —

(1) Any Chairman or member of an institution may resign by submitting a written resignation to the Speaker, and upon receipt of the resignation letter, the Chairman or member shall be deemed to have vacated their position

(2) Upon receiving a resignation letter as per sub-section (1), the Speaker shall inform the institution's members within fifteen (15) days.

51. Council of Chairman/Mayor —

(1) After the formation of the institution, a three-member Executive Council shall be formed, and these three members shall be considered the Chairman/Mayor's council. However, one of these three members shall be a woman, selected from among the female members.

(2) If the Chairman is unable to perform their duties due to absence, illness, or any other reason, a senior member from the Chairman's panel shall perform the duties of the Chairman until they are able to resume their duties. In the case of two members of the same age, the one with higher educational qualifications shall be given preference.

(3) If the Chairman's position becomes vacant due to resignation, removal, death, or any other reason, a senior member from the Chairman's panel shall perform the duties of Chairman until a new Chairman assumes office.

(4) If a member of the Chairman's panel becomes disqualified or expresses unwillingness to assume duties, a new Chairman's panel shall be formed according to the decision of the council.

(5) If a Chairman's panel is not elected from among the members as per sub-sections (1) and (4), the government may form a Chairman's panel as needed.

52. Responsibilities and Duties of the Chairman/Mayor

(1) Under the provisions of this Ordinance, the Speaker shall conduct and control the meetings of the council, thus, the Chairman/Mayor shall exercise executive powers on behalf of the institution and implement other powers in accordance with the decisions made by the council.

(2) Unless otherwise stipulated in the provisions of this Ordinance, the Chairman/Mayor shall:

(a) Form an executive body consisting of three members, including one female member, and the operations of the executive officer shall depend on the satisfaction of the Chairman/Mayor concerning the office of the executive council.

(b) Supervise and control the activities of all the institution's officers (excluding the secretary) and employees and prepare their confidential reports.

(c) Approve financial expenditures up to the limit determined by the financial management rules.

(d) Jointly sign the records of all income and expenditure of the institution with the executive council and the executive body and send the income-expenditure records to the Local Government Commission and the Department of Inspection, Monitoring, and Evaluation of the Government.

(e) Submit all reports and records of the institution in the manner instructed by the Commission and the Government under the provisions of this Ordinance.

(f) Perform other duties as per the instructions of the Government and the Commission under the provisions of this Ordinance.

(3) In case of public interest or importance, the Chairman/Mayor may carry out any work using the institution's funds on an emergency basis. However, the following conditions must apply:

(a) The work must not contradict the decision of the council.

(b) A report with justification for such an action must be presented at the next council meeting for approval.

(4) Apart from the above, the Chairman/Mayor shall exercise the following powers:

(a) Ensure regular attendance/participation of the executive officer and other staff members of the institution and officers/employees transferred from other departments in the institution's meetings.

(b) If necessary, temporarily suspend employees of the council (other than the secretary and transferred

officers/employees) for administrative misconduct or violation of laws/rules, following the proper procedure. However, such temporary suspension must be ratified in the council's next general meeting, or it will not be valid.

(c) Once the Local Government Service is established, the service's employment rules shall apply in such cases.

(d) The Chairman/Mayor may request any administrative documents related to the institution from the executive officer or any other employee and issue directions in accordance with this Ordinance, rules, or existing government orders.

(e) If a decision of the institution contradicts this Ordinance or any other law/rule, or if its implementation could endanger public health, interest, or safety, the Chairman/Mayor shall refer it to the Commission and the Government. Any actions taken by the institution in the name of the institution must be duly verified.

(5) To expedite the delivery of the institution's daily services, a proposal for the division of executive powers among officers shall be approved in the institution's meeting, and if necessary, this can be amended from time to time.

(6) Unless otherwise stipulated in this Ordinance, the presiding officer shall:

(a) Supervise and control the activities of the institution's secretary.

(b) Prepare the secretary's confidential reports.

(c) Assist in the activities of the chairman of the standing committee.

53. Temporary Suspension and Removal of Members of the Institution

(1) Under the provisions of this Ordinance:

(a) If proceedings have been initiated for the removal of the Chairman, Mayor, Presiding Officer, Shadow Council Leader, Chairman of the Permanent Committee, or a member/councilor, or if charges have been framed against them in a criminal case, the competent authority may, in consultation with the Government and the Commission, suspend them temporarily by written order if their actions are found to be against the interests of the institution or administratively unsound.

(b) If an order of temporary suspension is issued as per clause (a), the Chairman shall transfer the responsibilities to the member acting as Chairman within three days of receiving the order. The acting Chairman shall carry out the duties until the proceedings are concluded or a new Chairman is elected.

(c) If a member is temporarily suspended as per clause (a), the responsibilities of the suspended member shall be taken over by another member of the institution until the proceedings are concluded or a new member is elected.

(2) The Chairman or a member shall be subject to removal if:

(a) He/she is absent from three (3) consecutive meetings of the institution without a valid reason, despite receiving a notice.

(b) He/she engages in any harmful activities against the institution or state's interests or is convicted by a court for moral misconduct.

(c) He/she refuses to perform their duties or is incapable of doing so due to physical or mental incapacity.

(d) He/she is found guilty of misconduct or abuse of power, or is responsible for any damage to the council's funds or property.

(e) if it is proved after the election that he was ineligible for election under sub-section (3) of section 39;

(f) fails to hold or attend at least 9 (nine) meetings without acceptable reasons in place of 12 (twelve) monthly meetings annually;

(g) He/she does not submit the account of election expenditure or provides false information as submitted;

(h) He/she has provided false information in the affidavit.

Explanation. - "Misconduct" referred to in this sub-section means abuse of power, this Ordinance says, from time to time, activities contrary to the restrictions prohibited by the Government, corruption, ill-use personal gain, favoritism, nepotism, deliberate misrule and attempt to assist or assist all kinds of misconduct.

(3) The Government may, by order in the official Gazette, remove the chairman, chairman, shadow council leader, chairman or member of the standing committee in consultation with the Commission for reasons mentioned in sub-section (2).

(4) Before finalizing the decision of removal, the accused shall be given an opportunity to investigate and defend himself according to the rules.

(5) A chairman or member shall be removed immediately after an order passed by the prescribed authority under sub-section (3) or a proposal for removal under sub-section (4) is approved by the prescribed authority.

(6) If any chairman, president, shadow organization leader, chairman or member of the standing committee is removed from his post under sub-section (2), he may appeal to the Commission or any authority appointed by him within 30 (thirty) days from the date of the order; The appellate authority may stay the removal order until the disposal of the appeal and may modify, cancel or uphold the order after giving the appellant an opportunity to speak.

(7) The order passed by the Appellate Authority on such appeal shall be final.

(8) Notwithstanding anything contained in the other provisions of this Ordinance, any person removed under this section shall not be eligible for election to any office for the remainder of the tenure of the institution concerned and for a subsequent election.

54. Vacancy in the Position of Chairman/Mayor or Member/Councilor

(1) The position of Chairman/Mayor or any member/councilor shall be vacated if:
   (a) They become disqualified under section 39, sub-section (3) of this Ordinance.
   (b) They are removed under section 53.
   (c) They fail to take the oath within the prescribed time as per section 46(1).
   (d) They resign as per section 50.
   (e) They die.

(2) Upon vacancy of the position, the Government shall issue a gazette notification declaring the position vacant.

55. Filling of Vacant Positions

(1) The position of a member/councilor of any institution shall become vacant due to death, resignation, removal, or any other reason.

(2) If any position becomes vacant under sub-section (1), a by-election shall be conducted within ninety (90) days to fill the vacant member position.

(3) The Chairman/Mayor, Speaker, and Shadow Council Leader (where applicable) may be elected from among the members during a special meeting of the institution in accordance with the rules.

56. Restoration of Membership

If any designated Chairman or member of an institution loses membership following dismissal under section 53 of this Ordinance or is declared disqualified under sub-section (3) of section 39, and the appeal or revision leads to the annulment or reversal of the punishment or disqualification, they shall be reinstated in their position for the remaining term. After such restoration order by the government, the position held by the interim elected member shall be deemed vacant.

57. Rights and Responsibilities of Chairman/Mayor and Members/Councilors:

(1) The Chairman/Mayor and each member/Councilor of the institution shall have the right to participate

in decision-making processes at the institution's meetings, in accordance with this Ordinance and the relevant regulations. Each member may raise questions or demand clarifications regarding administrative matters within the institution or its standing committees, in the manner prescribed by rules, to the Chairman or the respective committee chairperson.

(2) A member may, upon notice to the Chairman, inspect records and documents, other than notified documents, during office hours.

(3) The Chairman/Mayor and any member/Councilor may draw the institution's attention to deficiencies in any work or project executed by another authority within the institution.

(4) The Chairman/Mayor, standing committee chairpersons, and members shall collectively be responsible for managing the affairs of the council in the public interest in accordance with the provisions of this Ordinance.

58. Motion of No Confidence:

(1) A motion of no confidence may be raised against the Chairman/Mayor, Speaker, Leader of the Shadow Council, and members/Councilors.

(2) A member may submit a motion of no confidence to a designated first-class officer appointed by the Election Commission, accompanied by a notice signed by the majority of the institution's members, specifying the motion's subject.

(3) The motion will be presented in one meeting, followed by a vote in a subsequent special meeting.

(4) If the motion is passed by a simple majority, the individual concerned will be removed from office, and the position will be filled through the same process by a majority vote.

(5) If the response is deemed unsatisfactory, the appointed officer shall, within 15 working days of receiving the notice, convene a meeting of elected members to consider the motion and ensure the notice is sent to all members.

(6) The Chairman/Mayor, Leader of the Shadow Council, standing committee members, or Executive members may preside over the meeting in cases of a no-confidence motion against them. In the absence of the Speaker or the standing committee chairperson, a member shall be elected as chair by consensus.

(7) An observer appointed by the Election Commission shall be present at the meeting.

(8) The meeting may not be adjourned except for exceptional circumstances, and quorum shall consist of half of the total elected members.

(9) Voting shall be conducted via secret ballot.

(10) The presiding officer will vote, but shall not cast a decisive or second vote.

(11) The appointed officer shall send the copy of the motion and the vote results to the Election Commission immediately after the meeting.

(12) If the motion is adopted by a two-thirds majority of total members, the seat of the concerned Chairman or member will be declared vacant through a Gazette notification, as advised by the Commission.

59. Leave for Absence of Chairman/Mayor and Members/Councilors:

(1) A member may be granted leave for a maximum of three months in a year for reasonable causes.

(2) If a member is on leave or absent for any other reason, the Chairman may assign duties to another member during the absence, as decided by the institution.

60. Declaration Regarding Property:

(1) The Chairman/Mayor and each member/Councilor must submit a declaration, including their TIN number, VAT (if applicable), and the latest details of their movable and immovable properties and businesses (if any) held in Bangladesh or abroad, as well as those of their family members, along with their nomination papers. Additionally, a general declaration must state that the candidate does not own, nor will in the future own, any property in the name of their father-in-law/mother-in-law/brother-in-law/sister-in-law or in the name of any friend or under any false name.

(2) If the latest statement of property, containing the TIN number filed with and accepted by the relevant tax office, cannot be submitted or has not been submitted, the Chairperson and each Member shall,

at the time of submitting their nomination paper, submit by affidavit to the designated authority, in the prescribed form specified by rules, a written statement of all immovable and movable property over which they or any member of their family have ownership, possession, or interest.

(3) If the declaration made under sub-section (1) is found to be false, charges may be filed against the individual under the relevant sections of the Penal Code.

Explanation: For the purpose of this section, "family member" shall mean the spouse of the concerned Chairperson or Member, and any son, daughter, father, mother, brother, or sister who resides with and is fully dependent on him or her.

Chapter 12: Rural Dispute Resolution

61. Establishment of Legal Aid Courts at the Upazila level and integration with rural arbitration and ADR:

(1) A National Legal Aid Authority-run Legal Aid Court will be established in each Upazila, where: (a) The Presiding Officer will be a Senior Assistant Judge; (b) Parties will not appoint legal representatives for settlement; (c) No fees will be charged for settlement.

(2) The functions of the Upazila Legal Aid Court shall include the following:

(A) establishing ward-based Dispute Resolution Centers in each Pourashava and union;

(B) appointing, for each Dispute Resolution Centre, not less than five and not more than ten mediators from among retired public servants, teachers of schools or colleges, and locally respected individuals aged fifty years or above;

(C) providing honorarium to the mediators for their services in each dispute resolution process;

(D) where a dispute is not resolved at the ward level, the Upazila Legal Aid Officer shall have the authority to resolve the matter personally, and if unable to do so, may refer the matter to the court having competent jurisdiction;

(E) where any case is referred from a court, the Upazila Legal Aid Officer may, either personally or by referring the matter to the relevant ward of the concerned union or Pourashava, conduct the mediation:

Provided that, the Upazila Legal Aid Officer shall, in addition, perform all other functions as may be required under any prevailing laws relating to dispute resolution and the Legal Aid Services (Legal Advice and Alternative Dispute Resolution) Rules, 2015;

Provided further that, the Government shall, in consultation with the Supreme Court and the City Corporations, establish such number of “Urban Alternative Dispute Resolution Centers” as may be deemed necessary.

62. Alternative Dispute Resolution (ADR) Methods —

In the process of Alternative Dispute Resolution (ADR), particularly during mediation or conciliation proceedings, the following two methods shall be employed:

(A) Caucus Session: A caucus session refers to a private and confidential meeting between the mediator and one party (or their legal representatives), without the presence of the other party.

Characteristics: Each session is conducted separately with each party. The discussions during a caucus session shall remain confidential unless the party concerned expressly permits disclosure. This method is utilized to explore the interests, strengths, weaknesses, and potential solutions of the disputing party. It aids in breaking deadlocks and encourages open dialogue without fear of judgment or confrontation from the opposing party.

Purpose: To assist the mediator in understanding the underlying issues, to generate potential compromise proposals, to de-escalate emotional tensions, and to promote resolution of the dispute.

(B) Joint Session: A joint session is a meeting where both parties, along with one representative from each side, shall convene together to discuss the issues in dispute in the presence of the mediator. The mediator may present issues agreed upon during caucus sessions and shall attempt to facilitate the

development of a consensus.

Provided that, if the joint session fails to result in a resolution, the mediator may convene further caucus sessions as necessary.

Chapter 13: Financial Management, Assets, and Funds of the Institution

63. Power to Acquire, Possess, and Dispose of Property:

(1) Every institution shall have the power to acquire, possess, and dispose of property and enter into contracts, but in the case of movable property, prior approval from the Commission is required.

(2) The government, through regulations, may:

(a) Provide provisions for the management, maintenance, and development of property owned or assigned to the institution;

(b) Control the transfer of such property;

(c) Acquire immovable property for the institution to implement this Ordinance.

(3) An Institution may, in such manner as may be prescribed—

(a) manage, maintain, inspect, and develop any property owned by, vested in, or placed under its supervision;

(b) utilize such property for the purposes of this Ordinance or any rules made thereunder;

(c) acquire or transfer any property by way of gift, sale, mortgage, lease, or exchange, in accordance with the rules; and

(d) initiate or defend legal proceedings in its own name.

(4) Every Institution shall, through proper survey, prepare and annually update a record of all property under its control, and, where applicable, prepare an inventory and maps thereof and submit a copy to the prescribed authority and the Commission.

(5) Any acquisition, possession, or disposal of property in contravention of the provisions of this Ordinance or the rules shall be deemed illegal, and the person or persons responsible for such act shall be held legally liable.

64. Transfer of Property to the Institution:

The government may transfer any government property located within the institution's jurisdiction to the institution, which will then possess and control it.

65. Institution's Fund:

Each institution must establish a fund under its name, to which the following amounts will be deposited:

(a) Grants and subsidies provided by the government;

(b) Revenue from local sources as defined by this Ordinance;

(c) Grants and subsidies provided by other councils or local authorities;

(d) Loans granted by the government (if any);

(e) Taxes, rates, and fees collected by the institution;

(f) Revenue from schools, hospitals, pharmacies, buildings, institutions, or construction activities under its control;

(g) Donations or grants received from a trust;

(h) Fines and penalties collected under this Ordinance;

(i) Any other funds received by the institution.

Explanation: For the purpose of this section, "local sources of revenue" includes markets, water bodies, sand mines, land registration fees, land development tax, marriage registration fees, and other fees collected centrally by the government. The principal portion of the income collected from these sources shall be the revenue earned from leases, which shall be determined by the government through rules made in consultation with the Commission, and this cannot be diminished by any executive order.

66. Expenditure of the Institution:

(1) The funds of the institution shall be expended on a priority basis for the following sectors, namely:
   (a) Salaries and allowances for the institution's officers and staff;
   (b) Expenditure liable on the funds under this Ordinance;
   (c) Expenditures necessary for fulfilling duties and responsibilities assigned by this or any other law;
   (d) Expenditures authorized by the designated authorities, and
   (e) Liable expenditure declared by the local government/government on the institution.

(2) The institution may spend funds as deemed necessary to achieve the objectives of this Ordinance.

(3) The institution shall control its fund, and surplus funds will be spent as directed by the government.

(4) All funds of the institution shall be managed by the joint signature of the Mayor, Chairperson, and the Executive Officer/Accounts Officer.

67. Fund Preservation, Investment, and Special Fund Creation:

(1) The deposited funds shall be kept in a government treasury, a bank operating the functions of the government treasury, or any other financial institution designated by the government from time to time.

(2) The institution may invest part of its fund in a prescribed manner.

(3) With prior government approval, the institution may create separate funds for special purposes and manage them accordingly.

68. Liabilities of Expenditure:

(1) The liabilities of expenditure on the institution's fund include:

   (a) Salaries and allowances of all officers and staff (whether on deputation or permanent);

   (b) Expenditures for conducting elections, audits, or other activities directed by the government;

   (c) Payments required to implement judgments, decrees, or orders of any court or tribunal against the institution;

   (d) Any other expenditure declared as liable by the government.

(2) If any liabilities remain unpaid under the institution's fund, the person responsible for the fund will be ordered by the government to make payments as far as possible.

69. Implementation of the Commission’s Financial Recommendations:

The government shall consider the following recommendations made by the Commission and take appropriate decisions:

(a) Increase in tax or fee rates from various government sources;
(b) Financial grants for developmental activities and other purposes from the government treasury;
(c) Measures to increase the institution’s income sources and amounts.

Chapter 14: Budget and Audit

70. Budget

1. The period from July to the following June shall be considered as the financial year for each institution.

2. Union Parishad

   (a) Each Union Parishad shall prepare a budget for the financial year, detailing projected income and expenditure, at least 60 days before the start of the financial year. This shall be based on priorities received from the Ward Forum.

   (b) The budget shall be presented in an open budget session in the presence of the relevant standing

committee of the Union Parishad and the local public, and a copy of the budget approved in the next meeting of the Parishad shall be sent to the Upazila Nirbahi Officer.

(c) If a Union Parishad fails to prepare the budget before the start of the financial year, the Monitoring and Evaluation Department will prepare and certify a provisional income and expenditure report, which shall be considered the approved budget of the Union Parishad.

(d) Within 30 (thirty) days of receiving a copy of the budget prepared under clause (a), if there is any procedural defect in the budget, it shall be corrected and the Parishad shall be informed; and the budget so prepared shall be deemed to be the budget of the Union Parishad.

(e) Before the end of any financial year, if necessary, the Union Parishad may prepare and submit a revised budget to the Upazila Nirbahi Officer. The provisions of this section apply to the revised budget.

(f) The Union Parishad constituted under this Ordinance shall, for the remaining period of the financial year in which it first assumes office, prepare a budget after assuming responsibility, and the provisions of this section shall also apply to such budget.

3. **Upazila Parishad**

(a) At least 60 (sixty) days before the beginning of each financial year, the Parishad shall prepare a statement of income and expenditure for that year, hereinafter referred to as the budget, in accordance with the guidelines prescribed by the government, and shall display a copy of it on the Parishad's notice board for at least 15 (fifteen) days at a public place for public information, comments, and suggestions.

(b) Considering the public comments and suggestions received on the budget displayed under clause (a), the Parishad shall approve the budget at least 30 (thirty) days before the beginning of the relevant financial year and send a copy of it to the Deputy Commissioner.

(c) If the Parishad fails to approve the budget before the start of the fiscal year, the Monitoring and Evaluation Department will prepare and certify the income-expenditure report for that year, and such certified statement shall be deemed to be the approved budget of the Parishad.

(d) Within 30 (thirty) days of receiving the copy of the budget under clause (a), if there is any procedural defect in the budget, it shall be corrected and the Parishad shall be informed; and the corrected budget shall be deemed to be the approved budget of the Parishad.

(e) At any time before the end of a financial year, if necessary, the Parishad may prepare and approve a revised budget for that financial year, and the provisions of this section shall, as far as possible, apply to such revised budget as well.

(f) At any time before the end of a financial year, the Parishad may, if necessary, prepare and approve a revised budget for that financial year, and the provisions of this section shall, as far as practicable, apply to such revised budget as well.

4. **Zila Parishad**

(a) At least 60 (sixty) days before the beginning of each financial year, the Zila Parishad shall prepare a statement of the estimated income and expenditure for that year, hereinafter referred to as the budget, in the manner prescribed by rules, and shall place a copy of it at a public place for receiving public comments and suggestions.

(b) Considering the public comments and suggestions received on the budget displayed under clause (a), the Parishad shall approve the budget at least 30 (thirty) days before the beginning of the relevant financial year and send a copy of it to the Divisional Commissioner or the authority designated by the government.

(c) If the Parishad fails to approve the budget before the start of the year, the government will prepare and certify the income-expenditure report, which will be considered the approved budget.

(d) Within 30 (thirty) days of receiving the copy of the budget under clause (a), the government shall, by order, correct any procedural defects in the budget and inform the Parishad, and the corrected budget shall be deemed to be the approved budget of the Zila Parishad.

(e) At any time before the end of a financial year, if necessary, the Parishad may prepare and approve a revised budget for that financial year, and the provisions of this section shall, as far as practicable, apply to such revised budget as well.

(f) The budget for the financial year in which the Zila Parishad, constituted under this Ordinance shall be prepared for the remaining period of that financial year after assuming responsibility, and the provisions of this section shall, as far as practicable, apply to such budget as well

5. **Municipalities**

(a) Before the beginning of each financial year, the Pourashava shall prepare and approve a statement containing the estimated receipts and expenditures for that year, hereinafter referred to as the budget, in the manner prescribed by rules, and shall send a copy thereof to the Deputy Commissioner or to such other authority as may be specified by the Government.

(b) Taking into account public comments and suggestions regarding the budget presented under clause (a) the Pourashava shall approve the budget at least 30 days before the start of the financial year and send a copy to the relevant authority.

(c) If the Pourashava fails to approve the budget before the beginning of the financial year, the Monitoring and Evaluation Department will prepare and certify the income-expenditure report, which will be considered to be the approved budget.

(d) Within 30 (thirty) days of receiving the copy of the budget under clause (a), the Government may, by order, revise the budget, and such revised budget shall be deemed to be the budget approved by the Pourashava.

(e) At any time before the end of a financial year, if necessary, the Pourashava may prepare and approve a revised budget for that year, and the provisions of this section shall, as far as practicable, apply to such revised budget as well.

(f) In the financial year during which a Pourashava constituted under this Ordinance assumes office for the first time, the budget for that year shall be prepared for the remaining period after assumption of office, and the provisions of this section shall, as far as practicable, apply to such budget as well.

6. **City Corporation**

(a) Every year, before the first day of June, the Corporation shall prepare and approve, in the prescribed manner, a statement of the estimated receipts and expenditures for the upcoming financial year, hereinafter referred to as the budget, and shall send a copy thereof to the Government.

(b) The budget preparation method will include the following:

i. Proposed development budget drafts must be communicated to the people of the respective wards through their Ward Councilors, and there shall be a provision for obtaining their opinions.

ii. A copy of the draft budget must be available for public inspection at any time.

(c) If the corporation fails to prepare and approve the budget n the manner described in sub-section (1), the Monitoring and Evaluation Department may prepare and certify the report, and the certified version will be deemed to be budget approved by the Corporation.

(d) Within thirty (30) days of receiving the copy of the budget under sub-section (1), the Government may, by order, modify it, and the budget so modified shall be deemed to be the budget sanctioned

by the Corporation

(e) At any time before the end of a financial year, if necessary, a revised budget for that year may be prepared and approved, and such revised budget shall, as far as possible, be subject to the provisions of this section.

(f) The first budget of a newly formed City Corporation will be prepared for the remaining period of the financial year following its formation, with the provisions of this section and the other provisions of this section shall apply with the necessary amendments.

71. Accounts

(1) Every institution must maintain accounts of its income and expenditure for each financial year. Local institutions will prepare the budget based on the economic/budget codes.

(2) **Union Parishad**

(a) The Union Parishad shall maintain accounts of income and expenditure following the prescribed method and format.

(b) At the end of each financial year, the Union Parishad shall prepare a statement of accounts and present it in the budget session held in the presence of all standing committees of the Union Parishad and the public. If necessary, the budget may be amended based on the opinions or suggestions of the people present at the session.

(c) Within 90 days of the subsequent financial year, the Union Parishad shall send a copy of the final accounts as mentioned in clause (b) to the Upazila Parishad and the Upazila Nirbahi Officer. The Upazila Nirbahi Officer shall send a consolidated report in the format prescribed by the Commission, to the government and the Commission.

(3) **Upazila Parishad**

(a) The Upazila Parishad shall maintain accounts of income and expenditure following the prescribed method and format.

(b) After the end of each financial year, the Upazila Parishad shall prepare an annual account of receipts and expenditures and send it to the Zila Parishad and the District Commissioner within 90 (ninety) days of the following financial year. The District Commissioner shall send a consolidated report, in the format prescribed by the Commission, to the Government and the Commission.

(c) A copy of the annual accounts shall be placed at a designated location in the Upazila Parishad office for public inspection, and the Upazila Parishad shall consider any objections or suggestions from the public regarding the accounts. If necessary, the budget may be amended based on the opinions or suggestions of the public

(4) **Zila Parishad**

(a) The accounts of receipts and expenditures for each Zila Parishad shall be maintained in the manner and format prescribed by the rules.

(b) After the end of each financial year, the Zila Parishad shall prepare an annual account of receipts and expenditures and send it to the Divisional Commissioner within 90 (ninety) days of the following financial year. The Divisional Commissioner shall send a consolidated report, along with opinions, in the format prescribed by the Commission, to the Government and the Commission.

(c) A copy of the annual accounts shall be placed at a designated location in the Zila Parishad office for public inspection, and the Zila Parishad shall consider any objections or suggestions from the public regarding the accounts. If necessary, the budget may be amended based on the opinions or suggestions of the public.

(5) **Municipalities**

(a) Municipalities shall n maintain accounts in the prescribed manner and format.

(b) At the end of each financial year, an annual account statement shall be prepared, and it shall be sent to the Government through the Deputy Commissioner within 90 days of the following financial year for special and 'Class A' categories, and to the Deputy Commissioner for 'Class B' and 'Class C' categories. The Deputy Commissioner shall send a consolidated report, along with opinions, in the format prescribed by the Commission, to the Government and the Commission.

(c) A copy of the annual account statement shall be placed at a public location in the Pourashava office for public inspection, and any objections or suggestions from the public regarding the accounts shall be considered by the Pourashava. The matter shall be brought to the attention of the auditing authority as described in Section 71.

(6) **City Corporation**

(a) The City Corporation must maintain accounts in the prescribed type and manner.

(b) At the end of each financial year, an annual account statement shall be prepared, and it shall be sent to the Commission in the prescribed format by September 30 of the following financial year. The Commission shall send a consolidated report, along with opinions, in the prescribed format to the Government.

(c) A copy of the annual account statement prepared under clause (b) shall be displayed at a public location in the Corporation office for public inspection, and all objections and suggestions received from the public regarding the account shall be considered. These shall be brought to the attention of the relevant authority.

72. Appointment of Auditors

(1) The accounts of the funds of Union Parishads, Upazila Parishads, Zila Parishads, Municipalities, and City Corporations will be examined and audited by any auditor appointed in accordance with the procedures, time, and place as determined by the government.

(2) An auditor appointed under this section shall be considered a public servant as per Section 21 of the Penal Code.

(3) The chairman of the council, where applicable, shall present or arrange for the presentation of the accounts requested by the auditor.

73. Powers of Auditors

(1) For audit purposes under this Ordinance, an auditor shall have the following powers:

(a) The auditor may request, in writing, the presentation of any documents deemed necessary for the proper conduct of the audit, or request the provision of relevant information.

(b) The auditor may request any person responsible for or in possession of such documents, or any member of the Union Parishad, Upazila Parishad, or Zila Parishad, who holds an interest, directly or indirectly, in the matter, to personally appear.

(c) The auditor may request that any individual presented before him prepare a declaration regarding such documents, or provide responses to questions or submit a statement.

(2) If a person fails to comply with the auditor's request under subsection (1) (a), the auditor shall inform the relevant Ministry's Monitoring and Evaluation Department for Union Parishads. The department will resolve the matter at its discretion, and if not possible, will inform the relevant Ministry for necessary action. A person who neglects or refuses to comply with a request made by the Auditor may

be given such instructions as deemed appropriate, and such instructions shall be binding on that person.

74. Audit Report

The government, in consultation with the Local Government Commission, shall establish regulations for managing audits, which will include the following provisions:

(a) Deadlines related to audit reports.

(b) Significant discrepancies or irregularities in the accounts.

(c) Loss or waste of funds or assets.

(d) Timeframes for actions based on audit reports, along with other necessary measures.

(e) Specific recommendations for taking action against illegal payments or authorities making such payments.

(f) Internal audits of financial records.

(g) Special audits of financial records.

Chapter 15: Officers and Employees of the Institution

75. Officers and Employees of the Union Parishad

The Union Parishad shall have the following officers and employees:

(A) **Secretary**—

(a) Each Union Parishad shall have one secretary, appointed by an authority determined by the government or the Election Commission.

(b) The government shall provide a specific grade for the Union Parishad secretary within the public salary scale and apply the provisions of the Government Service Act, 2018, regarding appointment, terms of service, payment of salary and allowances, disciplinary and punitive measures, retirement, and other related matters.

(c) The Union Parishad secretary, as the executive officer of the council, shall perform the following powers and duties:

(1) The secretary shall attend the meetings of the Union Parishad and its standing committees and participate in discussions, but shall not vote or participate in the decision-making process. However, the secretary may express his opinion on any agenda item, and this opinion must be presented in the meeting.
Provided that, if he deems it necessary to refer to the government any decision adopted at the council meeting, he shall record it accordingly.

(2) The secretary may attend any committee meeting of the council, if deemed necessary by the chairperson.

(3) He shall execute the decisions of the council meetings; however, if he believes that any decision was not adopted in accordance with the law and that its implementation would endanger human life, health, or public safety, he shall request the council in writing to reconsider the decision(s). If the council upholds its previous decision, the matter must be forwarded — keeping the chairman informed — to the government or the designated authority. If no decision is received from the government or the designated authority within fifteen (15) days, the decision(s) may be implemented while keeping the government or the designated authority informed.

(4) The secretary shall supervise and control the officers and employees of the council under the general under the general supervision and control of the chairman.

(5) The secretary shall carry out responsibilities and exercise powers granted by this Ordinance or under its provisions.
(6) The secretary shall manage the expenditure as directed by the council or chairman.
(7) The secretary shall be responsible for the safe custody of the council's funds.
(8) The secretary shall maintain the accounts of income and expenditure of the council.
(9) The secretary shall record the minutes of the council and ward meetings.
(10) The secretary shall take disciplinary action against the council's employees.
(11) He shall present the monthly financial statement to the Standing Committee on Finance and Establishment by the 10th day of the following month or at the meeting of the following month, whichever occurs earlier.
(12) By June 30, the secretary shall submit the annual financial report of the previous financial year to the council.
(13) The secretary shall provide financial reports as required by the government, Local Government Commission, or audit authorities.
(14) The secretary shall maintain records of income and expenditure for any institution under the council (if any).
(15) The secretary shall keep the records of the standing committee and other committees formed under this Ordinance.
(16) The secretary shall coordinate the preparation of annual and five-year plans within the timeframes set by the government or Local Government Commission.
(17) If directed by the government or Local Government Commission, the secretary shall report on the use of council funds.
(18) The designated authority may transfer him from one Union to another within the Upazila upon completion of a specified term or if deemed necessary for administrative reasons.

(B) Other Employees —

(a) The Union Parishad may, with prior approval from the government, appoint additional personnel as needed, whose salaries will be paid from the Union Parishad's funds and whose control will lie with the Parishad.
(b) The employees appointed under sub-clause (a) shall not be transferable.
(c) At least one village police officer shall be appointed for each ward.
(d) All officers and employees appointed at the union level shall be considered government officers/employees on deputation to the Union Parishad.

76. Officers and Employees of Upazila Parishad

(1) Secretary

(a) In every Upazila, the government shall appoint a Secretary in the first class position under the Government Service Act, 2018, in consultation with the Commission, who shall be an experienced person in local government matters.

(b) Until the government appoints the Secretary of the Upazila Parishad, the Upazila Chairman, in consultation with the Commission, shall appoint a retired person with experience in local government matters as a part-time Secretary.

(c) The Secretary of the Upazila Parishad shall coordinate the activities of the Upazila Parishad meetings along with other government programs with the Upazila Nirbahi Officer.

(d) The Secretary of the Upazila Parishad shall perform the following powers and duties:
(1) He shall participate in the discussions at the meetings of the Parishad and its standing committees as part of his official duties but shall not participate in decision-making or exercise voting rights. However, he shall provide his opinion on any agenda items presented at the

Parishad meeting. His specific opinion must be presented with each agenda item.
"Provided that, if necessary, he shall record any decision adopted at the Council meeting for the purpose of sending it to the Local Government Commission and the Government."

(2) He shall be present at any meeting of the Parishad's committees, if required by the relevant chairperson.

(3) He shall implement the decisions of the Parishad, but if he deems any decision to be unlawfully made, and if its implementation would jeopardize public health, safety, or people's lives, he shall request the Parishad to reconsider the decision in writing. If the Parishad insists on the original decision, he shall report it to the Chairman and submit it to the government or designated authority. If no decision is received within 15 days, the decision will be implemented after notifying the government or the designated authority.

(4) He shall supervise and manage the officers and employees of the Parishad under the general supervision of the Chairman.

(5) He shall perform the duties and exercise powers as specified in this ordinance or under this ordinance.

(6) He shall expend the funds as specified by the Parishad or Chairman.

(7) He shall be responsible for the safe custody of the Parishad’s funds.

(8) He shall maintain the accounts of the Parishad's income and expenditures.

(9) He shall record the meetings of the Council and the minutes of the meetings.

(10) He shall take disciplinary actions against the employees of the Parishad.

(11) He shall submit monthly financial statements to the Finance and Establishment Committee by the 10th of the next month or in the next meeting, whichever comes first.

(12) He shall present the annual accounts of the previous financial year to the Parishad by June 30.

(13) He shall provide income and expenditure statements to the government, Local Government Commission, or audit authorities as requested.

(14) He shall maintain the accounts of any institutions under the Parishad (if applicable).

(15) He shall keep records of the standing committee and other committees formed under this ordinance.

(16) He shall coordinate the preparation of annual and five-year plans within the timeframes set by the government or the Commission.

(17) If directed by the government or the Local Government Commission, he shall send reports regarding the use of the Parishad's funds.

(2) Other officers and employees of the Upazila Parishad shall continue to work as per the existing manpower structure until the government provides further directives, and they shall carry out their duties as before.

77. Officers and Employees of Zila Parishad

The existing manpower structure of the Zila Parishad shall remain unchanged until the government provides further decisions, and they shall continue to work as before.

78. Officers and Employees of Municipalities

(1) The existing manpower structure of the Pourashava shall remain unchanged; however, for both existing and new municipalities, the government, in consultation with the Commission, may determine a new manpower structure.

(2) The government shall specify the job positions from time to time, which must be filled in accordance with the rules.

(3) The government shall approve the manpower structure of the Pourashava according to its classification,

based on the views of the relevant Pourashava and the Commission.

(4) The Government, in consultation with the Commission, shall, by rules:

(a) Determine the terms and conditions of employment for the officers and employees of the Pourashava; and

(b) Make necessary arrangements for the responsibilities of officers and employees of the Pourashava.

79. Chief Executive Officer and Other Officers and Employees of City Corporations

(1) There shall be a Chief Executive Officer for the City Corporation, who shall be appointed by the government under specified conditions and shall hold the position for a term of three years from the date of assumption of office.

(2) "Notwithstanding anything contained in sub-section (1), the Government may, at any time and without assigning any reason, withdraw the Chief Executive Officer from his position."

(3) Unless otherwise specified by this Act and regulations, the Chief Executive Officer shall be responsible for implementing all decisions of the corporation, and he shall exercise the powers and duties assigned to him by the Mayor in accordance with this Act and the regulations made thereunder.

(4) The Chief Executive Officer shall be accountable to the Mayor in the exercise of his powers and duties.

(5) If the Chief Executive Officer is unable to perform his duties due to absence, illness, or any other reason, the government shall appoint another person to perform his duties.

(6) The City Corporation shall have the necessary number of officers and employees, and their appointments and conditions of service shall be determined by rules.

80. Government's Authority to Assign Government Employees to the Institution

(1) The government may, under specified conditions, assign government employees to an institution for the performance of its general or special functions, as per **Schedule 5**, and such employees shall perform their duties under the supervision and control of the institution.

(2) If disciplinary action is deemed necessary against any employee assigned under sub-section (1), the institution shall conduct an initial inquiry and submit a report to the employee's appointing authority.

(3) The employees assigned under sub-section (1) shall perform additional duties as assigned by the institution, apart from their general responsibilities.

(4) The employees transferred/assigned under sub-section (1) shall be responsible to the institution for implementing government projects, schemes, plans, etc., which are not transferred to the institution under this Ordinance or the rules made thereunder.

(5) Until the concerned institution acquires the capacity to bear the expenses, the salaries, allowances, and other financial benefits of the employees transferred under sub-section (1) shall be paid by the government.

81. Relationship between Elected Representatives and Employees of the Institution

(1) To safeguard the legal rights and professional independence of employees under the institution's jurisdiction, the government shall formulate a Code of Conduct in consultation with the Commission. This code will define the relationship between elected representatives and employees under the institution's control or assigned to it.

(2) The minutes of any institutional meeting must include the views expressed by attending employees.

(3) Elected representatives and employees under the institution's control or assignment shall demonstrate mutual respect and refrain from any unbecoming conduct.

(4) The Commission shall investigate complaints about elected representatives violating the Code of Conduct and recommend appropriate actions to the government.

(5) If an elected representative issues oral instructions to an employee for any task, the employee must obtain written confirmation before implementation.

Chapter 16: Imposition of Taxes by Institutions

Section 82. Levy of Taxes by Union Parishad

(1) A Union Parishad may—
  (a) levy, in the manner prescribed by rules, any or all taxes, rates, fees, and other charges as specified in **Schedule-6**;
  (b) ensure that all taxes, rates, and fees levied by it are duly publicized in the prescribed manner, and that prior notice is given regarding such imposition;
  (c) If any proposal for the imposition of a tax, rate, or fee, or for the revision of an imposed tax, rate, or fee is approved, such tax, rate, fee, or its revision shall come into effect from the date determined by the approving authority;
  (d) Income earned from any tax, rate, toll, fee, or any other source imposed on any other sector as may be determined by the government from time to time.

(2) The Government may, in consultation with the Commission, prepare a model schedule of taxes for Union Parishads, and where such a model schedule is prescribed, all taxes, rates, fees, and charges imposed by the Union Parishad shall be guided by that schedule.

(3) For determining whether a person or property is liable to taxation, the Union Parishad may issue notice requiring such person to furnish relevant information, or to produce documents, account books, or property, and any authorized member or employee of the Union Parishad may, after giving due notice, enter any premises or compound to assess its liability to taxation.

(4) Collection and recovery of taxes, etc.—
  (a) Unless otherwise provided in this Ordinance, all taxes, rates, and fees imposed under this Ordinance shall be collected by the persons and in the manner prescribed;
  (b) All unpaid taxes, rates, fees, and other dues payable to the Union Parishad under this Ordinance shall be recoverable as public demands;
  (c) For this purpose, any authorized member or officer of the Union Parishad may seize and dispose of property in the prescribed manner to recover any outstanding tax, rate, or fee;
  (d) Notwithstanding the provision of clause (a), the Government may empower any Union Parishad to recover all unpaid taxes, rates, fees, or other dues under this Ordinance by attachment and sale of the movable and immovable property of the defaulter;
  (e) The manner in which any officer or class of officers shall exercise the powers under clause (d) shall be prescribed by the government through rules.

(5) No objection shall be entertained in relation to any tax, rate, fee, the assessment of related property, or any claim against a person under this Ordinance except through a written petition submitted to the prescribed authority in the prescribed manner and within the prescribed time.

(6) All taxes, rates, fees, and other dues levied by the Union Parishad shall be assessed, imposed, leased, and managed in the manner prescribed by rules.

(7) The rules relating to the matters referred to in this section shall, among other things, provide for the responsibilities of taxpayers and the powers and duties of the officers and authorities responsible for assessment and collection of such taxes.

83. Imposition of Taxes by Upazila Parishad

The Upazila Parishad shall not impose any or all of the taxes, rates, fees, etc., mentioned in Schedule-

6; however, it may receive income from taxes, sub-taxes, rates, tolls, fees, or other sources imposed on other sectors as may be determined by the government from time to time.

84. Imposition of Taxes by Zila Parishad

(1) The Zila Parishad may impose any or all of the taxes, rates, fees, etc., mentioned in **Schedule-6** according to the manner prescribed by rules.

85. Imposition of Taxes by Pourashava

The Pourashava, with prior approval from the government, may impose any or all of the taxes, sub-taxes, rates, tolls, and fees mentioned in **Schedule-6** in accordance with the prescribed procedure.

Provided that the Pourashava must obtain the prior approval of the government for any new tax imposition and the government will make decisions in consultation with the Commission.

86. Imposition of Taxes by City Corporation

The City Corporation, with prior approval from the government, may impose any or all of the taxes, sub-taxes, rates, tolls, and fees mentioned in **Schedule-6** in accordance with the prescribed procedure.

However, for any new tax imposition, the City Corporation must obtain the prior approval of the government, and the government will make decisions in consultation with the Commission.

87. Objection to Tax Assessment

Any objection to a tax, sub-tax, rate, toll, fee, or the valuation of property or the duty to pay imposed under this Ordinance must be submitted in writing to the designated authority, in the prescribed manner and within the prescribed time.

88. Tax Deduction from Salary

If any institution imposes a tax on a job or salary, the institution may inform the relevant employer to deduct the tax from the person's salary or allowance, and after receiving such a request, the employer will deduct the tax from the salary or allowance and deposit it into the institution's fund.

However, the amount of the tax deduction shall not exceed 25% of the person's salary or allowance.

89. Tax Imposition Procedures

(1) All taxes, surcharges, rates, tolls, and fees imposed by any institution shall be administered and regulated in the manner prescribed by rules.

(2) The rules made under this section shall, among other matters, include provisions regarding the obligations of taxpayers and the duties and powers of responsible officials or other agencies for the assessment and collection of taxes.

Chapter 17: Powers of Government and Commission

90. Power to Inspect Records, etc. of Institutions

(1) Any officer authorized by the government or the Commission may direct the institution to:

(a) Present any records, registers, or other documents under the institution's custody or control;

Provided that, if necessary, photocopies of such records, registers, or documents may be retained, but the original copies must be returned to the concerned council within ninety (90) days.

(b) Submit any returns, plans, estimates, income-expenditure statements, etc.;

(c) Provide any relevant information or reports.

(2) Prior approval of the government must be obtained before relinquishing any claim as a source of the institution's income or before closing down any institution.

(3) Government or any authorized officer may inspect any institution and its records, immovable and movable property, completed and ongoing development projects including any construction work.

(4) Every institution, its chairman/mayor, councilors/members, secretary, and other officers/employees must cooperate with the designated officers.

(5) The government will conduct performance audits of each institution's administrative activities at regular intervals.

91. Technical Monitoring and Inspection

The head of any department, along with appointed technical officers, may inspect the development projects and related records and documents implemented by the institution in accordance with the prescribed procedures.

92. Directions and Investigations by the Government or Commission

(1) Notwithstanding anything in this Ordinance, the government, after consulting the Commission, may issue directions to any institution regarding financial management, employee management, project formulation, beneficiary selection, the conduct of institution and ward meetings, etc. The institution shall follow such directions.

(2) Any complaint regarding project implementation or financial irregularities, or any other irregularity within the institution, will be investigated by one or more officers in the prescribed manner.

(3) The concerned institution shall provide necessary assistance in the investigation conducted under sub-section (2).

(4) After completing the investigation under sub-section (2), based on the findings, the government, in consultation with the Commission, may take action against the responsible individual, officer, or institution, as per the provisions of this Ordinance.

93. Action Against Negligence by Institutions, Chairpersons, Members, and Responsible Officers

(1) If the government determines that any institution or its chairperson/mayor, members/councilors, or responsible officers have failed to perform their duties as required by this Ordinance or other government orders, the government or an authorized authority may direct the institution or the chairperson/mayor to perform their duties within a specified time.

(2) If the institution or chairperson fails to comply within the specified time, the government shall provide a reasonable opportunity for explanation before deciding on further action, and may appoint any officer or authority to carry out the required tasks, charging the costs to the institution’s or the chairperson’s personal fund, if applicable.

Provided that, before taking any action under sub-sections (1) and (2), the opinion of the Commission must be obtained.

94. Cancellation or Suspension of Decisions and Resolutions of the Institution, etc.

(1) The government, either on its own or based on the request of the institution's Chairman/Mayor, members/Councilors, responsible officers, or any other person, may cancel or suspend any resolution or decision of the institution if such resolution or decision:

(a) Was not legally adopted;

(b) Contravenes this Ordinance or any other Ordinance, or is misused;

(c) Endangers human life, health, public safety, or communal harmony, or if there is a likelihood of causing riots or disputes;

(d) Contravenes guidelines issued by the government.

(3) Before canceling or suspending a decision or resolution under subsection (1), the government shall refer the matter to the Local Government Commission. The Commission shall provide an opportunity for a hearing and submit its opinion along with a report to the government. Based on the report, the government will finalize whether to cancel, modify, or confirm the institution's decision or resolution.

(4) If the government deems it necessary to cancel or modify a decision or resolution under subsection (1), it may temporarily suspend the implementation of the resolution or decision and instruct the institution to suspend the implementation until the Commission's opinion is received.

95. (Annual) Administrative Report of the Institution

(1) The institution shall prepare its annual administrative report in the format and manner prescribed by the government and publish it by September 30 of the following year. If the report is not published within the prescribed time, the government may suspend the institution's grant.

(2) The responsible officer of the institution shall, in consultation with the Chairman, prepare a draft administrative report and present it at the institution's meeting for final approval.

(3) The administrative report of the District Council shall be sent to the Divisional Commissioner. The Divisional Commissioner shall send the consolidated report to the Commission in the format prescribed by the Commission. The administrative report of the Upazila Parishad shall be sent to the District Commissioner, and the consolidated report shall be sent to the government and the Commission. The administrative report of the Union Parishad shall be sent to the Upazila Nirbahi Officer, who will send the consolidated report to the government and the Commission.

(4) The government shall present the consolidated annual report received under subsection (3) in the next session of the Parliament.

96. Dissolution of Institution and Re-election

(1) The government, in consultation with the Commission, may dissolve an institution through a gazette notification for the following reasons:

(a) If the institution fails to pass the budget for the next year before the end of the current fiscal year, creating financial difficulties;

(b) If the majority of the institution's elected members resign;

(c) If the majority of the members become disqualified;

Provided that the date mentioned in the gazette notification will be effective from that day. A copy of the gazette notification shall be sent to the Election Commission.

It is also provided that, before dissolution, the institution shall be given a reasonable opportunity for a hearing and the government shall seek the opinion of the Commission.

(2) If the government believes that an institution has consistently failed to perform its duties as assigned under this Ordinance or any other law/regulation or misused its powers, the government may dissolve the institution through a gazette notification and send a copy to the Election Commission.

However, before dissolution, the government shall notify the institution of the reasons for dissolution, provide it with a reasonable opportunity to respond, consider any objections or explanations, and make a final decision after obtaining the opinion of the Commission.

(3) Upon the publication of the gazette notification under subsections (1) or (2), the positions of the Chairman/Mayor and all members/Councilors of the institution shall be considered vacant, and a re-

election must be held within 180 days from the date the positions become vacant.

(4) The members of the reconstituted institution will be elected for the remaining tenure of the institution and shall perform their duties.

(5) During the interim period between the dissolution and reconstitution of the institution, an administrative committee appointed by the government shall manage the administrative functions of the institution.

(6) All assets and liabilities of the institution shall remain with the administrative committee until the reconstitution of the institution under subsection (5) and until the reconstituted institution assumes responsibility for the remainder of its tenure as per subsection (3).

Chapter 18: Right to Information

97. Right to Information

(1) In accordance with the Right to Information Act, 2009, any citizen of Bangladesh has the right to obtain any information related to the council in the prescribed manner.

(2) Notwithstanding subsection (1), the government may, for the sake of public interest or local administrative security, designate certain records or documents as classified by a gazette notification, and no person shall have the right to access such classified information without prior approval from the Commission.

(3) The government may, by a general or special order, direct the council to publish a list of information that can be made available to the public.

98. Procedure for Providing Information

(1) Any person requiring information must submit a written application on the prescribed form and pay the prescribed fee to the Chief Executive Officer/Secretary of the council. If the application is not rejected or otherwise disposed of, the Chief Executive Officer/Secretary shall provide the requested information within the specified time, which shall not exceed 7 days.

(2) If an application is rejected, the reasons for rejection shall be communicated in writing to the applicant.

99. Penalty for Failure to Provide Information

(1) The Chief Executive Officer/Secretary or any other responsible officer/employee of the institution shall be obligated to provide the information in the prescribed manner within the specified time, except for the classified records.

(2) If the Chief Executive Officer/Secretary or any responsible officer/employee fails to provide the information within the specified time, they shall be fined 100 (one hundred) taka for each day of delay, and the fine shall be deposited in the council's fund.

(3) If the Secretary or any responsible officer/employee fails to provide information or provides false or incorrect information, they shall be fined at least 1,000 (one thousand) taka.

100. Acts in Good Faith

Notwithstanding anything in this chapter, if the Chief Executive Officer/Secretary or any responsible officer/employee is certain that the requested information cannot be found or is not stored in the council's records, they shall inform the applicant within 7 (seven) working days and dispose of the application accordingly. No disciplinary action shall be taken against the officer/employee for failure to provide the information due to the reasons mentioned in this section.

Chapter 19: Registration of Tutorial Schools, Coaching Centers, Private Hospitals, Diagnostic Centers, etc.

101. Registration of Tutorial Schools, Coaching Centers, etc.

(1) No tutorial school or coaching center shall be established and operated privately or individually in any area without registration, either on or after the date this Ordinance comes into effect. The institution must apply to the Chairman/Mayor of the institution by submitting the required fee in the prescribed manner for registration. Upon satisfactory investigation, the institution will grant registration with the approval of the institution's meeting and will determine the monthly tutorial or coaching fees.

(2) Any tutorial school or coaching center that is already in operation at the time this Ordinance is issued must apply for registration in the prescribed manner within the specified period, as directed by the government.

However, it is a condition that no such institution shall be registered if it is operating on government property without prior approval from the government.

Furthermore, if the institution operating on government property fails to obtain permission for the use of such property within the stipulated time, the registration of the institution shall automatically be deemed canceled.

(3) The registration of each institution registered under subsections (1) and (2) must be renewed annually by paying the prescribed fee.

102. Registration of Private Hospitals, etc.

(1) No private hospital, paramedical institute, or similar institution shall be established in any area under the jurisdiction of the institution without registration, either on or after the date this Ordinance comes into effect.

(2) At the time of the promulgation of this Ordinance, any private hospitals and paramedical institutes that are in operation shall be granted registration, provided they apply for registration within the time frame and in the manner specified by the government.

However, it is a condition that no such institution shall be registered if it is operating on government property without prior approval from the government.

Furthermore, if the institution operating on government property fails to obtain permission for the use of such property within the stipulated time, the registration of the institution shall automatically be deemed canceled.

(3) The registration of each institution registered under subsections (1) and (2) must be renewed annually by paying the prescribed fee.

103. Penalty for Failure to Register

Any person who establishes or operates a tutorial school, coaching center, private hospital, or paramedical institute without registration, or continues to operate such an institution after its registration has been canceled, shall be fined 5,000 (five thousand) taka. If the institution continues to operate after the fine has been imposed, an additional fine of 1,000 (one thousand) taka per day shall be imposed.

104. Fee Collection by the Institution

The government may collect an annual fee, at a rate determined by the government, from tutorial schools, coaching centers, private hospitals, paramedical institutes, etc., that are registered and operated within its jurisdiction.

105. Re-registration

If the registration of a tutorial school, coaching center, private hospital, or paramedical institute is canceled due to non-compliance with its obligations under this Ordinance and the institution is fined, the institution may apply for re-registration within 6 (six) months after paying the fine along with double the amount of the original fine, following the prescribed procedure and stating the reasons. If the application is found satisfactory after investigation, the institution may be re-registered.

However, it is a condition that no institution may seek re-registration more than once under this section.

Chapter 20: Matters Related to Local Government Institutions and Other Local Authorities

106. Joint Committee

The government, in consultation with the Commission, may form a joint committee for any matter of common interest to achieve a unified objective between any institution and one or more other institutions, or with any Pourashava or city corporation, or with any local authority or authorities. The government may also delegate to such a committee the authority to exercise any powers, including the power to formulate regulations for conducting the committee's activities.

107. Dispute Between Local Institutions, Municipalities, and City Corporations

(1) If a dispute arises between a local authority and any institution, Pourashava, or city corporation, the matter shall be referred for resolution as follows:

(a) If the concerned parties fall within the same division, the matter shall be referred to the relevant Divisional Commissioner; and

(b) If the concerned parties belong to different divisions or if one of the parties is a Cantonment Board, the matter shall be referred to the Government.

(2) For any offence under sub-section (1), the decision of the Divisional Commissioner or the government, as the case may be, shall be final.

108. Offense

(1) Any deviation or error from the "do" or "do not" provisions under this Ordinance shall be considered an offense.

(2) A list of other offences under the jurisdiction of institutions is provided in **Schedule-7.**

109. Penalty for Offences

A fine of up to 5,000 (five thousand) Taka may be imposed for any offence under this Ordinance. In the case of a repeat offense, an additional fine of up to 500 (five hundred) taka per day shall be imposed for each subsequent violation after the initial offense.

110. Settlement of Offenses

(1) If the complaint involves the Chairman or Mayor, the government may appoint a specially authorized person to settle the offense under this Ordinance.

(2) If the complaint does not involve the Chairman or Mayor, a person specially authorized by the Chairman or Mayor may settle the offense under this Ordinance.

111. Acceptance of Complaint

No court shall accept a complaint for prosecution under this Ordinance unless it is made in writing by an authorized person appointed by the government.

112. Duty of Police Officers

(1) Every police officer shall:

(a) Immediately inform the Chairman and the Chief Executive Officer/Secretary of the council upon receiving information about an attempt to commit an offense under this Ordinance or about the occurrence of such an offense.

(b) Assist the Chairman, Chief Executive Officer/Secretary, or any other officer in carrying out legal duties based on a written request.

(2) If a police officer fails to perform the duties under subsection (1), it shall be considered misconduct, and necessary actions will be taken by the superior authority as per the Government Employee (Discipline and Appeal) Rules, 2018.

Chapter 21: Miscellaneous

113. Illegal Boundary Violation

(1) No person shall unlawfully occupy any government land, road, footpath, or drain, either permanently or temporarily.

(2) Subject to regulations, an institution may, through notice, direct the person violating the boundary to remove their property or possessions from the specified places within a specified time. If not removed within the stipulated time, the institution shall arrange for removal at its own initiative, and the cost of this removal shall be imposed on the person responsible for the violation as dues payable to the institution under this Ordinance.

(3) Notwithstanding any other law, no compensation shall be provided for any crime associated with the removal or removal of the property under this section.

114. Appeal Orders

(1) If any person is aggrieved by an order made by an institution under this Ordinance, its rules, or any subsidiary law, the person may appeal to the designated authority in the prescribed manner.

(2) The order of the appeal authority shall be final and binding, and no court shall entertain any question against it.

115. Permanent Orders The government may, from time to time, issue permanent orders to:

(a) Define and regulate the relationship between local institutions and authorities, including municipalities;

(b) Coordinate the functions of local institutions and government departments;

(c) Provide financial assistance to local institutions and special payments under specific conditions;

(d) Arrange for local institutions to contribute to other local councils or municipalities;

(e) Issue general directives to local institutions to fulfill the purposes of this Ordinance.

116. Power to Make Rules

(1) To fulfill the purposes of this Ordinance, the government, after consulting the Commission, may make rules.

(2) Specifically, and without diminishing the scope of the above powers, rules may be made on matters such as:

(a) Election and related functions of the Chairman and members;

(b) Election disputes, election tribunals, and appeals, including handling election-related applications;

(c) Powers and functions of the Chairman and members;

(d) Provisions for contracts by institutions;

(e) Maintenance, preparation, or publication of records and reports by institutions;

(f) Recruitment and employment conditions of institution staff;

(g) Management, control, oversight, and investment of funds and special funds;

(h) Budget preparation, approval, and related matters;

(i) Accounting and auditing;

(j) Management, preservation, and transfer of institution assets;

(k) Development planning and implementation;

(l) Responsibility for losses, damages, or misuse of institution property or funds;

(m) Tax, rates, and fees assessment, collection, and control;

(n) Appeal procedure and authority for institutional orders;

(o) Inspection procedures and powers of inspectors;

(p) Government or private foreign travel for educational or observation purposes;

(q) Any other matter under this Ordinance.

(3) No government notification or other directive may contradict the provisions of this Ordinance or rules.

Section 117. Power to Make Regulations.

(1) For the purpose of carrying out the objectives of this Ordinance, a Parishad may, with the prior approval of the Government, make regulations not inconsistent with the provisions of this Ordinance or any rules made thereunder.

(2) Such regulations may include provisions relating to the bringing of no-confidence motions, and the filling of vacancies in the offices of Chairman, Presiding Officer, and Leader of the Shadow Council,

(3) the conduct of second-tier elections and oath-taking ceremonies.

(4) Without prejudice to the generality of the foregoing power, such regulations may in particular provide for the following matters, namely:

(a) conduct of the functions of the institution;
(b) determination of quorum for meetings;
(c) procedure for presenting questions;
(d) convening of meetings;
(e) recording of meeting minutes;
(f) implementation of resolutions adopted in meetings;
(g) management of matters and functions of standing committees;
(h) custody and use of the official seal;
(i) delegation of powers of the Chairman to any member, officer, or employee of the institution;
(j) formation of departments and branches within the institution's office and determination of their scope of functions;
(k) registration of sale of livestock and other animals, and management of hats and bazaars;
(l) management and control of public-use properties;
(m) regulation of cremation grounds and cemeteries;
(n) prevention and control of infectious diseases;

(o) prevention of illegal encroachment;
(p) approval of building designs and plans; and
(q) any other matter which may be regulated by regulations under this Ordinance.

(5) Every regulation made under this section shall be published in such manner as the institution deems appropriate for bringing it to the notice of the general public.

118. General Provisions for Rules, etc.

(1) Each rule must be published in the official government gazette, and the council shall decide on the method for making the public aware of the regulation.
(2) Institutions must create rules with the approval of the designated authority.
(3) The government may create sample regulations, and institutions must follow these samples when creating their own rules.
(4) Copies of the institution's rules and regulations must be available for public inspection and sale at the institution's office.
(5) Once the rules and regulations are properly enacted, they shall become part of this Ordinance and remain in effect.

119. Matters to be Prescribed

If any work under this Ordinance is required to be done but there are no prescribed regulations or procedures, the work shall be completed by the designated authority according to instructions from the government.

120. First Election for Council and Wards

For the first election under this Ordinance, any council that existed prior to the issuance of this law, unless directed otherwise by the government, shall be deemed a union/upazila/district under this Ordinance. The wards shall be considered as defined under Section 4.

121. Removal of Difficulties

If any difficulty arises in implementing the provisions of this Ordinance, the government, in consultation with the Commission, may take necessary measures by order to resolve the issue. However, no such orders may be issued two years after the enactment of this Ordinance.

122. Delegation of Powers

(1) The government may delegate all or part of its powers under this Ordinance or related regulations to the Divisional Commissioner or any officer under their jurisdiction through a notification in the official gazette.

(2) The Divisional Commissioner, with the government's prior approval, may further delegate any power vested in them under this Ordinance to other officers.

123. License and Approval

(1) Notwithstanding anything in this Ordinance or related rules or subsidiary laws, if any work requires permission or approval from an institution, such permission or approval must be in writing.

(2) All licenses, approvals, or permits issued under the authority of the local government must be signed by the Chairman/Mayor or any authorized officer designated by them according to the rules and regulations.

124. Filing of Lawsuits against Institutions, etc.

No lawsuit shall be instituted against any council or against any member, officer, or employee thereof in respect of any act done or purported to have been done in the discharge of official duties, unless a written notice in that behalf has been delivered or served, and a period of one month has elapsed

thereafter. Such written notice shall be delivered or served, in the case of an institution, at its office, and in the case of a member, officer, or employee, either upon the person concerned or at their office or residential address. The notice shall state the cause of action, the name, and the residential address of the person intending to institute the suit. Every plaint in such suit shall contain a statement that such notice has been duly served in accordance with the provisions hereinbefore mentioned.

125. Notice Issuance

Any person required to do something or refrain from doing something under this Ordinance or any subsidiary laws must be issued a notice with a directive to comply.

126. Public Records

All records prepared or registered under this Ordinance shall be considered public records, and unless proven otherwise, they shall be presumed to be valid.

127. Mayor, Chairman, Commissioner, Member etc. of Local Government Institutions shall be Public Servants

The Chairman/Mayor, councilors/members, officers, and employees of the institution, as well as any other persons authorized to act on behalf of the institution, shall be considered public servants under Section 21 of the Penal Code, 1860.

128. Matters to be Prescribed

If a matter is required to be done under this Ordinance but there are no prescribed procedures or regulations, the government shall issue instructions to resolve the matter.

129. Repeal and Preservation

(1) With the enactment of this Ordinance, the following laws are repealed: Local Government (Union Parishad) Act, 2009; Upazila Parishad Act, 1998; District Council Act, 2000; Dispute Resolution (Municipal Area) Board Act, 2004; Village Court Act, 2006; Local Government (Pourashava) Act, 2009; and Local Government (City Corporation) Act, 2009.

(2) Upon repeal, the following provisions apply:

(a) Until institutions are constituted under this Ordinance, all existing institutions functioning immediately before such repeal shall be deemed to have been constituted under this Ordinance and shall continue functioning accordingly;

(b) All rules, regulations, orders, notifications, notices, licenses, and permissions issued under the repealed Acts shall remain valid to the extent they are consistent with this Ordinance, unless subsequently amended or repealed, and shall be treated as issued under this Ordinance;

(c) All assets, rights, privileges, authorities, benefits, movable and immovable properties, cash balances, bank deposits, investments, and all related rights or interests of the former institutions shall stand transferred to and vested in their successor institutions;

(d) All debts, liabilities, and obligations of the former institutions existing prior to the repeal of the said Acts or Ordinances, along with all contracts executed by or with such institutions, shall be deemed to be the debts, liabilities, obligations, and contracts of their successor institutions;

(e) All budgets, projects, plans, assessments, and taxes imposed by the former institutions before repeal shall remain valid until amended or revoked, provided they are consistent with this Ordinance, and shall be treated as prepared, executed, or determined by the successor institutions under this Ordinance;

(f) All taxes, surcharges, rates, tolls, fees, and other amounts due to the former institutions before repeal

shall be deemed payable to their successor institutions under this Ordinance;

(g) All taxes, surcharges, rates, tolls, fees, and other charges imposed by the former institutions shall continue at the same rates unless modified by the successor institutions;

(h) All officers and employees of the former institutions shall be transferred to and deemed employees of the successor institutions, retaining their previous service terms unless altered by the successor institutions; and

(i) All pending legal cases filed by or against the former institutions shall be deemed cases filed by or against their successor institutions.

Schedule-1

[Reference to Section 39(3)]

Election Affidavit

(To be filled by the candidate)

I, _____

(Name of Candidate as per National ID)

National ID Number _____

Mother's Name _____

Father's Name _____

Spouse's Name _____

Current Address _____

Permanent Address _____

Do I have dual citizenship? (Tick (Π) mark) Yes No If yes, the name of the country: .....

Did I have dual citizenship in the past? (Tick (Π) mark) Yes No If yes, the name of the country: .....

National Parliamentary Election _____

(Constituency number and name)

I wish to contest the election as a candidate for the following constituency: -

I hereby solemnly declare the following:

1. My date of birth: _____
2. My highest educational qualification _____
   and certified copy of the certificate are attached herewith.
3. (a) I am not currently accused in any criminal case. _____ [Tick (Π) mark if applicable]

   Or

   (b) I am currently accused in a criminal case, and the details of the case are as follows:

Serial Number	Law and Section under which the case has been filed	Court where the case is pending	Case Number	Latest update of the case
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
4				

[Additional pages may be used if necessary]

Total number of cases:

4. (a) No criminal cases have been filed against me in the past 20 years.

[ ] [Tick (Π) mark if applicable]

Or

(b) The criminal cases filed against me in the past 20 years and their outcomes are as follows:

Serial Number	Law and Section under which the case has been filed	Court where the case is pending	Case Number and order date	Case result
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
4				

Total number of cases:

5. My professional details (if involved in one or more professions, specify and elaborate):

Within country: [ ]

Abroad: (with Country name) [ ]

[Additional pages may be attached for details]

6. List of dependents:

Serial Number	Name	Relationship with me	Profession	Remarks
(1)	(2)	(3)	(4)	(5)
1				
2				
3				
4				

[If number of dependents is more, additional pages may be used]

7. Sources of income for me, my spouse, and my dependents:

Serial Number	Source of Income Description	Annual Income of Candidate		Annual Income of Dependents	
		Domestic	Foreign	Domestic	Foreign
1	Agriculture				
2	Rental income (house, apartment, shop, etc.)				
3	Business				
4	Shares, savings bonds/bank deposits				
5	Profession (teaching, medical, law, consultancy, etc.)				
6	Job				

7	Other (specify)				

[Additional pages may be used if necessary]

8. Details of assets and liabilities of me, my spouse, and my dependents:

(a) **Movable Assets** (Specify quantity and value)

Serial Number	**Asset Type**	**In my name (Value in Currency)**	**In spouse's name (Value in Currency)**	**In dependents' name (Value in Currency)**
(1)	(2)	(3)	(4)	(5)
1	Cash			
2	Foreign Currency (specify type)			
3	Bank and Financial Institution Deposits			
4	Bonds, Debentures, Listed and Unlisted Shares			
5	Savings Certificates/Fixed Deposits			
6	Vehicles (bus, truck, car, motorcycle, etc.)			
7	Gold and Other Precious Metals			
8	Electronics (specify items)			
9	Furniture (specify items)			
10	Firearms			
11	Other			
12	Immovable asset in foreign country			
13	Total value during acquirement			
14	Current estimated value			

[If assets or liabilities exceed the space, additional pages may be used]

(b) **Immovable Assets** (Specify quantity and value)

Serial Number	**Asset Type**	**In my name**	**In spouse's name**	**In dependents' name**	**Joint Ownership**	**Candidate's Share in Joint Ownership**
1	Agricultural Land					
2	Non-agricultural Land					
3	Building, Residential or Commercial					
4	House/Apartment					
5	Tea Garden, Rubber Plantation, Fish Farm, etc.					
6	Other (specify)					
7	Foreign Immovable Assets: *(Must include detailed description with specified country*					

	name and declared financial value)					
8	Total Acquisition Value (Items 1-7 above): [Amount in figures and words]					
9	Current Estimated Value (Items 1-7 above): [Amount in figures and words]					

[Additional pages may be used if necessary]

(c) (1) **Liabilities**

Serial Number	Name	Liability Type	Description	Amount
1	Candidate's Name			
2	Spouse			
3	Children			
4	Dependents			
5	Candidate's Name			

(c) (2) **Government Dues:**

Serial No.	Name	Description	Type	Details	Amount
-1	-2	-3	-4	-5	-6
1	Candidate Name	Government Quarter			
		Government Vehicle			
		Telephone			
		Electricity			
		Municipal/City Tax			
		Others			
2	Spouse				
3	Children				
4	Dependents				

Note: Details of government dues for spouse, children, and dependents must be submitted. Additional sheets may be attached if required.

9. Loan Information: (Strike out whichever is inapplicable)

(a) I/we have not taken any loans individually/jointly, nor have any dependents or any institution where I serve as Chairman/Managing Director/Director taken loans from any bank/financial institution.

OR

(b) I/we declare the following loans taken individually/jointly, by dependents, or by institutions

where I serve as Chairman/Managing Director/Director:

Type of Loan	Bank/Institution Name	Loan Amount	Default Amount (if any)	Last Rescheduling Date
Individual				
Joint				
Dependents				
Institutional Capacity				

10. Income Tax Information:

(a) Most Recent Tax Year Details:

SL	Name	Tax Year	TIN	Declared Income (৳)	Declared Assets (৳)	Tax Paid (৳)
1.	Candidate					
2.	Spouse					
3.	Children					
4.	Dependents					

**Attach copy of latest tax return.*

**Additional sheets may be used.*

(b) Five-Year Income Summary:

SL	Name	Tax Year	Declared Income (৳)
1	Candidate		
2	Spouse		
3	Children		
4	Dependents		

Use additional sheets if required.

SOLEMN AFFIRMATION

I further swear that all information in this affidavit and attached documents are true, correct, and complete to the best of my knowledge and belief.

Date: Day ☐☐ Month ☐☐ Year ☐☐☐☐.

Candidate's Name: _____

Signature & Thumb Impression: _____

I, hereby, Mr./Ms. [Candidate's Name].....**.....**,

Mother's Name: …….....,Father's Name:
…….....,

Spouse's Name: …….....,Address:
…….....……,

Contact (Email/Phone):
…….....…,

Present Address:
…….....……,

Permanent Address: …….....…….

has been duly identified before me this day by
Mr./Mrs.☐,
(Identifier's Name)
National ID No.: _____, Address: _____

and has solemnly sworn and submitted this affidavit in my presence.

Date: Day ☐☐ Month ☐☐ Year ☐☐☐☐.

Signature & Official Seal

[Magistrate/Notary Public]

Declaration:

I hereby solemnly declare that I am not involved in, nor shall I ever engage in, any of the following unlawful activities: violence against women or children, dowry transactions, election rigging, influencing elections through financial means or coercion, illegal land occupation, narcotics consumption, human trafficking or any other form of unlawful activity.

Candidate's Signature: _____

Schedule-2

(See Section 13)

Oath Form

For Union Parishad

I, _____, son/wife of _____, elected as Chairman/Member of _____ Union under _____ Upazila in _____ District, do solemnly swear/affirm before the public that I shall perform my duties and responsibilities with honesty, dedication and loyalty in accordance with law, without fear or favor, affection or ill-will. I declare that I have not participated in any vote-buying or selling during the election. I shall bear true faith and allegiance to Bangladesh.

For Upazila Parishad:

I, _____, son/wife of _____, elected as Chairman/Member of _____ Upazila Parishad in _____ District, do solemnly swear/affirm before the public that I shall perform my duties and responsibilities with honesty, dedication and loyalty in accordance with law, without fear or favor, affection or ill-will. I declare that I have not participated in any vote-buying or selling during the election. I shall bear true faith and allegiance to Bangladesh.

For Zila Parishad:

I, _____, son/wife of _____, elected as Chairman/Member of _____ Zila Parishad under _____ Upazila in _____ District, do solemnly swear/affirm before the public that I shall perform my duties and responsibilities with honesty, dedication and loyalty in accordance with law, without fear or favor, affection or ill-will. I declare that I have not participated in any vote-buying or selling during the election. I shall bear true faith and allegiance to Bangladesh.

For Pourashava:

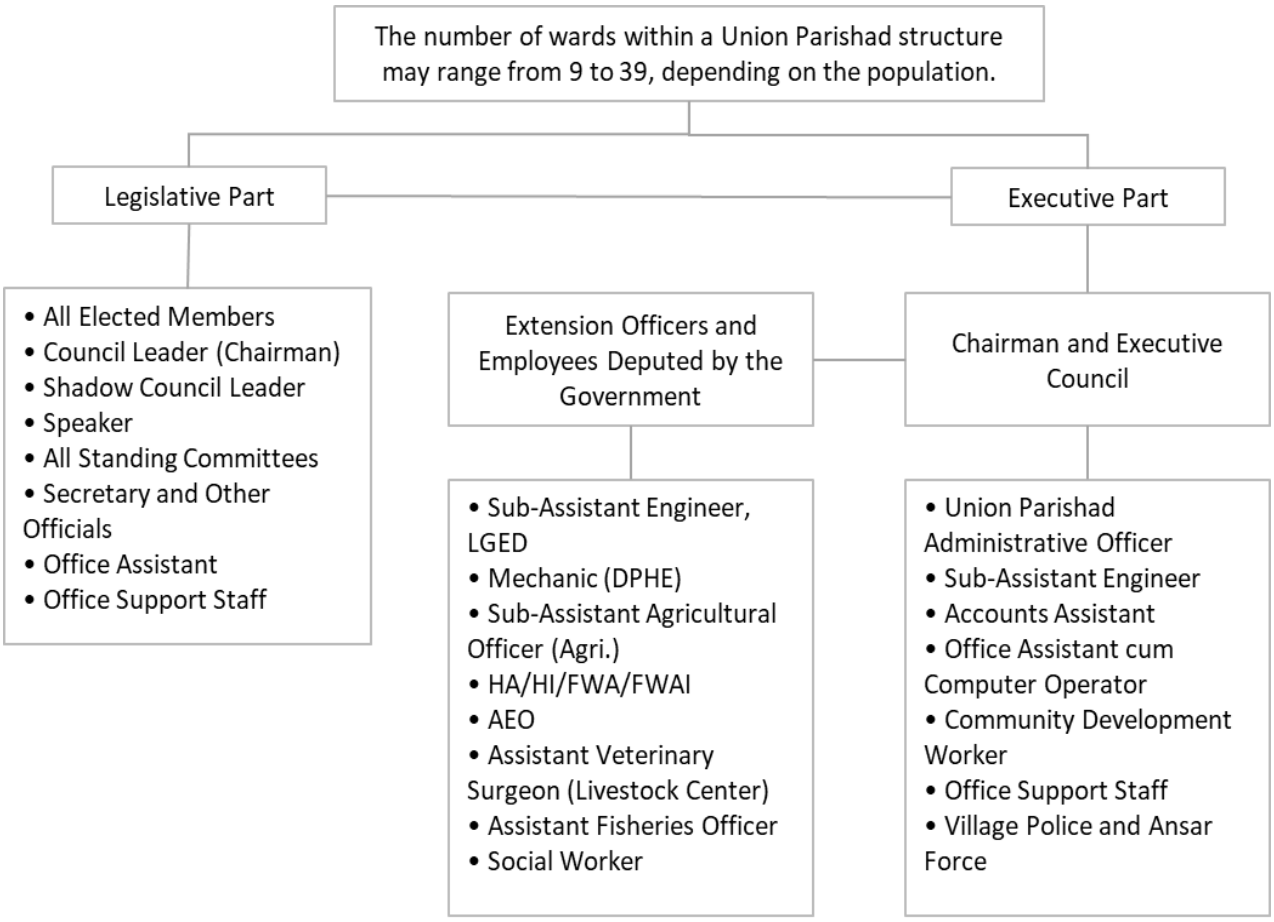
I, _____, son/wife of _____, elected as Mayor/Councilor of _____ Pourashava under _____ Upazila in _____ District, do solemnly swear/affirm before the public that I shall perform my duties and responsibilities with honesty, dedication and loyalty in accordance with law, without fear or favor, affection or ill-will. I declare that I have not participated in any vote-buying or selling during the election. I shall bear true faith and allegiance to Bangladesh.

For City Corporation:

I, _____, son/wife of _____, elected as Mayor/Councilor of _____ City Corporation under _____ Upazila in _____ District, do solemnly swear/affirm before the public that I shall perform my duties and responsibilities with honesty, dedication and loyalty in accordance with law, without fear or favor, affection or ill-will. I declare that I have not participated in any vote-buying or selling during the election. I shall bear true faith and allegiance to Bangladesh.

Schedule-3

[Refer to Sub-section (2) of Section 39]



• **Note:** The organizational structure and Terms of Employment (ToE) shall be approved by the government.

Upazila Parishad
A union may be divided into three Upazila wards. 30 (10X3)

Legislative Part

- All Elected Members
- Council Leader (Chairman)
- Shadow Council Leader
- Speaker
- All Standing Committees
- Secretary and Other Officials
- Office Assistant
- Office Support Staff

Executive Part

Other Government Departments at the

- Post and Telecommunications
- Gas Supply
- Electricity Supply
- Roads & Highways/Railways
- Public Works
- Culture and Sports Affairs

Non-Transferred Department

- Police
- Statistics
- Upazila Accounts Office
- Upazila Land Office
- Sub-Registrar
- Upazila Election Office
- Assistant Commissioner

Transferred Department

- Ministry of Public Administration (UNO)
- Health Department
- Department of Family Planning
- Department of Primary and Mass Education
- Department of Secondary and Higher Education
- Department of Agricultural Extension
- Department of Public Health Engineering
- Local Government Engineering Department
- Department of Livestock
- Department of Fisheries
- Department of Social Services
- Department of Women's Affairs
- Department of Youth Development
- Disaster management & Relief
- BRDB
- Department of Cooperatives
- Ansar and VDP
- Department of Forests
- Water Development Board (Proposed)

Chairman and their Executive Council

- Officers and Employees of the Parishad
- Chief Executive Officer
- Planning and Development Officer
- Finance and Budget Officer
- Office Assistant
- Existing Officers and Employees (OS, CA, Driver, Office Support Staff)

- **Note:** The organizational structure and Terms of Employment (ToE) shall be approved by the government.

The number of wards in a Zila Parishad - 30 (Estimated)
An Upazila may be divided into three Zila wards.

Legislative Part

- All Elected Members
- Council Leader (Chairman)
- Shadow Council Leader
- Speaker
- All Standing Committees
- Secretary and Other Officials
- Office Assistant
- Office Support Staff

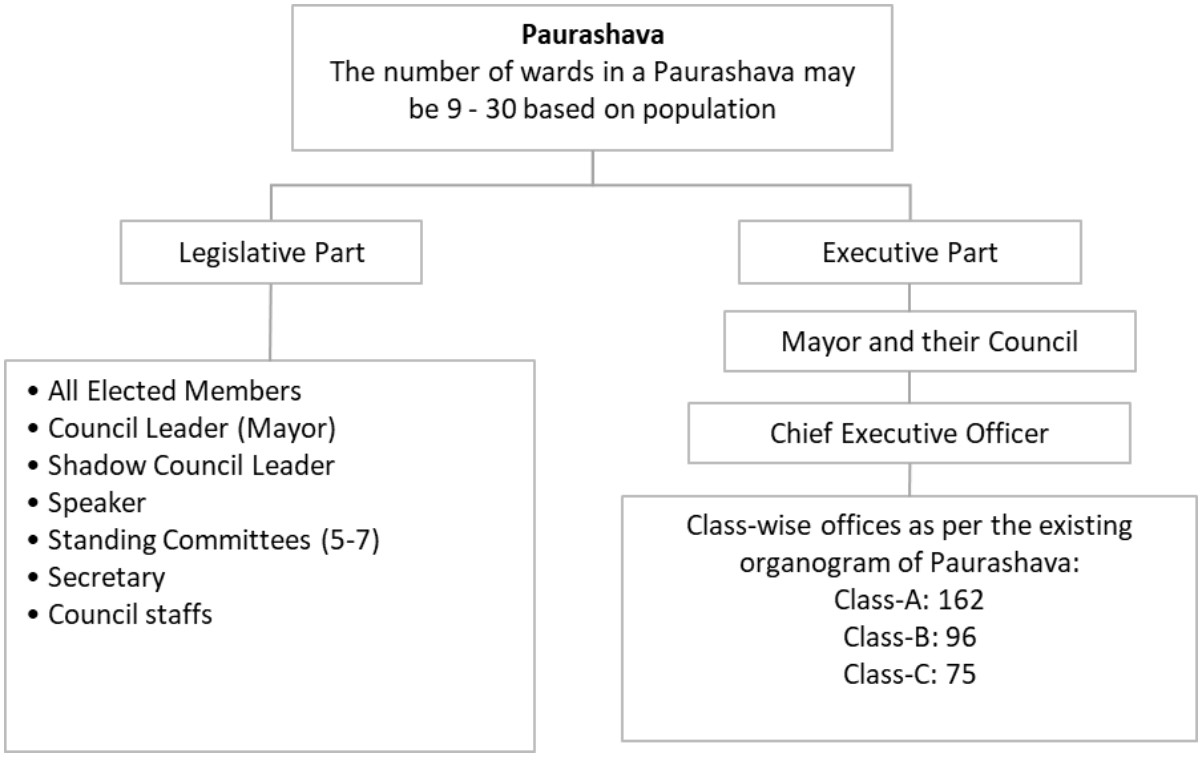
Functionaries, functions and Fund of all District level government departments.

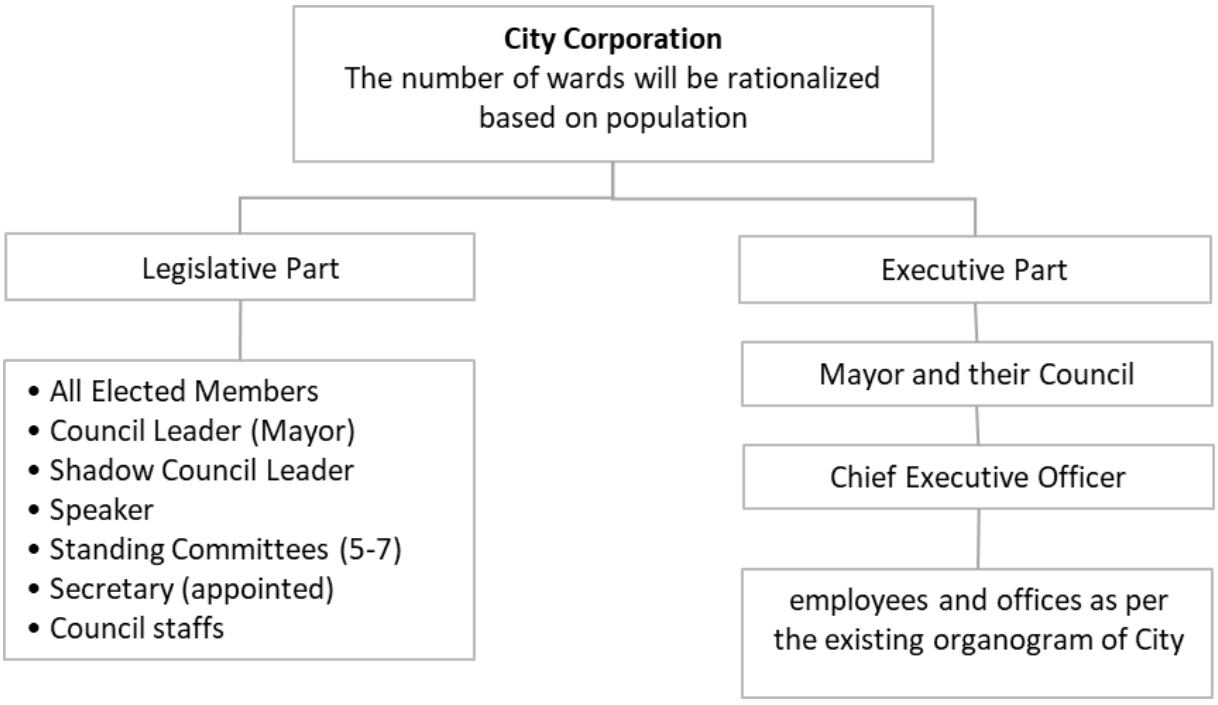
Executive Part

Chairman and their Executive Council

Chief Executive Officer of Zila Parishad

Offices according to the existing organogram of the District Council


Paurashava
The number of wards in a Paurashava may be 9 - 30 based on population
Legislative Part
Executive Part
Mayor and their Council
Chief Executive Officer
• All Elected Members
• Council Leader (Mayor)
• Shadow Council Leader
• Speaker
• Standing Committees (5-7)
• Secretary
• Council staffs
Class-wise offices as per the existing organogram of Paurashava:
Class-A: 162
Class-B: 96
Class-C: 75


City Corporation
The number of wards will be rationalized based on population
Legislative Part
Executive Part
Mayor and their Council
Chief Executive Officer
• All Elected Members
• Council Leader (Mayor)
• Shadow Council Leader
• Speaker
• Standing Committees (5-7)
• Secretary (appointed)
• Council staffs
employees and offices as per the existing organogram of City

Schedule-4

[Refer to Sub-section (2) of Section 39]

Functions of Local Government Institutions

Part-1:

Functions of the Union Parishad

1. Preparation of five-year and other periodic development plans.
2. Prevention of damage, destruction, or deterioration of public and national roads.
3. Custody of government lands, open spaces, parks, and playgrounds.
4. Lighting of Union Parishad roads and other public areas.
5. General tree planting and preservation, especially along roads, highways, and government lands, and prevention of theft and destruction of trees.
6. Maintenance and management of cemeteries, cremation grounds, open fields, Eidgahs, riverbanks, ghats, public meeting places, and other government properties.
7. Prevention of trespassing and disturbance on public roads, highways, and government lands.
8. Measures to keep the Union clean, prevent pollution of rivers and forests, and improve sanitation and hygiene.
9. Collection, removal, and management of human waste, animal waste, and garbage from public areas.
10. Control of criminal and hazardous businesses.
11. Removal and control of dead animals and regulation of animal slaughtering.
12. Regulation of designs and plans for new buildings or reconstruction within the Union.
13. Management and conservation of rivers, canals, wells, water pumps, reservoirs, ponds, and other water sources.
14. Prevention of pollution of drinking water sources and regulation of use of water from wells, ponds, or other sources deemed harmful to public health.
15. Prevention of pollution in or near reserved drinking water sources like wells, ponds, or other water supplies.
16. Prevention of the establishment of lighthouses or factories by altering the nature of agricultural land, forests, rivers, or reservoirs.
17. Prohibition or control of hazardous industries or businesses involving leather processing, chemicals, or flammable substances in residential areas.
18. Prohibition or regulation of the excavation of soil or the extraction of stones or other materials from residential areas.
19. Prohibition or regulation of brick kilns, clay potteries, or other kilns in residential areas.
20. Taking necessary measures to combat fire, flood, hailstorms, cyclones, earthquakes, or other natural disasters, and providing continuous assistance to the government in such events.
21. Listing and assisting widows, orphans, the poor, and the distressed.
22. Promotion of sports, social development, education, including mass education programs, cooperative movements, rural industries, and support to the government in implementing such programs.
23. Measures for safe food production and marketing.
24. Environmental management, conservation of biodiversity, and steps towards zero carbon emissions.
25. Acquisition and upgrading of Union health centers for improved services.
26. Expansion of cooperation with other government and non-government agencies engaged in development and service delivery within the Union Parishad.
27. Taking other necessary measures to ensure the health, safety, and protection of Union residents from harassment.

28. Introduction and promotion of e-governance.
29. Formulation of effective plans for education, culture, and sports development in collaboration with primary and secondary schools and madrasas for the promotion of primary and mass education.
30. Support to all religious institutions—mosques, temples, pagodas, churches, gurdwaras—for moral and educational activities.
31. Creation and annual updating of a Union household database, including birth and death records.
32. Eradication of drug addiction from the area.
33. Prevention of all forms of violence against women and children and maintaining a proactive stance for human rights.
34. Striving for social justice, equality, and protection of human dignity.

Part-2:

Functions of the Upazila Parishad

1. Preparation of five-year and other periodic development plans.
2. Implementation of programs of various government departments transferred to the Parishad and supervision and coordination of their activities.
3. Construction, repair, and maintenance of inter-union connecting roads.
4. Adoption and implementation of minor irrigation projects under government instructions for optimal use of surface water.
5. Ensuring public health, nutrition, and family planning services, including effective management and service delivery at Upazila health centers.
6. Improvement of sanitation and drainage systems and provision of safe drinking water.
7. (a) Encouragement and support for the promotion of education at the Upazila level;
8. (b) Supervision and support of activities of secondary and madrasa education institutions to improve quality.
9. Adoption of activities for the establishment and expansion of small industries.
10. Support to cooperatives and voluntary organizations and coordination of their activities.
11. Assistance to non-government activities in women and children welfare, social welfare, youth development, sports, and cultural programs.
12. Initiation and implementation of programs for the development of agriculture, livestock, fisheries, and forest resources by non-governmental means.
13. Review of police activities and improvement of law and order at the Upazila level and drawing attention of higher authorities in case of deterioration.
14. Adoption and implementation of programs for self-employment and poverty alleviation, and provision of necessary support to the government in implementing such programs by government and non-government actors.
15. Coordination, inspection, and necessary support of Union Parishad development activities.
16. Undertaking awareness and preventive programs against acid attacks, eve-teasing, and violence against women and children.
17. Undertaking awareness and preventive activities against terrorism, theft, robbery, smuggling, drug

abuse, etc.

18. Adoption of programs for environmental protection, biodiversity conservation, and achieving zero carbon emissions.
19. Coordination of disaster management-related activities.
20. Cooperation with other institutions performing similar functions as the Upazila Parishad.
21. Any other functions assigned by the government from time to time.
22. Introduction and promotion of e-governance.

Part-3:

Functions of the Zila Parishad (District Council)

1. Formulation of five-year and multi-year development plans.
2. Monitoring the quality of management in government grant-aided educational institutions.
3. Supervision of clinics in public and private hospitals under health and family planning programs.
4. Regular supervision and evaluation of the district's overall law and order activities.
5. Coordination and review of development and service activities of all government departments in the district.
6. Review of implementation progress of development projects undertaken by Upazila Parishads and municipalities, and joint project formulation and implementation.
7. Arrangement and maintenance of public libraries.
8. Joint participation in the construction, maintenance, and development of public roads, culverts, and bridges not reserved by the Upazila Parishad, Pourashava, or government.
9. Tree plantation and preservation in public-use areas; establishment of parks and recreational centers.
10. Provision and maintenance of gardens, playgrounds, and open spaces for public use.
11. Management and development of waterways, water bodies, floodplains, and forests.
12. Development and maintenance of all rivers, canals, and open water reservoirs in the district.
13. Arrangement and maintenance of inns, rest houses, and inspection bungalows.
14. Measures to prevent excessive groundwater extraction to maintain underground water levels.
15. Cooperation with other institutions performing similar functions as the Zila Parishad.
16. Support, assistance, and encouragement to Union Parishads, Upazila Parishads, and municipalities.
17. Implementation of development plans entrusted by the government to the Zila Parishad.
18. Execution of any other responsibilities assigned by the government.
19. Introduction and promotion of e-governance.

(A) Education

1. Establishment and maintenance of schools.
2. Construction and maintenance of dormitory buildings for students.

3. Arrangement of student scholarships.
4. Teacher training.
5. Granting financial aid to educational institutions.
6. Conducting educational surveys, preparing education plans, and implementing them.
7. Development and assistance to committees formed for educational advancement.
8. Promotion of non-formal education.
9. Arrangement of meals for young school students.
10. Book publication and maintenance of printing presses.
11. Special programs for orphans and underprivileged students.

(B) Culture

12. Establishment and maintenance of information centers.
13. Encouragement of general cultural activities.
14. Establishment of museums and art galleries, and arrangement of exhibitions.
15. Establishment of public halls, community centers, and arrangement of venues for public meetings.
16. Promotion of civic education and support for civic organizations.
17. Promotion of physical exercise and sports; organizing assemblies and competitive sports.
18. Preservation of local history and heritage.

(C) Social Welfare

19. Establishment and maintenance of welfare homes, shelters, orphanages, and widows' homes for the disadvantaged.
20. Arrangement for the burial and cremation of indigent deceased persons.
21. Formulation and implementation of projects to prevent begging, prostitution, gambling, drug abuse, alcoholism, juvenile delinquency, and other social evils.
22. Legal aid and assurance of social justice for the poor.
23. Welfare programs for women and members of backward communities.

(D) Economic Welfare

24. Promotion of modern agricultural methods, preservation and rental of improved machinery, and extensive cooperation with cooperative societies.
25. Agricultural credit, promotion of agricultural education, and other measures for agricultural development.
26. Development of water resources in the district, flood control, water management, construction and repair of embankments, and water supply for agricultural use.
27. Conservation of forests throughout the district.
28. Land conservation and recovery, and assistance in implementing land use laws.
29. Establishment, regulation, and maintenance of information systems for district markets and bazaars.
30. Ensuring a suitable environment for industries, and undertaking special initiatives for workers'

interests, health, and housing.

31. Preservation of traditional local cottage industries and artisans.

32. Promotion of the cooperative movement, advancement of cooperative education, and expansion of social enterprises through cooperatives.

(E) Public Health

33. Monitoring activities of union and upazila health centers as part of public health efforts.

34. Project formulation and implementation for the prevention and control of infectious diseases, and supervision of mosquito control programs in collaboration with municipalities and city corporations.

35. Inspection and monitoring of hospitals and clinics at the district level and collaboration with NGOs involved in health rights protection.

36. Formation of mobile medical teams.

37. Establishment of voluntary health support funds and teams for hospital-based assistance.

38. Establishment of training centers for compounders, nurses, and other health workers.

39. Establishment of training centers for Unani, Ayurvedic, and Homeopathic medicine.

40. Establishment, maintenance, and inspection of health centers, maternity homes, and child welfare centers; training of midwives; and implementation of other maternal and child welfare measures.

41. Prevention and control of animal diseases and contagious diseases among animals.

42. Assessment of the district's dairy resources, ensuring milk purity, regulation of milk supply, establishment of dairy zones, and provision of hygienic stables.

43. Establishment of advanced veterinary centers for animal and bird welfare.

(F) Public Works

44. Improvement of communication systems.

45. Implementation of essential public welfare works including water drainage and supply systems, conservation of surface water reservoirs, rainwater harvesting, road construction, and other necessary works.

46. Implementation and management of essential public welfare works not explicitly mentioned in this Ordinance but required for performing responsibilities assigned under this or any other Ordinance.

(G) General

47. Measures for the religious, moral, and material advancement of the local area and its inhabitants.

Part- 4
Functions of Pourashava

Public Health

1. **Responsibility for health care** —
Pourashava will be responsible for the health care of the Pourashava and will take any action required under this Ordinance in this behalf.
2. **Unhealthy Buildings —**
(1) If any building or place is in an unhealthy or harmful condition, the Pourashava may, by notice,

direct the owner or occupier to—

(a) clean it or maintain it in a proper condition;

(b) prevent it from being kept in an unhealthy condition;

(c) whitewash the said building and carry out essential repairs as specified in the notice; and

(d) take other necessary measures to keep the building or place in a healthy condition.

(2) If the necessary work is not completed within the period specified in the notice given under sub-section (1), the Pourashava may complete the necessary work at the expense of the owner or occupier of the said building or place and the expense incurred by the Pourashava in this regard shall be deemed to be a tax imposed on the said owner or occupier under this Ordinance.

3. **Removal, Collection, and Management of** Waste —

(1) Pourashava will take appropriate measures to collect and remove waste from all public roads, public toilets, urinals, sewers, buildings and places under its jurisdiction.

(2) Under the general control and supervision of the Pourashava, the occupiers of all buildings and places situated in the Pourashava area will be responsible for the removal of garbage therefrom.

(3) Pourashava will arrange for waste bins or containers at various places in the city and where such waste bins or containers are arranged, the Pourashava may, by general notice, direct the occupiers of the adjoining houses and places to dispose of their waste or refuse in such bins or containers.

(4) Waste removed or collected by or under the supervision of the employees of the Pourashava and waste deposited in bins or containers established by the Pourashava will be deemed to be the property of the Pourashava.

(5) Efforts will be made to establish waste recycling plants.

4. Public toilets –

(1) Pourashava will provide separate toilets for men and women in sufficient number at appropriate places and ensure that those are properly maintained and kept clean.

(2) The owners of all houses in which toilets are provided will maintain them in proper condition to the satisfaction of the Pourashava and employ such number of persons as may be determined by the Pourashava for this purpose.

(3) Pourashava will take steps to establish modern sanitation facilities.

(4) Pourashava will take necessary measures for the establishment, use and maintenance of safe toilets.

(5) Pourashava will take measures to ensure that public toilets are suitable for the use of children and the disabled.

(6) If any house does not have a toilet or adequate facilities, or if the toilet is provided in an objectionable place, the Pourashava may, by notice, direct the owner of the house or dwelling to—

(a) provide a toilet as specified in the notice;

(b) remove the toilet as specified in the notice; and

(c) where there is an underground sewerage system, connect a normally cleanable toilet to the sewerage system.

(d) If necessary, provide financial assistance in low-income areas to connect the excreta to the sewerage system.

5. **Registration of births, deaths and marriages** —

(1) Pourashava will perform the duties prescribed in the relevant law in respect of the registration of every birth and death within its jurisdiction and supply such birth and death information to the persons or authorities concerned in the prescribed manner and preserve it.

(2) Pourashava will perform the duties prescribed in the relevant law in respect of marriage registration and divorce.

6. **Infectious diseases** —

(1) Pourashava will make arrangements for the prevention and control of infectious diseases in the municipal area in accordance with the rules or regulations.

(2) Pourashava will establish and maintain hospitals for the treatment of patients suffering from

infectious diseases for itself and for the needs of the Government.

(3) Pourashava may formulate and implement projects for the prevention and control of infectious diseases.

(4) It will take comprehensive measures for the eradication of mosquitoes and for restoring mosquito breeding grounds to a healthy condition.

7. **Promotion of Public Health** —

Subject to this Ordinance and the Rules, Pourashava may take any other measures necessary for the promotion of public health, including health education.

8. **Hospitals and Dispensaries** —

(1) Pourashava may establish and maintain the required number of hospitals and dispensaries for the medical convenience of the residents of the Pourashava.

(2) Every hospital and dispensary operated by the Pourashava will be operated in the manner prescribed in the Rules.

(3) Subject to the directions given by the Government in this regard, Pourashava will provide medicines, equipment, furniture, etc. of the quantity and quality prescribed by the Rules for every hospital and dispensary operated by it.

(4) Monitoring will be carried out to ensure the quality of services provided by private hospitals, diagnostic centers and clinics.

9. **Medical treatment, assistance and health education, etc.** —

Pourashava will, if it considers it necessary or if the Government so directs, take measures in respect of the following matters, namely: —

(a) Establishment and management of medical centers;

(b) Establishment and management of mobile medical assistance units;

(c) Encouragement of formation of hospital-based voluntary patient service funds and associations for providing medical assistance;

(d) Project-based provision of funds to concerned private institutions for medical assistance; and

(e) Establishment of mobile medical teams for students by launching school health schemes.

Water supply and Drainage

10. **Water supply** —

(1) Pourashava will, within its own financial capacity, make arrangements for the supply of safe and pure water in sufficient quantity for general and personal use in the interest of the Pourashava.

(2) Pourashava may, if it considers it necessary or if the Government so directs, formulate and implement water supply schemes in accordance with the rules for the purpose of making necessary arrangements for the supply, storage and distribution of water.

(3) Where water supply is provided by means of pipes, Pourashava may, in accordance with the regulations, make arrangements for the supply of water to government and private houses and may collect money therefor.

11. **Private sources of water supply** —

(1) All private sources of water supply within the Pourashava will be under the control and inspection of the Pourashava.

(2) No new well for drinking water will be dug, tube wells will be established or any other source of water supply will be provided without the approval of the Pourashava.

(3) Pourashava may levy a tax on such approved sources.

(4) It may undertake artificial reservoir projects by treating the water of rivers, canals etc. to prevent pollution of such reservoirs.

12. **Drainage** —

(1) Within the limits of the funds under its control, the Pourashava shall make adequate arrangements for drainage in the Pourashava and, with due regard to public health and convenience, shall

construct, maintain, preserve, and keep the drains clean.

(2) With the approval of the Pourashava, the owner of any house or place may, on payment of a fee and subject to such conditions as may be prescribed by it, connect his/ her sewerage with the sewerage of the Pourashava.

(3) All private sewers situated in the Pourashava will be under the control and inspection of the Pourashava and the Pourashava may order their repair and closure in accordance with the regulations.

(4) Pourashava will gradually plan to bring the Pourashava under the umbrella of the storm sewerage system.

13. **Drainage Project** —

(1) Pourashava may, on its own initiative or as directed by the Government, implement water, sewage and waste drainage projects in the prescribed manner with the help of government and private funds.

(2) The drainage project under sub-section (1) will be submitted to the authority designated by the Government for approval and the authority may, after considering the same, approve or reject it with or without amendments.

(3) The approved project will be implemented by the Pourashava within the prescribed time limit.

(4) Pourashava may, by notice, direct the owner of any house or place situated in the Pourashava —

(a) to construct a drain specified in the notice in the said house or place or on the road adjacent thereto;

(b) to remove, repair or improve any such drain; and

(c) to take any other steps for the proper drainage of water from the said house or place.

14. **Bathing and washing places** —

(1) Pourashava shall, from time to time, —

(a) construct water supply, bathrooms and toilets for the use of the general public, especially the poor and maintain at nominal cost;

(2) No person shall establish or maintain a public bathroom without a license from the Pourashava and in contravention of the conditions specified in the license.

15. **Washing station and laundries** —

(1) The Pourashava shall make arrangements for washermen's ghats (washing stations) for the use of washermen, and may regulate such use and prescribe fees for their use through regulations.

(2) The Pourashava may, by regulation, provide for the licensing of washermen and the regulation of their profession.

16. **Government reservoirs** —

(1) With the prior approval of the appropriate authority, Pourashava may declare all such water sources, springs, rivers, lakes, ponds or any part thereof not under private ownership and situated within the Pourashava as Government reservoirs.

(2) The Pourashava may, in accordance with regulations, take necessary measures for recreation and life-saving in any public water body, and—subject to the provisions of any other law for the time being in force relating to irrigation, drainage, or navigation—may undertake its development and improvement.

(3) If any person or persons attempt to pollute or are involved in polluting or polluting any Government reservoir, Pourashava will take disciplinary measures against them with a view to keeping it free from pollution.

(4) If the source of pollution is outside the Pourashava, the Pourashava will take steps in accordance with the prevailing law.

17. **General ferry crossing** —

(1) Pourashava may by-laws arrange for the issue of licenses for boats or other vehicles plying on hire in Government water bodies, determine the conditions of the license and specify the fees payable for.

(2) The Government may declare any part as a general ferry crossing and entrust its management to the Pourashava and the Pourashava will operate the said ferry in accordance with the rules and collect the prescribed toll for its use.

18. **Government Fisheries** —

Pourashava may, with the previous approval of the Government, declare any water body as a general fishery and the right to fish in such fisheries shall vest in the Pourashava, and the Pourashava may exercise its right in accordance with the rules.

Food and Beverages

19. **Regulations relating to food and drink** —

Pourashava may, by making regulations relating to food and drink—

(a) Prohibit the manufacture or sale of any specified food or drink in any place or house without a license;

(b) Prohibit the importation into the Pourashava for the purpose of sale or the conveyance for sale of specified food or drink by any person other than a person holding a license;

(c) Prohibit the conveyance of specified food and drink in the places of the Pourashava specified in the regulations;

(d) regulate the time and manner of conveyance of specified food and drink;

(e) regulate the issue and withdrawal of licenses under this Act and the fee payable for licenses;

(f) provide for the seizure and destruction of any diseased animal, poultry or fish or any poisonous food or drink brought for food or specified.

20. **Supply of Milk** —

(1) No person shall keep dairy cattle for sale of milk in the municipal area, or import or sell any milk, or manufacture butter, cheese or other milk products, or use any house for any similar purpose, except under a license granted by the Pourashava and in accordance with the conditions of such license.

(2) In case of setting up of dairy farms, processing plants and distribution arrangements in the area, the permission of the Department of Environment, BMTI, Livestock Services and all its scientific methods, equipment and manpower clearances shall be required.

21. **Public Market** —

(1) Pourashava will be responsible for the construction, management and development of government markets situated in the municipal area in the prescribed manner.

(2) Pourashava may, by making regulations for the management of public markets and markets, make provision for—

(a) levying fees for the use of the market or the sale of goods in the market,

(b) levying fees on vehicles or animals carrying goods for sale,

(c) collecting fees for the use of shops and stalls,

(d) levying fees on animals brought for sale or sold,

(e) collecting fees from market brokers, commission agents, hawkers and other persons earning their living in the market.

22. **Private Markets** —

(1) No private market shall be established or maintained within a municipal area except under a license granted by the Pourashava and in accordance with the conditions thereof.

(2) Notwithstanding anything contained in sub-section (1), the proprietor of every private market maintained within a municipal area for the sale of food or drink or animals before the commencement of this Ordinance shall, within three months of the commencement of this Ordinance, apply to the Pourashava for a license and shall continue to maintain the said market until such time as a license is granted to him.

(3) Pourashava may collect fees from the private market in accordance with the regulations.

(4) If the Pourashava is satisfied that any private market should be closed in the public interest or that the Pourashava should take over the authority of the market, the Pourashava may order the closure of the market or take over the authority of the market subject to payment of compensation such as would be payable for the market if acquired under the Acquisition Act, 1894.

(5) Pourashava may, by notice, direct the owner of the private market to complete the necessary construction work of the market or to provide the necessary facilities therein and to take such steps as may be specified in the notice for its maintenance.

23. **Slaughterhouses** —

With the approval of the authority designated by the Pourashava, slaughter and sale of meat will be prohibited in one or more open places within or outside the limits of the Pourashava. Pourashava will set and maintain modern slaughterhouses.

Animal

24. **Animal Husbandry** —

(1) Pourashava may make provision for the establishment and maintenance of animal hospitals and dispensaries.

(2) The Pourashava may, by regulation, define contagious diseases among animals and make provisions for the prevention of their spread, including mandatory vaccination and other necessary measures; and it may also arrange for the treatment or destruction of animals suspected to be infected by such pathogens.

25. **Stray animals** —

(1) Pourashava may by regulation make provision for the detention of animals roaming freely on public roads or cultivated land.

(2) Pourashava may by regulation, on its own initiative or as directed by the Government, confine cattle and may make provision for the collection of fines and fees for confined animals.

26. **Livestock and Farms** —

(1) Pourashava may, with the previous approval of the prescribed authority, establish and maintain livestock farms, and may pay fees and other charges as per the regulations, and may make arrangements for keeping privately owned animals therein, subject to payment of fees and other charges as per the regulations.

(2) Pourashava may, with the previous approval of the prescribed authority, establish and maintain livestock and poultry farms, and such farms shall be managed and operated in the manner prescribed in the regulations.

27. **Registration of sale of cattle** —

Pourashava may by regulation direct that the sale of every animal mentioned herein shall be registered and may provide for the registration of such sale in such manner and on payment of such fee as may be prescribed by the regulation.

28. **Livestock Development** —

The Pourashava may, with the prior approval of the prescribed authority, establish and maintain animal shelters**,** and may, subject to the conditions of the regulations, impose fees and other charges**,** and make provisions for the accommodation of privately-owned animals in such shelters upon payment of the prescribed fees and expenses.

29. **Dangerous animal** —

The Pourashava may, by regulation, define any animal as a dangerous animal, and may specify under what conditions an animal, which is not ordinarily dangerous, may be considered dangerous. The Pourashava may, through similar regulations, make provisions for the seizure, destruction, or other removal of such animals.

30. **Cattle exhibitions, Zoos, etc.** —

(1) Pourashava may arrange cattle exhibitions and fairs within the Municipal area and may collect from

the visitors to such exhibitions and fairs such fees as may be prescribed by regulations.

(2) Pourashava may, with the previous approval of the prescribed authority, establish and maintain a zoo and may take fees for that purpose.

31. **Removal of dead animal** —

If any animal under a person's care dies, other than being sold, slaughtered for food, or killed for religious purposes, the person shall—

(a) Dispose of the carcass within twenty-four hours at a place designated by the Pourashava (if available) or outside the municipal boundary, at a location one mile away; or

(b) Notify the Pourashava of the animal's death, and the Pourashava shall arrange for the removal of the carcass and may collect a fee from the person in accordance with the regulations.

Explanation— In this section, the term "animal" refers to all types of livestock with horns, including elephants, camels, horses, ponies, donkeys, mules, deer, sheep, goats, pigs, dogs, cats, and other large animals.

City planning

32. **Master Plan** —

Pourashava shall, within a period not exceeding 5 (five) years from the date of its formation or the commencement of this Ordinance or any amendment thereto, prepare a master plan for the municipal area. The master plan to be prepared in accordance with the national guidelines, laws and regulations and shall include, among other things—

(a) a survey of the history, statistics, public service and other prescribed matters of the municipal area;

(b) the development and expansion, improvement of any place in the municipal area; and

(c) restrictions and controls on the development of land, construction or reconstruction of buildings in any area within the municipal area.

(d) This plan will not be inconsistent with the National Physical Plan and will be subject to the Land Management Act, 2025.

33. **Land development project** —

(1) If any master plan prepared under section 32 is approved with amendments by the prescribed authority, no owner of any land in any area included in the approved master plan can develop any land or construct or reconstruct any building on it beyond the amount specified in such master plan, which is inconsistent with the land development project prepared for that area in accordance with the rules.

(2) A land development plan will, among other things, provide for the following matters, namely: —

(a) the division of any area into different plots;

(b) the arrangement of roads, drains and vacant spaces;

(c) such land as shall be reserved for public use and transferred to the Pourashava;

(d) any land to be acquired by the Pourashava;

(e) the value of the plots;

(f) the work to be carried out at the expense of the owner of any place; and

(g) the time required for the development of the area.

34. **Implementation of land development project** —

(1) The land development project will be controlled and implemented under the supervision of the Pourashava, and Pourashava may issue necessary instructions for its implementation.

(2) If any area or place is developed in violation of the provisions of the land development project, the Pourashava may, by notice, direct the owner of the land or the person in breach of the provisions to make changes to the place as specified in the notice; and if the changes are not made in accordance with the instructions, Pourashava may, in accordance with the regulations, direct the demolition of the objectionable construction work and, notwithstanding anything contained in any other law, no

compensation shall be paid for such demolition and all expenses relating to demolition by the Pourashava will be recovered from the person or institution concerned.

(3) If any land included in a land development project is not developed within the period specified in the project and Pourashava does not extend the time for that purpose or the development of the land is not in accordance with the said project, then Pourashava may, in accordance with the regulations, take over the development of the land and complete the necessary construction work, and the money spent by the Pourashava will be recoverable from the owner of the land as tax imposed on him under this Ordinance.

Building control

35. **Construction and reconstruction of buildings** —

(1) No person shall construct or reconstruct a building or commence the construction or reconstruction of a building until the site and the design of the building have been approved by the Pourashava.

(2) A person desirous of constructing or reconstructing a building will apply for approval in the manner prescribed in the regulations and pay the fee previously approved by the authority appointed and determined by the Pourashava.

(3) All applications for the construction of buildings submitted under this Schedule shall be registered in the manner prescribed in the regulations, but the application shall be made within sixty days from the date of registration. If an application is submitted within sixty days of registration and no decision is given by the Pourashava within that period, it shall be deemed to have been approved unless it violates the conditions of the building bye-laws, or the master plan or land development scheme (if any).

(4) Pourashava may reject any site plan or building design for any reason in writing, but any aggrieved person may appeal to the designated authority within 30 (thirty) days from the date of the order of rejection, and in the case of an appeal, the order given by the designated authority shall be final.

(5) Pourashava may approve the site plan or building design subject to amendment or subject to the conditions specified in the approval order.

(6) If Pourashava declares any addition or change or exemption by regulation, nothing under this order shall apply to it.

(7) The newly formed Public Engineering Department Services shall provide technical assistance to the Pourashava in the approval of the design and plan of construction of buildings.

36. **Completion of building, alteration of building, etc.** —

(1) Every person constructing or reconstructing a building will submit a report of such completion to the Pourashava within 30 (thirty) days of the completion of the building.

(2) The Pourashava shall have the authority to inspect any completed building and, if any building has been constructed in violation or contravention of any condition under this Ordinance, or the rules, regulations, or the master plan of a land development scheme (if any), the Pourashava may order the alteration of the building to bring it into conformity with the said conditions. Where such alteration is not possible, the Pourashava may, upon application by the owner of the building or such a building, settle the offense through a compromise; provided that no offense arising from a violation or contravention of the master plan or an approved land development scheme shall be settled in such a manner.

(3) If, under the provisions of sub-section (2), any building is required to be demolished and such requirement is not complied with within the prescribed period, Pourashava may, through its own agency, demolish the building and the money spent thereon will be deemed to be a tax levied on the owner or occupier of the building under this Ordinance.

37. **Building Control** —

(1) If any building or anything erected therein appears to the Pourashava to be in a dilapidated condition or liable to collapse or to be in any way dangerous to any occupant of such building or to any

neighboring building or any occupier thereof or to pedestrians, the Pourashava may, by notice to the owner or occupier of such building, direct him to take such steps in respect of the building as may be specified in the notice, and if there is any deviation from this, the Pourashava may itself take necessary steps and the money spent by the Pourashava on such expenditure shall be deemed to be a tax levied on the owner or occupier of the building under this Act.

(2) If any building is in a dangerous condition or is in any way unfit for human habitation, Pourashava may prohibit the occupation of such building until it is properly repaired to the satisfaction of the Pourashava.

Roads

38. **Public Roads** —

(1) Pourashava will provide and maintain roads and other communications necessary for the convenience of the residents of the Pourashava and visitors thereto.

(2) The Pourashava shall formulate and implement road maintenance and development programs in the prescribed manner, and all related expenditures shall be borne subject to proper allocation in the budget; however, the designated authority may, if necessary, alter or amend the said programs.

39. **Roads** —

(1) No new road will be constructed except with the prior approval of the Pourashava and in accordance with the conditions of such approval.

(2) All roads other than public roads will be maintained in the manner prescribed by regulations.

(3) Pourashava may, by notice, direct that any road be paved or drained or lighted or otherwise improved in the manner specified in the notice; and if such direction is disregarded, the Pourashava may have the work done by its agent and the money spent thereon shall be recoverable from the persons concerned as a tax imposed on them under this Ordinance.

(4) The Government may, by rules, determine the manner in which any road other than a public road shall be converted into a public road.

40. **General provisions regarding roads** —

The Pourashava may, in accordance with the procedure prescribed by rules, decide on the names and numbers of roads, house numbers and other matters connected therewith. Among other matters, the following matters shall be included in the procedure prescribed by rules—

(a) Consultation with the residents of the area concerned;

(b) Road numbers or naming;

(c) Changing the existing numbers and names of roads for the purpose of rationalization;

(d) No person will willfully destroy or damage any road or its name or nameplate or remove the nameplate of a road without the prior permission of the Pourashava.

41. **Arrangement of Street light** —

(1) The Pourashava shall, in accordance with its decisions, take necessary measures using oil, gas, electricity, or any other source of illumination to properly light public roads or any public places vested in it.

(2) Pourashava may, in the prescribed manner, formulate and implement projects for lighting the roads.

42. **Arrangement of Road Washing** —

Pourashava will take necessary measures for washing the roads with water for the comfort and convenience of the public and maintain the vehicles, staff and other equipment necessary for this purpose.

43. **Vehicle control** —

Pourashava may, by regulation, regulate the movement of vehicles so that pedestrians are not exposed to danger while walking on the road and they can move safely and easily on the road.

44. **General vehicles** —

(1) No person shall keep, rent out, or operate any general vehicle—other than a motor vehicle—within the municipal area without a license issued by the Pourashava.

(2) No person shall use a horse or any other animal to pull a public vehicle within the municipal area without a license issued by the Pourashava and except in accordance with the conditions of such license.

(3) With prior approval of the authority designated by the Pourashava and in the manner prescribed by regulations, the Pourashava may determine the fares of general vehicles. No person shall demand or charge fares exceeding the rates so fixed.

Explanation - In this section, the term "general vehicle" shall mean a vehicle generally used for rent.

Public safety

45. **Fire Fighting** —

(1) The Pourashava may, with the approval of the prescribed authority, form a fire brigade for the purpose of fire prevention and firefighting and the number of its members, vehicles, machinery and equipment will be fixed as prescribed in the regulations.

(2) In the event of any fire occurring in the municipal area, any Magistrate or any officer in charge of the fire brigade or any police officer not below the rank of Sub-Inspector—

(a) remove or order the removal of any person who obstructs or interferes with the fire-fighting operation or the protection of property;

(b) close any road or path at or near the scene of the fire;

(c) demolish any building, in whole or in part, for the purpose of extinguishing the fire or make a passage through it for the passage of fire-fighting water pipes and appliances;

(d) close any pipe situated in the vicinity of the place where the fire has broken out for the purpose of increasing the pressure of water;

(e) call upon any person in charge of a fire-fighting vehicle to render all possible assistance in extinguishing the fire;

(f) take any other measures for the protection of life and property.

(3) No compensation shall be payable to any person for anything done or intended in good faith to be done under this section.

(4) Notwithstanding anything contained in sub-section (3) or in any other law or in any insurance policy, any damage caused as a result of the exercise of powers under this sub-section shall, for the purposes of any fire insurance policy, be deemed to be expansion due to fire.

46. **Civil Defense** —

Pourashava shall be responsible for civil defense in the Pourashava and perform the functions assigned to it for this purpose.

47. **Flood** —

To prevent flooding, to rescue people from flood-affected areas, and to provide assistance to flood victims, the Pourashava shall arrange for necessary boats, equipment, and machinery, and shall do so in the manner directed by the Deputy Commissioner if deemed necessary by the Deputy Commissioner.

48. **Famine** —

If there is a threat of famine, the Pourashava may, with the approval of the Deputy Commissioner, undertake necessary relief activities including employment to deal with the situation.

49. **Trade in dangerous and noxious substances** —

(1) The Government shall by rules determine what goods or trades are dangerous and noxious for the purposes of this section.

(2) Except under a license granted by the Pourashava and subject to the conditions thereof, no person shall—

(a) carry on any dangerous or noxious trade;

(b) allow any house or place to be used for any dangerous or noxious trade; and

(c) keep in any house any dangerous or noxious substance for any purpose other than domestic use or in excess of the limit prescribed by any law.

(3) Pourashava may, in consultation with the local administration, designate any area of the municipal area as a prohibited area for the trade in dangerous and noxious substances and may prohibit the trade in such substance in such area.

50. **Graveyards and crematoriums –**

(1) The Pourashava shall arrange for cemeteries and cremation grounds for the burial or cremation of deceased persons, and shall take necessary measures for their maintenance and management.

(2) The Government may, by notification in the Official Gazette, declare any graveyard or crematorium for the use of the public to be vested in the Pourashava and after such declaration it shall be vested in the Pourashava and the Pourashava will take necessary measures for its maintenance and management.

(3) All graveyards or crematoriums not operated by the Pourashava shall be registered with the Pourashava and remained under the control and inspection of the Pourashava in accordance with the regulations.

(4) No new graveyard or crematorium will be established except under a license granted by the Pourashava and in accordance with the conditions thereof.

Trees, Parks, Gardens and Forests

51. **Plantation of trees** —

(1) The Pourashava shall plant trees on public roads and other government lands within the municipal area and shall take all necessary measures for their preservation.

(2) The Pourashava may, in consultation with the community, formulate and implement plans for tree plantation.

52. **Gardens** —

(1) The Pourashava may establish and maintain public parks within the municipal area for the convenience and recreation of the general public, and such parks shall be managed in accordance with the regulations.

(2) The Pourashava shall prepare and implement development projects for the improvement of each public park.

53. **Open spaces** —

(1) Pourashava shall provide open spaces for the convenience of the public within the Pourashava and take all measures for their grassing, enclosure and development.

(2) However, the category of open spaces shall not be changed and the land will not be used for any other purpose.

54. **Forest Management** —

Pourashava may undertake the activities of preparing a forest plan for the development and utilization of forests and plants in the prescribed manner and maintain and manage it in accordance with the said plan.

55. **Tree-related damage control measures** —

(1) Pourashava may, by regulation, make provision for the destruction of pests and insects that destroy trees and seedlings.

(2) If any harmful plants or creepers grow on any land or premises in the Pourashava, the Pourashava may, by notice, direct the owner or occupier of the land or premises to clear it, and if he/ she fails to do so within the specified time, the Pourashava may itself clear it and all the expenses in this regard shall be recoverable from the said owner or occupier as part of the tax imposed on them under this Act.

(3) Pourashava may, in the manner prescribed by regulation, direct the cutting down of dangerous trees

or the cutting down of branches thereof hanging over the road and causing obstruction to the movement of the road or any other inconvenience. However, no tree will be planted which is unhealthy for the local community.

(4) Pourashava may, by notice, prohibit the cultivation of any crop or tree injurious to public health in any area specified therein.

56. **Ponds and Low-lying areas** —

Pourashava may, if it deems it necessary, make arrangements for the excavation and re-excavation of ponds and the restoration of low-lying areas in such manner as may be directed by the prescribed authority and shall undertake the same if the prescribed authority considers it necessary.

Education and Culture

57. **Education** —

(1) Pourashava shall maintain educational institutions as per the directions of the prescribed authority and may, with the prior approval of the prescribed authority, operate any educational institution necessary for the improvement of education in the municipal area.

(2) Pourashava shall be responsible for the maintenance and operation of the schools already established by it in accordance with the standards prescribed by the Government for their effective operation.

(3) If a need for a new educational institution is felt within the boundaries of the Pourashava, the Pourashava shall encourage relevant stakeholders to establish such an institution through public or private initiatives.

(4) Pourashava may provide financial assistance to private educational institutions located in the municipal area subject to budget allocation.

58. **Compulsory Education** —

Subject to any other law for the time being in force, Pourashava shall be responsible for the introduction of compulsory education in the city and may take all measures to ensure that all children of school-going age in the municipal area attend schools.

59. **General provisions relating to education** —

Pourashava—

(a) may provide scholarships to qualified and meritorious students;

(b) may arrange training for the teachers;

(c) may take measures for the development of adult education;

(d) may establish sales centers for school books and stationery;

(e) may, with the approval of the prescribed authority, provide assistance for the development of education associations;

(f) may take other measures conducive to the development of education.

60. **Culture** —

Pourashava—

(a) may establish information centers for the promotion of municipal education and for the promotion of social development and public interest;

(b) may establish museums and art galleries and arrange for the exhibition of the objects kept therein;

(c) may take measures for the establishment and maintenance of public halls and community centers;

(d) may take measures to celebrate religious ceremonies of all religions, Independence Day and other national days;

(e) may arrange reception for the distinguished guests visiting the municipal area;

(f) may encourage physical exercise, exercise and sports among the public and conduct rallies and tournaments;

(g) may arrange for city tours;

(h) may take measures for the preservation of places with historical significance in the municipal area;
(i) may take measures and improve facilities for the entertainment of the general public including children; and
(j) may take all other possible measures to promote the progress and development of the indigenous culture.

61. **Libraries** —

Pourashava may, subject to the budget, set general libraries and mobile libraries for the public.

62. **Fairs and Exhibitions** —

Pourashava may, with the prior approval of the prescribed authority, take any measures necessary for the purpose of public health and safety or for the public convenience during any fair, exhibition or general festival in the municipal area and may levy a fee on the visitors thereof.

Social welfare

63. **Social Welfare** —

Pourashava—

(a) may establish and maintain public welfare centers, shelter centers, orphanages, widows' homes and other institutions for the needy;
(b) Pourashava may, at its own expense, arrange for the burial and cremation of the bodies of destitute persons who have died in the Pourashava;
(c) may take measures to prevent begging, prostitution, gambling, drug abuse, alcoholism, juvenile delinquency and other social ills;
(d) may organize volunteers for social service;
(e) may undertake necessary activities for the welfare of women, children and backward classes;
(f) may take other measures for social welfare and social development.

Development

64. **Development Plan** —

(1) Pourashava may formulate and implement a development plan for a specified period.
(2) Such a plan shall be prepared subject to the approval of the government and shall include provisions, among other matters, for the following:
    (a) prevention of environmental pollution;
    (b) development of any special functions of the Pourashava;
    (c) collection of funds for the plan and implementation and supervision;
    (d) plan shall be executed and implemented by an agency;
    (e) such other matters as may be necessary;
    (f) The Government may direct that the whole or any part of the income received by the Pourashava or any of its departments shall be spent for the implementation of any development plan.

65. **Social Development Plan** —

Pourashava may formulate or implement a social development plan in the manner prescribed by the regulations.

66. **Commercial projects** —

The Pourashava may make commercial investments in the manner prescribed by regulations and with the prior approval of the government.

Part-5
Functions of the City Corporation

1. **Public Health**—

Responsibility for Health System

1.1. Corporation shall be responsible for the health system of the city and take such action as may be necessary under this Act or thereunder.

Unsanitary Buildings

1.2. If any building or place is in an unsanitary or injurious condition, the Corporation may by notice direct the owner or occupier thereof—
   (a) to clean it or keep it in a proper condition,
   (b) to keep it in a sanitary condition,
   (c) to whitewash the said building and to make necessary repairs as may be specified in the notice, and
   (d) to take such other steps as may be necessary to keep the said building or place in a sanitary condition.

1.3. If the necessary work is not completed within the period specified in the notice given under Sub-clause 2.1, the Corporation may complete the necessary work at the expense of the owner or occupier of the said building or premises, and the expense incurred by the Corporation in this regard shall be deemed to be a tax imposed on the said owner or occupier under this Act.

Removal, Collection, and Management of Waste

1.4. Corporation shall take measures to collect and remove refuse from all roads, common toilets, urinals, sewers, buildings and places under its control.

1.5. Under the general control and authority of the Corporation, it shall be necessary to remove refuse from all and places within the Corporation area.

1.6. Corporation shall provide various waste bins or other containers in the city and where such waste bins or containers are provided, the Corporation may by general notice direct the occupiers of the adjoining houses and lands to dispose of the waste or garbage in the place in the designated bins and containers.

1.7. The waste or garbage removed or collected by the corporation's employees or under their supervision, as well as the waste or garbage deposited in containers or receptacles set up by the Pourashava, shall be deemed to be the property of the corporation.

Public sanitation facilities (toilets, urinals, bathing spaces, and arrangements for drinking water)

1.8. The corporation shall provide a sufficient number of separate public toilets for men and women, and shall ensure that these are properly maintained and kept clean. Additionally, facilities for public bathing and arrangements for drinking water for the poor will be provided at the same locations.

1.9. Owners of houses that have toilets or urinals shall keep them in proper condition to the satisfaction of the corporation.

1.10. If a house has a toilet or urinal, or if sufficient facilities are not provided, or if the toilet and urinal are located in an inappropriate place, the corporation may, by notice to the owner of the premises—
   (a) Direct the proper arrangement of the toilet and urinal as specified in the notice;
   (b) Direct changes to the toilet and urinal as specified in the notice;
   (c) Direct the removal of the toilet and urinal as specified in the notice; and
   (d) In cases where there is an underground sewage system, may direct the connection of the toilet or urinal, which is generally cleanable, to the sewage system.

2. **Registration of births, deaths and marriages**—
Corporation shall register all births, deaths and marriages occurring within the jurisdiction of the city in accordance with the regulations.

3. **Infectious diseases**—
3.1. Corporation shall take measures for the prevention and control of infectious diseases in the city in accordance with the rules or regulations.
3.2. Corporation shall establish and maintain hospitals for the treatment of patients suffering from infectious diseases.
3.3. Corporation may formulate and implement projects for the prevention and control of infectious diseases.

4. **Health Centers and Maternal Homes, etc.**—
4.1. Corporation may, if it considers it necessary or if the Government so directs—
(a) establish, operate and maintain health centers, maternal homes and welfare centers for women, children and boys and girls and may pay a subscription to any such health center, maternal home or welfare center;
(b) make arrangements for midwifery training;
(c) make arrangements for the promotion of family planning; and
(d) take other measures necessary for the improvement of the health and welfare of women, children and boys and girls.

5. **Promotion of Public Health**—
Subject to these Ordinances and Rules, Corporation may take any other measures necessary for the promotion of public health including health education.

6. **Hospitals and Dispensaries**—
6.1. Corporation may establish and maintain such number of hospitals and dispensaries as may be necessary for the medical convenience of the city dwellers.
6.2. Every hospital and dispensary operated by the corporation shall be managed in accordance with the procedures prescribed by regulations.
6.3. Subject to the instructions issued by the government for this purpose, the corporation shall arrange for the provision of medicines, equipment, instruments, furnishings, or furniture of the prescribed quantity and quality for each hospital and dispensary it operates, as specified by regulations.

7. **Medical treatment, assistance and health education, etc.**—
7.1. Corporation shall, if it considers it necessary, take measures in respect of the following matters, namely:
(a) Assistance in the formation of voluntary health care funds and associations in each hospital unit for the provision of medical assistance;
(b) Payment of funds to the concerned institutions for medical assistance; and
(c) Establishment of mobile school health units for health check-ups of school children.

8. **Water Supply and Drainage System**—

Water Supply

8.1 Subject to any other law for the time being in force, Corporation shall make arrangements for the supply of sufficient quantity of pure water for general and personal use in the city.

8.2 Corporation may, if it considers it necessary or if the Government so directs, formulate and implement water supply schemes for the purpose of taking necessary measures for the production, organization, supply and distribution of water.

8.3 Where water supply is provided by means of pipes, it may make arrangements for the supply of water to public and private houses in accordance with the regulations of the Corporation and may collect fees therefor.

Private Sources of Water Supply

8.4 All private sources of water supply within the city shall be under the control and inspection of the

Corporation.

8.5 No well, tube well, or other water source for the supply of drinking water shall be dug, installed, or arranged for without the approval of the corporation.

8.6 The owner or controller of any private water supply source used for drinking water shall, upon notice from the corporation, be required to—

(a) Keep it in proper condition and periodically remove any silt, waste, and decaying materials;

(a) Protect it from disease transmission as directed by the corporation;

(b) If the corporation determines the water to be unsuitable for drinking, take the measures specified in the notice for making the water safe for consumption;

(c) No khas or privately owned ponds or water bodies in the municipal area shall be filled or polluted in any way;

(d) These ponds must be cleaned and maintained at least twice a year.

Drainage

8.7 Subject to any other law for the time being in force, Corporation shall provide adequate drainage systems for the drainage of water in the city and shall construct, maintain and preserve the sewers and keep them clean, having regard to the health and convenience of the public.

8.8 With the prior approval of the Corporation, on such terms and conditions as may be prescribed by it and on payment of such fee, the owner of any house or premises may connect his/ her sewer with the sewers of the Corporation.

8.9 All private sewers situated in the city shall be under the control and inspection of the Corporation and it may order their repair, cleaning and closing in accordance with the regulations.

8.10 Any individual or institution shall submit a certificate stating that no obstruction has been created in the drainage system in their design and plan during the construction of a permanent structure.

Drainage Projects

8.11 Corporation may, if it considers it necessary, formulate a drainage project for the construction of sewers or other works at public or private expense for the proper drainage of water or sewage in the prescribed manner.

8.12 It may approve or reject the said drainage project.

8.13 The above approved drainage project may be financed and sent by the Government or may be implemented by the authority specified by it.

8.14 Corporation may, by notice, require the owner of any house or place situated in the city—

(a) to construct a sewer specified in the notice in the said house or place or on the street adjacent thereto;

(b) to remove, repair or improve any such sewer; and

(c) may direct that any other steps be taken for the proper drainage of water from the said house or place.

Bathing and washing places

8.15 No person shall establish or operate a public bathhouse without a license or permission from the Corporation and in violation of the conditions specified in the license.

Government reservoir

8.16 With the prior approval of the Government, Corporation may declare all water sources, springs, rivers, lakes, ponds and streams or any part thereof not under private ownership and situated within the city as government reservoirs.

8.17 Corporation will be responsible for the maintenance and management of all reservoirs under the Corporation in accordance with the provisions of the Reservoir Act.

8.18 Special efforts shall be taken to restore and make operational all water drainages under the area.

9. **Government Fisheries**—

Corporation may, with the prior approval of the Government, declare any water body to be a general fishery and the right to fish in such fishery shall vest in the Corporation, and the Corporation may exercise such right in accordance with the rules.

10. **Food and Beverages**—

Regulations relating to food and beverages

10.1. Corporation may by regulation—

(a) prohibit the manufacture or sale of any specified food or beverage in any place or house without a license;
(b) prohibit the importation into the city for the purpose of sale or sale or transportation for sale of specified food or beverage by any person other than a licensed person;
(c) prohibit the transportation of specified food and beverage in the places specified in the regulation;
(d) prohibit the production, use, storage and description of any food and beverage without a certificate from BMTA, Food Safety Authority, and the Department of Environment;
(e) regulate the time and method of transportation of specified food and beverage; and
(f) may make arrangements for the seizure and disposal of any diseased animal, poultry or fish brought or intended for food or any poisonous food or drink.

Milk Supply

10.2. No person shall keep dairy cattle for sale of milk in the city or import or sell any milk, or manufacture butter, ghee or other milk products or use any house for any similar purpose, except under a license issued by the Corporation and in accordance with the conditions of such license.

10.3. Dairy farms, milk processing and distribution plants may be established in accordance with the methods approved by the Department of Livestock, BMTI and the Food Safety Authority.

11. **Public Markets**—

11.1. Subject to any other law for the time being in force, the Corporation may establish and maintain public markets for the sale of food, beverages and livestock. However, the tendency to establish markets at random shall be discouraged. Markets shall be established in office areas, important places of movement and on footpaths.

11.2. Notwithstanding anything contained in any other law for the time being in force, the Corporation shall regulate public markets.

11.3. For public markets, the Corporation shall, by regulations—

(a) ensure that the use of markets or the sale of goods therein does not disrupt public movement or daily life;
(b) prohibit the entry of vehicles carrying goods for sale into the city in a manner that causes traffic congestion;
(c) prohibit the unplanned construction of shops and stalls; and
(d) ensure the protection of brokers, commission agents, porters, and other individuals who earn their livelihood in the market.

12. **Private Markets**—

12.1. No private permanent, temporary or mobile market shall be established or maintained within the Corporation area without the permission of the Corporation.

12.2. Notwithstanding anything contained in sub-section (1), if any person has a private market in the city before the commencement of this Act, he shall apply to the Corporation for permission within 3 (three) months of the commencement of this Act and shall continue to maintain the said market until permission is granted to him.

12.3. Before granting permission to establish or operate a permanent or temporary mobile market, the Corporation shall seek the opinion of the residents of the area. Permission for the market shall not be granted without the unanimous consent of the residents of the area.

12.4. Corporation may collect fees from the private market as per the regulations.

12.5. If the residents of an area object to any permanent or temporary market, the Corporation may, if it is satisfied that a private market is closed in the public interest, either order the closure of the market or, subject to payment of compensation as may be payable for the acquisition of the market under the Immovable Property Acquisition and Possession Act, 2017, take over the authority of the market or completely abolish it.

12.6. The Corporation may, by notice, direct the owner of a private market to remove all the goods from the market and clean the place as before within the time specified in the notice.

13. **Slaughterhouses**—

13.1 The Corporation shall establish modern mechanized slaughterhouses in the city, either by itself, or through private or joint ventures.

13.2 All necessary measures shall be taken to prohibit the slaughter of animals and the sale of meat in open public spaces.

14. **Animal**—

Animal Husbandry

14.1. Corporation may make provision for the establishment and maintenance of animal hospitals and dispensaries and may by regulations regulate their functioning and impose fees for their treatment.

14.2. Corporation may by regulations define contagious diseases in animals and may make provision for compulsory vaccination and necessary measures to be taken in the event of the spread of such diseases and may make provision for the treatment and destruction of all animals suspected of being infected with such disease germs.

Stray Animals

14.3. Corporation may by regulations make provision for the detention of animals roaming untethered on roads or public places or cultivated land.

14.4. Corporation may make provision for the confinement of cattle and the collection of fines and fees for confined animals. If an animal owner repeatedly commits the same act, it shall be considered a punishable offense.

Livestock and Farms

14.5. Corporation may, with the prior approval of the Government, establish and maintain livestock farms and make arrangements for keeping privately owned animals therein.

14.6. Corporation may, with the prior approval of the Government, grant permission to establish and maintain livestock and poultry farms on private initiative. However, the consent of the Ministry of Livestock and the Directorate General of Health Services shall be required.

14.7. The farms established in the Corporation area on private initiative shall be required to rear and market livestock and poultry in a hygienic manner.

Registration of sale of cattle

14.8. Corporation may by regulations direct that the sale of every animal mentioned therein will be registered and may provide for the registration of such sale in such manner and on payment of such fee as may be prescribed by the regulations.

15. **Master Plan**

15.1. Corporation may formulate a master plan for the city and it shall, among other things, include the following matters—

(a) Formulation and implementation of five-year and various term projects;
(b) The policies and strategies of the National Physical InfraStructural Planwill be adopted;
(c) The land use of this plan will be regulated under the Land Use Ordinance 2025;
(d) No change in the category of land will be acceptable in any way. In particular, floodplains, rivers, canals etc. reservoirs and public spaces will not be reduced;

(e) A survey containing details of the history, statistics, public welfare and other prescribed matters of the city;
(f) There shall be footpaths with every small and big road and car parking with every market, shopping mall and house; and
(g) the prohibition and control of the improvement of land, construction or reconstruction of buildings in any area within the city.

Land Development Project

15.2. If a master plan is approved by the Government in accordance with the provisions of the relevant section of this Ordinance, no owner of land in any area included in the approved master plan shall develop any land or construct or reconstruct any building on it in a manner inconsistent with the land development project prepared for that area in accordance with the rules, in excess of the amount specified in the master plan.

15.3. The development plan for any land shall include provisions for, among other matters, the following: —
(a) the division of any area into different plots;
(b) the provision of roads, drains and vacant spaces;
(c) the land reserved for public use and to be transferred to the Corporation;
(d) the acquisition of any land by the Corporation;
(e) the value of the plots;
(f) the work to be carried out at the expense of the owner of any site;
(g) the time required for the improvement of the area;
(h) permission from the necessary electricity, gas and water supply authorities;
(i) opinions of local residents; and
(j) clearance from the Department of Environment.

Implementation of Land Development Project

15.4. The Land Development Project shall be controlled and implemented under the supervision of the Corporation, and Corporation may issue necessary instructions for its implementation.

15.5. If any development is carried out in contravention of the provisions of the Land Development Project, Corporation may by notice direct the owner of the land or the person in contravention to make such alterations to the site as may be specified in the notice; and if the alterations are not made in accordance with the directions, or if the alterations are not possible, the Corporation may, in accordance with the regulations, demolish or order the demolition of the objectionable construction and, notwithstanding anything contained in any other law, no compensation shall be payable for such demolition.

15.6. If any land included in a land development project is not developed within the period specified in the project and Corporation does not grant an extension of time or the development of the land is not in accordance with the said project, then the Corporation may, in accordance with the regulations, take over the development of the land itself and complete the necessary construction work, and the money spent by the Corporation shall be recoverable from the owner of the land as tax imposed on him/ her under this Act.

Flat Construction Project

15.7. All the conditions from 15.3 to 15.6 shall be applicable before the approval of the flat construction project; and

15.8. Flat purchase and sale agreements must be submitted to the Corporation’s Consent Division. If the flat cannot be handed over to the buyer on time, approval must be obtained for an extension of the deadline. Extension shall not be granted more than twice.

16. **Building Control**—

Regulations relating to buildings

16.1. If the Corporation considers that any building or anything erected thereon is in a state of danger of falling into ruin or is in any way dangerous to its occupants or to any building adjoining it or its occupants or to pedestrians, Corporation may by notice direct the owner or occupier of the said building to take the necessary measures specified therein, and if there is any default in the execution of such order, Corporation may itself take the necessary steps and the money spent for this purpose shall be recoverable from the owner of the building as tax imposed on him under this Act.

16.2. If any building is in a dangerous condition, or is unfit for human habitation, Corporation may prohibit occupancy until the building is repaired to its satisfaction.

17. **Roads**—

Public Roads

17.1. Corporation shall provide and maintain roads and other means of communication necessary for the travel and convenience of the residents and visitors to the city.

17.2. The Corporation shall formulate and implement road maintenance and development programs in the manner prescribed by its regulations, and all related expenses shall be considered part of the budget; however, the government may, if necessary, alter or amend such programs.

Roads

17.3. No new road shall be constructed except the prior approval of the Corporation and in accordance with the conditions of such approval.

17.4. All roads other than public roads shall be maintained in such manner as may be prescribed by regulations.

17.5. Corporation may, by notice, direct that any road will be paved or drained or lighted or otherwise improved in such manner as may be specified in the notice; and if such direction is not complied with, the Corporation may cause the work to be done by its agent and the money so spent will be recoverable from the persons concerned as a tax imposed on them under this Act.

17.6. It may prescribe the manner in which any road other than a public road may be converted into a public road.

General provisions regarding roads

17.7. Corporation may, with the prior approval of the Government, name any road and the name of the road shall be clearly inscribed on a signboard on it or at any of its intersections or at its ends or at the entrance.

17.8. No person can destroy or damage any road or its name or signboard or remove its signboard without the prior approval of the Corporation.

17.9. Corporation may, by regulation, draw the boundaries of roads and buildings in such manner as may be prescribed and direct that the construction of any road or building will be carried out in accordance with such boundaries.

17.10. Corporation may, by regulation, define road nuisance and offences relating to roads and may take measures for the prevention and abatement thereof.

Illegal entry

17.11. No person can enter any road, drain, land, house, lane or park of the Corporation illegally without a license issued by the Corporation and in accordance with the conditions thereof.

17.12. In case of such illegal entry, Corporation may by notice direct the person making the illegal entry to cease his illegal entry within such time as may be specified and if he/ she does not comply with such direction within such time, Corporation may take appropriate legal action to cease the illegal entry and the money spent on this shall be recoverable from the person making the entry as tax imposed on him/ her under this Act.

17.13. Any person aggrieved by the notice issued under Section 17.12 may appeal to the Corporation

within 15 (fifteen) days of receipt of the notice and if both parties are not satisfied with the appeal, it shall be decided in court.

Arrangement of Street lighting

17.14. Corporation shall take measures to properly illuminate all types of streets or other places used by the public on them.

17.15. Corporation may, with the prior approval of the Government, formulate and implement projects for street lighting in the manner prescribed by regulations.

Arrangement of Street washing

17.16. Corporation shall make arrangements for washing the common streets with water for the comfort and convenience of the public.

18. **Control of vehicles**—

18.1 Corporation may, by regulation, control the movement of vehicles so that pedestrians are not exposed to danger while walking on the road and so that they can move safely and easily on the road.

General Vehicles

18.2 No person shall keep, rent out, or operate any general vehicle—other than a motor vehicle—within the city without a license issued by the Corporation.

18.3 No person shall use a horse or other animal for drawing any general vehicle in the Corporation area except under a license issued by the Corporation and in accordance with the terms thereof.

18.4 Corporation may, with the prior approval of the Government, and in such manner as may be prescribed by regulations, fix the fare of general vehicles and no person shall demand excess fare rather than the fixed one.

19. **Public Safety**—

Firefighting

19.1. Corporation may form a fire brigade for the purpose of fire prevention and extinguishing and determine the number of its members, vehicles, machinery and equipment.

19.2. In the event of any fire in the city, any Magistrate or any officer in charge of the fire brigade or any police officer not below the rank of Sub-Inspector may—

(a) remove or order the removal of any person obstructing or interfering with the fire-fighting operation or the protection of life and property;

(b) block any road or path at or near the scene of the fire; demolish any house, wholly or partially, for the purpose of extinguishing the fire;

(c) make provision for the passage of fire-fighting water pipes and machinery through it;

(d) may close any pipe in the vicinity of the fire to increase the water pressure at the place where the fire has broken out;

(e) may call upon any person in charge of a fire engine to render all possible assistance in extinguishing the fire;

(f) may take any other measures for the protection of life and property.

19.3. If any action is taken or intended to be taken in good faith under this section, no person shall be liable to pay any compensation for it.

19.4. Notwithstanding anything contained in sub-section (3) or in any other law or in any insurance policy, any loss caused by the exercise of the power conferred under this section shall be deemed to be an explosion by fire for the purposes of any fire insurance policy.

Civil Defense

19.5. Corporation shall provide assistance to the Government in matters relating to civil defense.

20. **Disaster Management**—

20.1. Corporation shall take appropriate measures in coordination with the administration in accordance with the policies and rules of the Government to deal with any type of natural disaster in the area.

21. **Trade in dangerous and harmful substances**—

21.1. The Government shall, by rules, determine what substances or businesses are dangerous and harmful for the purpose of this section.

21.2. No person shall, without a license granted by the Corporation and subject to the conditions thereof—

(a) carry on any dangerous or harmful business;

(b) allow any house or place to be used for any dangerous or harmful business; and

(c) keep any dangerous or harmful substance in any house for any purpose other than for domestic use or in excess of the limit prescribed by any law.

22. **Cemeteries and crematoriums**—

22.1. Corporation shall provide cemeteries and crematoriums for the burial or cremation of deceased persons and take necessary measures for their maintenance and management.

22.2. The government may, by notification in the official Gazette, declare any public graveyard or cremation ground to be vested in the Corporation, and upon such declaration, it shall vest in the Corporation, which shall take necessary measures for its maintenance and management.

22.3. All graveyards or cremation grounds not operated by the Corporation must be registered with the Corporation, and shall remain under its supervision and control as per regulations.

22.4. No new graveyard or cremation ground may be established without a license granted by the Corporation and except in accordance with the conditions of such license.

23. **Trees, Parks, Gardens and Forests**—

Tree Plantation

23.1. Corporation shall plant trees on the public roads and other public places of the city and take all necessary measures for their conservation.

23.2. Corporation may, with the prior approval of the Government, formulate and implement tree-research plans.

Gardens

23.3. Corporation may construct and maintain public gardens within the city for the convenience and recreation of the public, and the said gardens shall be managed in accordance with the regulations.

23.4. Corporation shall formulate and implement a development project for the development of every public garden.

Open Space

23.5. Corporation shall provide open spaces within the city for the convenience of the public and take all measures to cover them with grass, enclose them and improve them.

Forests

23.6. Corporation may improve the quality and formulate and implement forest projects and plant and preserve trees in its forest areas.

Tree-related damage control measures

23.7. Corporation may make arrangements for the destruction of pests destructive to trees and saplings.

23.8. If any harmful plants or creepers grow on any land or premises of the city, Corporation may by notice direct the owner or occupier of the land or premises to remove those, and if he/ she fails to do so within the time specified, the Corporation may itself remove those and all expenses of the Corporation in this behalf shall be recoverable from the said owner or occupier as tax imposed on them under this Ordinance.

23.9. Corporation may, in the manner prescribed by regulations, direct the felling of dangerous trees or the cutting down of branches thereof hanging over the road and causing obstruction to traffic or any other inconvenience.

23.10. Corporation may, by notice, prohibit the production of any crop injurious to public health in any area specified therein.

24. **Ponds and Low-lying areas** —

Corporation may take measures for the excavation and re-excavation of ponds and the restoration of low-lying areas.

25. **Education**—

Education

25.1. Corporation shall maintain educational institutions as per the directions of the Government and may operate any educational institution necessary for the improvement of education in the city with the prior approval of the Government.

25.2. Corporation may provide quality education as prescribed by rules in all the educational institutions maintained by the Corporation.

25.3. Corporation may levy prescribed fees.

25.4. Corporation may provide financial assistance to private educational institutions located in the city with the prior approval of the Government.

General provisions relating to education

25.5. Corporation—

(a) may construct and maintain buildings for use as hostels;
(b) may make arrangements for training teachers;
(c) may provide scholarships to qualified and meritorious students;
(d) may provide accommodation at low cost for orphans and poor students;
(e) may create hostel facilities for female students;
(f) may, with the prior approval of the Government—
    i. may provide assistance for the development of education associations;
    ii. may implement education survey systems and educational projects;
    iii. may make arrangements for the provision of low-cost meals for school children; and
(g) may take other measures conducive to the development of education.

26. **Culture** —

Culture

26.1. Corporation—

(a) may establish information centers for the promotion of education in the city and for the promotion of social development and public interest;
(b) may arrange for the establishment and maintenance of public halls and community centers;
(c) may establish museums and art galleries and arrange for the exhibition of the objects kept therein;
(d) may arrange reception for the distinguished guests visiting the Corporation;
(e) may encourage the use of the national language;
(f) may encourage physical exercise, exercise and sports among the public and may conduct rallies and tournaments;
(g) may arrange city tours for the tourists;
(h) may take measures for the preservation of places of historical significance in the city; and
(i) may arrange and improve necessary facilities for the entertainment of the public.

Libraries

26.2. Corporation shall establish general libraries and mobile libraries for the use of the general public.

26.3. Reader surveys will be conducted in these libraries. The libraries will be equipped with internet and photocopying facilities. Users may avail these services by paying appropriate charges.

Fairs and Exhibitions

26.4. Corporation may, with the prior approval of the Government, take any measures necessary for the

purpose of public health and safety or for the convenience of the public during any fair, exhibition or general festival in the city and may levy fees on the visitors thereof.

27. **Social Welfare**—

Social Welfare

27.1. Corporation—

(a) may establish and maintain public welfare centers, shelters, orphanages, widows' homes and other institutions for the needy;

(b) The Corporation may, at its own expense, arrange for the burial and cremation of the bodies of destitute persons who have died in the city;

(c) may take measures to prevent begging, prostitution, gambling, drug use, alcohol consumption, juvenile delinquency and other social ills;

(d) may organize volunteers for social service;

(e) may take necessary activities for the welfare of women, children and backward classes;

(f) may take other measures for social welfare and social development.

28. **Development**—

Development Plan

28.1. The Corporation shall formulate and implement development plans for a specified period, subject to the approval of the Government, and such plans shall include provisions, among other matters, for the following:

(a) Development of any specific functions of the Corporation;

(b) Mobilization of funds for the plan and its implementation and supervision.

28.2. The Government may direct that the whole or a portion of the income received by the Corporation or from any of its sectors be spent for the implementation of a development plan.

Social Development Plan

28.3. Corporation may formulate or implement social development plans in the manner prescribed by regulations.

28.4. Encourage the establishment of zero-carbon emission factories and provide publicity and incentives in this regard.

Commercial Projects

28.5. Corporation may formulate and implement business and trade projects in the manner prescribed by regulations and with the prior approval of the government.

28.6. Encourage investment in social business for self-employment of unemployed youth and for the creation of entrepreneurship in coordination with various private organizations. City Corporation shall undertake special projects in this regard.

Schedule-5

(Note Section 80)

Government officers and employees shall be deemed to be vested in the Parishad

Part-1

Union Parishad

Serial No.	Name of the Ministry/Division	Government Subject or Office Entrusted to the Union Parishad
1.	Local Government Division	Sub- Assistant Engineers, manpower and their functions under the Local Government Engineering Department.
2.	Ministry of Agriculture	(1) Tubewell Mechanics, manpower and their functions under the Department of Public Health Engineering. (2) Sub-Assistant Agricultural Extension Officers, manpower and

		their functions under the Department of Agricultural Extension.
3.	Ministry of Health and Family Welfare	(1) Health Inspector and Assistant Health Inspector, manpower and their functions under the Directorate of Health Services. (2) Family Welfare Inspector and Assistant Family Welfare Inspector, manpower and their functions under the Department of Family Planning.
4.	Directorate of Primary Education	Assistant Upazila Education Officer, manpower and their functions under the Department of Primary Education.
5.	Ministry of Fisheries and Livestock	Veterinary Field Assistant and Veterinary Field Assistant (Artificial Reproduction) under the Department of Fisheries and Livestock, manpower and their functions.
6.	Ministry of Social Welfare	Union Social Service Workers, manpower and their functions under the Department of Social Services.
7.	Rural Development and Cooperatives Division	Inspectors/Organizers, manpower and their functions under the Bangladesh Rural Development Board.
8.	Ministry of Home Affairs	Union Leaders, manpower and their functions under the Department of Ansar and VDP.

Part-2

Upazila Parishad

Serial No.	**Name of the Ministry/Division**	**Government Subject or Office entrusted to the Upazila Parishad**
1.	Local Government Division	(1) Assistant Director, Local Government and his subordinate employees and their functions. (2) Upazila Engineer and his/ her subordinate officers/employees under the Local Government Engineering Department and their functions. (3) Sub- Assistant Engineer and his/ her subordinate employees and their functions at the Upazila level under the Department of Public Health Engineering.
2.	Ministry of Agriculture	Upazila Agriculture Officer and his/ her subordinate officers/employees and their functions under the Department of Agricultural Extension.
3.	Ministry of Health and Family Welfare	(1) Upazila Health and Family Planning Officer and his/ her subordinate officers/employees under the Ministry of Health and Family Welfare. (2) Upazila Family Planning Officer and his/ her subordinate employees and functions. (3) Upazila Health Complex and other related functions under the control of the Directorate of Health Services.
4.	Directorate of Primary Education	Upazila Primary Education Officer and his/ her subordinate employees of the Directorate of Primary Education.
5.	Ministry of Fisheries and Livestock	(1) Upazila Fisheries Officer and his/ her subordinate employees and their functions under the Department of Fisheries. (2) Upazila Livestock Officer and his/ her subordinate employees and their functions under the Department of Livestock.
6.	Ministry of Social Welfare	Upazila Social Service Officers and their subordinate employees and their functions under the Department of Social Services.
7.	Rural Development and	(1) Assistant Director and his/ her subordinate officers and

	Cooperatives Division	employees and their functions under the Bangladesh Rural Development Board. (2) Upazila Cooperative Officer and his/ her subordinate officers and employees and their functions under the Department of Cooperatives.
8.	Ministry of Youth and Sports	Upazila Youth Development Officer of the Youth Development Department and his subordinates and their functions.
9.	Ministry of Women and Children Affairs	Upazila Women's Affairs Officer under the Women affairs Department and their subordinate officers/employees and their functions.
10.	Ministry of Disaster Management and Relief	Project Implementation Officer (PIO) and his/ her subordinate employees and their functions at the Upazila level under the Department of Disaster Management.

Part- 3
Zila Parishad

All these government offices, manpower and budgets will be considered as part of the Zila Parishad fund.

Serial No.	Name of the Ministry/Division	Government Subject or Office entrusted to the Zila Parishad
1.	Local Government Division	(1) Chief Executive Officer, Secretary and subordinate officers and employees and their functions of the Zila Parishad. (2) Executive Engineer and subordinate officers and employees and their functions of the Local Government Engineering Department. (3) Executive Engineer and subordinate officers and employees and their functions of the Department of Public Health Engineering.
2.	Ministry of Agriculture	Deputy Director and his/ her subordinate officers and employees and their functions of the Department of Agricultural Extension.
3.	Ministry of Health and Family Welfare	(1) Civil Surgeon and the officers and employees under him/her under the Directorate of Health Services; and (2) Deputy Director and the officers and employees under him/ her and their functions under the Directorate of Family Planning.
4.	Directorate of Primary Education	District Primary Education Officer and his/ her subordinate officers and employees and their functions under the Directorate of Primary Education.
5.	Ministry of Education	(1) District Education Officer and his/ her subordinate officers and employees and their functions under the Directorate of Secondary and Higher Education. (2) Executive Engineer and his/ her subordinate officers and employees and their functions under the Education Engineering Department.
6.	Ministry of Fisheries and Livestock	(1) District Fisheries Officer and his subordinate officers and employees under the Department of Fisheries; and (2) District Livestock Officer and his subordinate employees and their functions under the Department of Livestock Services.
7.	Ministry of Social Welfare	Deputy Director and the officers and employees under him/ her and their functions of the Department of Social Services.
8.	Rural Development and	(1) Deputy Director and his/ her subordinate officers and

	Cooperatives Division	employees under the Bangladesh Rural Development Board and their functions. (2) District Cooperative Officer and his subordinate officers and employees and their functions under the Cooperative Department.
9.	Ministry of Women and Children Affairs	Deputy Director, Department of Women Affairs and his/ her subordinate officers and employees and their functions under the Department of Women Affairs.
10.	Ministry of Disaster Management and Relief	District Relief and Rehabilitation Officer and his/ her subordinate employees and their functions under the Department of Disaster Management.
11.	Ministry of Youth and Sports	Deputy Directors, Youth Development Officers and employees and their functions under the Department of Youth Development.
12.	Ministry of Water Resources	Executive Engineer and officers and employees under him/ her and their functions under the Water Development Board.
13.	Ministry of Road Transport and Bridges	Executive Engineer and officers and employees under him/ her and their functions under the Roads and Highways Department.
14.	Ministry of Home Affairs	District Ansar and VDP officers under the Ansar and VDP Directorate and their subordinate officers and employees and their functions.
15.	Power and Energy	Competent authorities, their subordinate officers and employees and their functions.
16.	Public Works and Housing	Competent authorities, their subordinate officers and employees and their functions.

Schedule-6
(Note to Section 82)

Part-1
Taxes, rates, tolls, fees and other sources of income to be levied by the Union Parishad

1. Tax on the annual value of the building/land imposed in the prescribed manner or Union Rate.
2. Tax on private extraction of groundwater.
3. Environment Tax.
4. Tourism Tax.
5. Building plan approval fee at the prescribed rate per square foot of the total area of the pucca building.
6. Tax on profession, business and calling.
7. Tax on cinema, drama and theatrical performances and other entertainment and mental recreation.
8. Fee on licenses and permits issued by the Union Parishad.
9. Fee (lease money) from the designated hat-bazar and ferry ghat within the boundaries of the union.
10. Jalmahal transferred within the boundaries of the union.
11. Share of income from Patharmahal, Balumahal located within the boundaries of the union.
12. Share of income from tax on transfer of immovable property.
13. Nikah registration fee.
14. Share of income related to land development tax.
15. Tax on advertisement.
16. Any other tax under any provision of this Ordinance.
17. Land transfer tax.
18. 1/3rd share of the Musak collected in the area.

Part-2

Taxes, rates, tolls, fees and other sources of income to be levied by the Upazila Parishad

1. Income from lease from the government-designated markets, transferred water palaces and ferry ghats located in the area under the jurisdiction of the Upazila.
2. Fees levied on privately organized fairs, exhibitions and entertainment programs.
3. Fees levied on licenses and permits issued by the Union Parishad on various businesses, professions and professions other than those specified by the Union Parishad.
4. Fees levied on services provided by the Parishad, etc.
5. Income from rates, tolls, fees or any other source imposed on any other sector as may be specified by the government from time to time.

Part-3

Taxes, rates, tolls, fees and income from other sources to be levied by the Zila Parishad

1. Tolls on roads, bridges and ferries maintained by the Parishad.
2. Taxes on advertisements.
3. Fees for any special services rendered by the Parishad.
4. Rates for public welfare works performed by the Zila Parishad.
5. Any taxes, rates, tolls and fees, etc., levied by the Government on the Parishad under the powers conferred on it.
6. Fees of schools established or maintained by the Zila Parishad.
7. Any taxes levied by the Government on the powers conferred on the Zila Parishad.

Part-4

Taxes, rates, tolls, fees and other sources of income to be levied by the Pourashava

1. Tax on the annual value of buildings and land.
2. Tax on private extraction of groundwater.
3. Environment tax.
4. Tourism tax.
5. Tax on transfer of immovable property.
6. Land development tax.
7. Fee on application for construction and reconstruction of buildings.
8. Fee on imported goods for consumption, use or sale in the municipal area.
9. Tax on goods exported from the municipal area.
10. Toll national fee.
11. Tax on profession, business and profession.
12. Fee on birth, marriage, adoption and feast.
13. Tax on advertisement.
14. Tax on animals.
15. Tax on cinema, drama, theatrical performances and other amusements and entertainment.
16. Tax on vehicles other than motor vehicles and boats.
17. Lamp rate and fire rate.
18. Rate for waste and garbage removal.
19. Rate for public service activities.
20. Rate for water installations or water supply.
21. Surcharge on any tax imposed by the government.
22. School fees.
23. Fees on benefits received from any public service activity maintained by the Pourashava.
24. Fees on fairs, agricultural exhibitions, sports competitions, and other public gatherings.
25. Fees for licenses, approvals, and permits issued by the Pourashava.

26. Fees for special services provided by the Pourashava.
27. Fees for animal slaughtering.
28. Fees from water bodies/ferry terminals.
29. Fees on sand or stone quarries within the municipal boundaries.
30. Any other tax under any provision of this Ordinance.
31. Revenue earned from leasing of markets under the Pourashava.
32. Any other tax imposed by law by the government.
33. The Pourashava's share of Value Added Tax (VAT) collected within its area.

Part-5

Taxes, rates, tolls, fees and other sources of income to be levied by the City Corporation

1. Tax on the annual value of buildings and land.
2. Tax on private extraction of groundwater.
3. Environment tax.
4. Tourism tax.
5. Tax on transfer of immovable property.
6. Tax on application for construction and reconstruction of buildings.
7. Tax on import of goods for consumption, use or sale in the city.
8. Tax on export of goods from the city.
9. Toll national tax.
10. Tax on profession or vocation.
11. Tax on birth, marriage, adoption and banquet or feast.
12. Tax on advertisement.
13. Tax on animals.
14. Tax on cinema, drama and theatrical exhibitions and other amusements and entertainment.
15. Tax on vehicles other than motor vehicles and boats.
16. Lamp and fire rate.
17. Sewage disposal rate.
18. Rate for public service work.
19. Rate for waterworks and water supply system.
20. Surtax on taxes imposed by the government.
21. School fees.
22. Fees on the proceeds of any public service work conducted by the Corporation.
23. Fees on fairs, agricultural exhibitions, industrial exhibitions, sports competitions and other public gatherings.
24. Fees on markets.
25. Fees for licenses, approvals and permits issued by the Corporation.
26. Fees for any special work done by the Corporation.
27. Fees for slaughtering animals.
28. Any other fee authorized under any provision of this Act.
29. Any other tax imposed by the Government by law.

It is to be noted that if a City Corporation is under a two-tier City Government, the authority to collect taxes shall be vested only in the City Council. In such case, the City Corporation shall collect the non-tax revenue prescribed by a separate schedule or rule.

Schedule-7
(Note sub-section (2) of section 108)
Part-1
Offences to be considered under the Union Parishad

1. Evading taxes or other charges lawfully imposed by the Union Parishad.
2. Failing to furnish information as required or furnishing false information on any matter for which the Union Parishad may require information under this Ordinance or the rules and regulations made thereunder.
3. Carrying out any work for which a license or permit is required under this Ordinance or the rules and regulations made thereunder without a license or without a permit.
4. Carrying on any dangerous or harmful business or trade or storing any dangerous or harmful goods without the permission of the Union Parishad.
5. Making illegal entry into any public road or highway or government place without the permission of the Union Parishad.
6. Doing any work which pollutes or renders drinking water unfit for consumption.
7. Drinking water from any source prohibited under this Ordinance on suspicion of being dangerous to public health.
8. Making cattle or animals drink water, defecate or bathe near a well or any source of drinking water used by the public.
9. Dipping hemp, jute or other plants in or near a pond or basin located within the distance prescribed under this ordinance from a residential area.
10. Dyeing or tanning leather within the distance prescribed under this ordinance from a residential area.
11. Excavating soil, stone or anything else within the distance prescribed by the Union Parishad from a residential area.
12. Establishing a brick kiln, lime kiln, charcoal kiln or pottery within the distance prohibited by the Union Parishad from a residential area.
13. Disposing of the remains of dead animals within the distance prohibited by the Union Parishad from a residential area.
14. Failure to remove garbage, animal droppings, manure or any other foul-smelling substance from any land or building, notwithstanding the provisions of this Ordinance.
15. Failure to cover, remove, repair, clean, disinfect or properly maintain any latrine, urinal, sewer, excrement, water, garbage or other place or receptacle for the storage of waste matter, notwithstanding the provisions of this Ordinance.
16. Failure of the owner or occupier of the land concerned to remove or clean any weed, shrub or creeper, notwithstanding the provisions of this Ordinance, which has been declared to be injurious to public health or the environment.
17. Failure by the owner or occupier of the place concerned to cut, remove or uproot any weed, creeper or plant growing in any place adjacent to a public road, hanging over the township or hanging over a pond, well or any other source of water used by the public, despite causing obstruction to traffic or polluting the water or despite it being declared to be injurious to public health under this Ordinance.
18. Cultivating any crop declared to be injurious to public health or to the surrounding area under this Ordinance, applying fertilizer or arranging for irrigation of land in a manner declared to be injurious.
19. Without the necessary permission under the provisions of this Ordinance, wilfully or negligently causing excrement or any other harmful substance from a latrine or latrine to flow or spread on any public road or any public place or to fall into any sewer, canal or drainage system not used for the purpose.
20. Failure of the owner or occupier to clean, repair, cover or fill up or drain any well, pond or other source of water supply declared to be harmful to public health or the surrounding area under this Ordinance.
21. Failure of the owner or occupier of any land or building to provide a suitable pipe or drain for the drainage of any water or refuse from any land or building as directed under the provisions of this Ordinance.

22. Failure of a doctor to report the existence of an infectious disease to the Union Parishad while on duty as a doctor.
23. Failure of a person to report the existence of an infectious disease in a building despite being aware of it.
24. Failure of the owner of a building to disinfect it if it is infected with an infectious pathogen.
25. Sale of food or drink by a person infected with an infectious disease.
26. Failure of the owner or driver of a vehicle infected with an infectious pathogen to disinfect the infected vehicle or to carry passengers in an infected vehicle.
27. Feeding or allowing any animal kept for milk or food to eat any harmful substance.
28. Slaughtering any animal for the purpose of selling meat at any place other than the place designated for this purpose.
29. Cheating the buyer by supplying food or drink of inferior or different quality instead of supplying food or drink as per the demand of the buyer.
30. Begging or showing any deformed or rotten part of the body or dirty wound.
31. Establishing a brothel or carrying on prostitution in a prohibited area.
32. Failure of the owner or occupier of a house to make adequate arrangements for the removal of sewage from the house, notwithstanding any provision made under this Ordinance.
33. Cutting down, constructing or destroying any tree or branch thereof, or any other building or any part thereof, notwithstanding any provision made under this Ordinance to be dangerous or a nuisance to the public.
34. Laying or attempting to lay the foundation stone of any road or constructing a road without the approval of the Union Parishad.
35. Putting up notices, placards, advertisements or any other publicity material on any building or place other than the designated place.
36. Piling up wood, grass, straw or any other combustible material in a manner declared dangerous under this Ordinance.
37. Picketing on any road, keeping animals, storing vehicles, or using any road as a place for stopping vehicles or animals or as a place for pitching tents without the necessary permission under this Ordinance.
38. Allowing domestic animals to roam around.
39. Driving any vehicle without proper lighting during the period from half an hour after sunset to half an hour before sunrise.
40. Not keeping to the left side of the road or to any other road in the same direction or not obeying other traffic regulations on the road without a valid reason.
41. Playing a radio or musical instrument, beating drums, blowing a horn, or making noise with a whistle or any other object on the right side of the road or in contravention of the general or special provisions of this Ordinance.
42. Throwing firearms, crackers or fireworks or playing or hunting with them in such a way that danger or damage is caused or is likely to be caused to pedestrians or people living or working in the surrounding area or to any property.
43. Cutting trees, constructing buildings or carrying out excavation work or causing explosions in such a way that danger or is likely to be caused to pedestrians or people living or working in the surrounding area.
44. Burying or cremating a dead body in any place other than a recognized cemetery or crematorium without the necessary permission under this Ordinance.
45. Releasing or letting loose a vicious dog or any other dangerous animal.
46. Failing to demolish or strengthen any dangerous building under this Ordinance.
47. Using any building declared unfit for human habitation under this Ordinance for lodging or allowing anyone to live in it.
48. Constructing or re-constructing any building without the necessary permission under this Ordinance.

49. Failing to plaster or repair any building in accordance with the provisions of this Ordinance.
50. Willfully obstructing any officer or employee of the Union Parishad or any person authorized by the Union Parishad in exercising the powers conferred under this Ordinance.
51. Any member of the Union Parishad or any officer or employee of the Union Parishad knowingly, directly or indirectly, by himself or through any partner, acquires ownership or share in any contract of the Union Parishad.
52. Doing any act declared to be an offence by this Ordinance.
53. Violating this Ordinance or any rule or any order, direction or declaration made thereunder or any notification issued thereunder.
54. Attempting or aiding in the commission of the above-mentioned offences.

Part-2

Offences punishable under the Upazila Parishad

1. Evasion of taxes, tolls, rates, fees, etc. legally levied by the Upazila Parishad.
2. Failure to furnish information or furnishing incorrect information as required by the Upazila Parishad on any matter for which the Upazila Parishad may require information under this Ordinance, Rules or Regulations.
3. Carrying out any work for which a license or permit is required under the provisions of this Ordinance, Rules or Regulations without a license or without a permit.
4. Violation of the provisions of this Ordinance, Rules or Regulations or of any order or declaration issued thereunder.

Part-3

Offences under the Zila Parishad

1. Evasion of taxes, tolls, rates and fees lawfully levied by the Parishad.
2. Failure to furnish information or furnishing false information as called for by the Council on any matter for which the Parishad may require any information under this Ordinance, Rules or Regulations.
3. Carrying out any work for which a license or permit is required under the provisions of this Ordinance, Rules or Regulations without a license or without a permit.
4. Illegal encroachment on any public road used by the public without the permission of the Parishad.
5. Doing any work which pollutes drinking water or renders it unfit for consumption.
6. Drinking water from any source which is prohibited under this Ordinance on suspicion of being dangerous to public health.
7. Drinking, defecating or bathing cattle or animals near any source of drinking water intended for public use.
8. Dipping hemp, jute or other plants in or near any pond or basin located within the distance prescribed under this Ordinance from a residential area.
9. Dyeing or tanning leather within the distance prescribed under this Ordinance from a residential area.
10. Excavating soil, quarrying stones or anything else within the distance prescribed under this Ordinance from a residential area.
11. Establishing brick kilns, lime kilns, charcoal kilns and pottery within the distance prohibited by the Parishad from a residential area.
12. Disposing of dead animal remains within the distance prohibited by the Parishad from a residential area.
13. Failure to remove from any land or building, despite being directed under this Ordinance, any garbage, animal excrement, manure or any other foul-smelling matter.
14. Failure to cover, remove, repair, clean, disinfect or properly maintain any toilet, urinal, sewer, excrement, water, garbage or other place or container for storing waste matter, despite being directed under this Ordinance.
15. Failure of the owner or occupier of the land concerned to remove or clean any weed, shrub or creeper,

despite being declared to be injurious to public health or the environment under this Ordinance.

16. Failure by the owner or occupier of the place concerned to cut, remove or clear away any weeds, creepers or plants growing on any place adjoining a public road, or hanging over any pond, well or other source of water used by the public, causing obstruction to traffic or polluting the water or having been declared injurious to public health under this Ordinance.
17. Cultivation of any crop declared to be injurious to public health or to the surrounding area under this Ordinance, application of manure or irrigation of land in a manner declared to be injurious.
18. Willfully or negligently causing excrement or any other harmful substance from a latrine or latrine drain to fall or roll on any public road or any public place or to fall into any sewer, canal or drain not intended for such purpose, without the necessary permission under the provisions of this Ordinance.
19. Failure of the owner or occupier of any well, pond or other source of water supply declared to be injurious to public health or to drain water therefrom under this Ordinance.
20. Failure of the owner or occupier of any land or building to provide a suitable pipe or drain for the discharge of any water or refuse from any land or building as directed in accordance with the provisions of this Ordinance.
21. Failure of any medical practitioner to report the existence of an infectious disease to the Council while on duty as a medical practitioner.
22. Failure of any person to report the existence of an infectious disease in any building to the Council.
23. Failure of the owner or occupier of any building infested with an infectious disease to disinfect it.
24. Sale of food or drink by a person infested with an infectious disease.
25. Failure of the owner or driver of any vehicle infested with an infectious disease to disinfect it.
26. Allowing any animal kept for milk or food to be fed or to eat any harmful substance.
27. Slaughtering any animal for the purpose of selling meat at any place other than the place designated for this purpose.
28. Cheating the buyer by supplying food or drink of inferior or different quality instead of supplying food or drink as per the demand of the buyer.
29. Making obscene begging or showing any deformity or rotten part of the body or dirty wound.
30. Establishing a brothel or operating a prostitution business.
31. Cutting down any tree or its branches, or constructing or destroying any building or any part thereof, even though it has been declared dangerous or annoying to the public under this Ordinance.
32. Constructing any road on the land or area under the jurisdiction of the Parishad without the approval of the Parishad.
33. Putting up any advertisement, notice, placard or any other leaflet at any place other than the place designated for this purpose.
34. Stacking wood, grass, straw or any other combustible material in a manner declared dangerous under this Ordinance.
35. Picketing on any road, keeping animals, parking vehicles or using any road as a place for stopping vehicles or animals or as a place for pitching tents without the necessary permission under this Ordinance.
36. Allowing domestic animals to roam freely.
37. Throwing firearms, firecrackers or fireworks or engaging in sports or hunting with them in such a way as to cause or is likely to cause danger or damage to pedestrians or people living or working in the surrounding area or to any property.
38. Cutting trees, constructing buildings or carrying out excavation work or causing explosions in such a way as to cause or is likely to cause danger to pedestrians or people living or working in the surrounding area.
39. Burying or cremating a dead body in any place other than a recognized cemetery or crematorium without the necessary permission under this Ordinance.
40. Releasing or letting loose a vicious dog or any other dangerous animal.
41. Failure to demolish or strengthen any building declared dangerous under this Ordinance.

42. Using for living or allowing any person to live in a building declared unfit for human habitation under this Ordinance.
43. Failure to whitewash or repair any building when required to do so under the provisions of this Ordinance.
44. Doing any act declared to be an offence by rule.
45. Contravention of this Ordinance or any rule or any order, direction or declaration made or any notification issued thereunder.
46. Attempting or aiding in the commission of the above-mentioned offences.

Part-4

Offences punishable under the Pourashava

1. Evasion of payment of tax or any other tax lawfully levied by the Pourashava.
2. Failure to furnish or furnishing false information on any matter which the Pourashava may require under the provisions or rules or bye-laws of this Ordinance.
3. Carrying out work without permission for which a license or permit is required under any provision or rule or bye-law under this Ordinance.
4. Construction and reconstruction of a building without the necessary permission under this Ordinance.
5. Development of any land or place without the necessary permission under this Ordinance.
6. Laying out, preparing or commencing a layout or constructing a road without the permission of the Pourashava.
7. Unlawful occupation of a public road, highway or public place without the permission of the Pourashava.
8. Picketing on any road, keeping animals or using any road as a resting place or camp for animals or vehicles without the permission of the Pourashava.
9. Allowing animals to roam freely.
10. Without the permission of the Pourashava, willfully or negligently causing any matter from a cesspool, underground sewer or cesspool or any other objectionable matter to flow or be discharged into any street or public place or into any irrigation canal or into any underground sewer or drain not used for the purpose.
11. Laying out or altering the layout of a sewer on any public road without the permission of the Pourashava.
12. Connecting a house sewer to a public road without the permission of the Pourashava.
13. Throwing or depositing garbage on any road or in any place not provided or designated for this purpose by the Pourashava.
14. Carrying on any dangerous or noxious business or depositing any harmful or dangerous substance without the permission of the Pourashava.
15. Not doing any work which would contaminate or render unfit for consumption of drinking water.
16. Using water from any source, even though it has been prohibited by the Pourashava for drinking, on suspicion of being dangerous to public health.
17. Drinking or bathing or washing cattle or animals in or near a public well or other source of drinking water.
18. Immersing hemp, jute or any other plant in or near a pond or other body of water within a distance specified by the Pourashava from a residential area.
19. Dyeing or tanning leather within a distance specified by the Pourashava from a residential area.
20. Willfully or negligently damaging or allowing to be damaged any well, reservoir, main line, pipe or other apparatus maintained or controlled by the Pourashava for the supply of water.
21. Drawing, diverting or taking water from any main line or pipe without the permission of the Pourashava.
22. Unlawfully interfering with the water supply main pipe, meter or any other equipment or machinery.
23. Excavating soil, stone or anything else within a distance determined by the Pourashava from a residential area.
24. Establishing a brick kiln, lime kiln, charcoal kiln or pottery within a distance determined by the Pourashava from a residential area.

25. Disposing of animal remains without the permission of the Pourashava.
26. Failing to provide, close, remove, alter, repair, clean, disinfect or properly maintain any toilet, urinal, sewer, cesspool or container for storing dirt, dirty water or waste material as directed by the Pourashava.
27. Failure by the owner or occupier of the purchased land to clear or remove any dense vegetation or brush declared by the Pourashava to be injurious to health or harmful to the environment.
28. Any shrub or tree growing on any land adjacent to a public road, or branches of trees growing on it, hanging over the public road or causing obstruction or creating any danger or if hanging down, likely to pollute a well, pond or other source of water from which water is available for public use or if the owner or occupier of the land fails to cut or remove it, despite being declared in any way injurious to health or harmful under this Ordinance.
29. Cultivation of crops declared by the Pourashava to be injurious to public health or harmful to the environment, application of fertilizers or irrigation of the land in a harmful manner.
30. Failure by the owner or occupier of any land or building to clean, repair, cover, fill or drain a well, pond or other water supply owned by any person declared by the Pourashava to be injurious to health or harmful to the environment.
31. Failure by the owner or occupier of any building or land to provide a suitable receptacle or pipe for the collection or conveyance of water and sewage from the building or land, even after being directed by the Pourashava.
32. Failure by a physician to report to the Pourashava the existence of any infectious disease while engaged in the medical profession, despite knowing that such infectious disease exists.
33. Failure by any person to inform the Pourashava of the existence of any infectious disease in any building, despite knowing that such infectious disease exists.
34. Failure by the owner to disinfect a building infected with infectious diseases or paying rent without disinfecting it.
35. Sale of food or drink by a person suffering from an infectious disease.
36. Failure by the owner or driver to disinfect a vehicle infected with infectious diseases or carrying passengers in an infected vehicle.
37. Feeding or allowing animals kept for the purpose of milk products and food to eat harmful substances, dirt or garbage.
38. Slaughtering animals for the purpose of selling meat at any place other than the designated place.
39. Selling food or drink that is not correct in terms of actual substance and quality as required by the buyer.
40. Burying or cremating a dead body in any place other than a public or registered cemetery or crematorium without the permission of the Pourashava.
41. Removing a dead body by any route other than that specified by the Pourashava.
42. Moving or defacing a signpost, lamp-post or lamp of the Pourashava without proper permission, extinguishing any lamp of the Pourashava.
43. Putting up a bill, notice, placard or any other letter or advertisement for this purpose on any building or in any place other than that specified by the Pourashava.
44. Displaying any obscene advertisement.
45. Piling up or collecting logs, wood, dry grass, straw or any other combustible material in a manner declared dangerous by the Pourashava.
46. Driving a vehicle without proper lighting from half an hour after sunset to half an hour before sunrise without proper lighting.
47. Not keeping to the left without reasonable cause while driving a vehicle or keeping to the right while passing another vehicle going in the same direction or not observing other traffic regulations on the road.
48. Playing musical instruments or radios, beating drums or tom-toms, blowing horns or trumpets, banging brass or other instruments or utensils in violation of any general or special prohibition issued by the Pourashava.
49. Burning firearms, fireworks, firecrackers, fire balloons or explosives or storing any shell of these bullets

in such a way as to cause or be likely to cause danger, harm or injury to pedestrians or people living or working in the surrounding area or to any property.

50. Cutting down trees or carrying out construction or excavation work or causing explosions in a manner that is or may be dangerous to pedestrians or people living or working in the vicinity.
51. Letting loose or letting loose a vicious dog or other dangerous animal.
52. Failing to demolish or otherwise make safe any building declared dangerous by the Pourashava.
53. Using or allowing to be used for human habitation a building declared unfit for human habitation by the Pourashava.
54. Failing to whitewash or repair any building after the Pourashava has ordered it.
55. Failure by the owner or occupier of any building to make adequate arrangements for the disposal of household waste after being directed by the Pourashava.
56. Willfully obstructing any officer or employee of the Pourashava or any person authorized by the Pourashava in the exercise of any power conferred by or under this Ordinance.
57. Exposing or exhibiting any deformity of the body or any disease or any harmful wound or injury for the purpose of inciting begging, solicitation or charity.
58. Establishing a brothel or operating prostitution in an area declared prohibited by the Pourashava.
59. Knowingly participating in or obtaining an interest in any contract with the Pourashava by or on behalf of the Pourashava, directly or indirectly, by himself or by a partner, by a councillor or officer or employee of the Pourashava.
60. Absence from duty or neglect of duty or refusal to do duty or wilfully or invisibly performing any duty of an officer or employee declared to be an essential officer or employee by the Pourashava.
61. Doing any act specified as an offence under this Ordinance.
62. Violating the provisions, rules or bye-laws of this Ordinance or any order, direction, notification or proclamation made or issued thereunder.
63. Attempting to commit or abetting the commission of any of the above offences.

Part-5

Offences under the City Corporation

1. Evasion of taxes, excises, tolls, rates and fees lawfully levied by the Corporation.
2. Failure to furnish information or furnishing false information to the Corporation on any matter on which the Corporation may require any information under this Ordinance or any rule or regulation.
3. Carrying out any work for which a license or permit is required under the provisions of this Ordinance or any rule or regulation without a license or without a permit.
4. Construction or reconstruction thereof without the necessary approval under this Ordinance.
5. Development of any area without the necessary approval under this Ordinance.
6. Construction of any road or carrying out construction work without the approval of the Corporation.
7. Unlawful entry into any public road without the permission of the Corporation.
8. Picketing, keeping animals, storing vehicles on any road, or using any road as a place for stopping vehicles or animals and pitching tents, without the necessary permission under this Ordinance.
9. Allowing domestic animals to roam freely.
10. Without the permission of the Corporation, intentionally or negligently, causing excrement or any other harmful substance from a latrine or drain to spill or roll on any public road or any place used by the public or to fall into any sewer, ditch or drainage not intended for such purpose.
11. Digging or altering a sewer in any public road without the permission of the Corporation.
12. Connecting a house sewer to a public road sewer without the permission of the Corporation.
13. Throwing or keeping garbage on any road or in any place not specified by the Corporation for this purpose.
14. Carrying on any dangerous or harmful business, trade or depositing any dangerous or harmful goods without the permission of the Corporation.

15. Doing any act which renders drinking water unfit for consumption.
16. Drinking water from any source which is prohibited by the Corporation on the suspicion that it is dangerous to public health.
17. Making cattle or animals drink or bathe or urinate near any source of drinking water for public use.
18. Dipping hemp, jute or any other plant material in or near any pond or basin situated within a distance determined by the Corporation from a residential area.
19. Dyeing or tanning leather within a distance determined by the Corporation from a residential area.
20. Willfully or negligently damaging any well, pipe, reservoir or water supply facility under the control or management of the Corporation.
21. Taking water from any pipe or diverting water without the permission of the Corporation.
22. Unlawful interference with any pipe, meter or other equipment installed for the purpose of water supply.
23. Excavation of soil, stone or anything else within a distance determined by the Corporation from a residential area.
24. Establishment of brick kiln, lime kiln, wood or coal kiln and pottery industry within a distance determined by the Corporation from a residential area.
25. Disposal of the remains of any animal without the permission of the Corporation.
26. Failure to cover, remove, repair or clean or disinfect or properly maintain any latrine, urinal, sewer, excrement, water, garbage or other place or container for storing waste matter, despite being directed by the Corporation.
27. Failure of the owner or occupier of the land concerned to remove or clean any weed, shrub or creeper, despite being declared by the Corporation to be injurious to public health or the environment.
28. Failure of the owner or occupier of the land concerned to cut, remove or clear away any weed, shrub or creeper growing on any place adjacent to a public road, despite it being injurious to public traffic by hanging over any pond, well or other source of water for public use.
29. Cultivation of any crop declared by the Corporation to be injurious to public health or to the surrounding area, application of manure or irrigation of land in a manner declared to be injurious.
30. Failure of the owner or occupier thereof to clean, repair, cover or fill up or to drain water from any well, pond or other source of water supply declared by the Corporation to be injurious to public health or to the surrounding area.
31. Failure of the owner or occupier of any land or building to provide suitable pipes or drains for the drainage of water or refuse from any land or building as directed by the Corporation.
32. Failure of a medical practitioner to report the existence of an infectious disease to the Corporation while on duty as a medical practitioner, despite being aware of the same.
33. Failure of any person to report any infectious disease to the Corporation despite knowledge of the existence of such disease at any place.
34. Failure of the owner or occupier of any place infected with an infectious disease to disinfect it.
35. Sale of food or drink by a person infected with an infectious disease.
36. Failure of the owner or driver of any vehicle infected with a disease to disinfect it.
37. Giving any animal kept for milk or food to feed or eat any harmful substance.
38. Slaughtering any animal for the purpose of selling meat at any place other than the place designated for this purpose. Cheating the buyer by supplying food or drink of inferior or different quality instead of supplying food or drink as required by the buyer.
39. Burying or cremating a dead body at any place other than a registered cemetery or crematorium for the general public without the permission of the Corporation.
40. Carrying a dead body by any road other than that designated by the Corporation.
41. Moving or defacing the direction board or lamp post of the Corporation without proper permission or extinguishing the lights of the Corporation.
42. Putting up any advertisement, notice, placard or any other kind of leaflet in any place other than a place designated by the Corporation for this purpose.

43. Displaying any obscene advertisement.
44. Stacking wood, grass, straw or any other combustible material in a manner declared dangerous by the Corporation.
45. Driving any vehicle without proper lighting during the period from half an hour after sunset to half an hour before sunrise.
46. Not keeping to the left side of the road without a valid reason or not obeying other restrictions related to movement on the road while driving.
47. Playing radio, television or musical instruments, using a microphone, beating drums, blowing horns, or making noise with a pipe or any other object in violation of any prohibition issued by the Corporation.
48. Throwing firearms, crackers or fireworks or engaging in games or hunting with them in such a way that there is or is likely to be danger or damage to pedestrians or people living or working in the surrounding area or to any property.
49. Cutting trees, constructing buildings or carrying out excavation work or causing explosions in such a way that there is or is likely to be danger to pedestrians or people living or working in the surrounding area.
50. Releasing or letting loose a vicious dog or any other dangerous animal without control.
51. Failure to demolish or strengthen any building declared by the Corporation to be dangerous.
52. Using for habitation or allowing any person to inhabit any building declared by the Corporation to be unfit for human habitation.
53. Failure to whitewash or repair any building despite being directed by the Corporation.
54. Failure of the owner or occupier of the house despite being directed by the Corporation to make adequate arrangements for the removal of sewage from the house.
55. Willfully obstructing any officer or employee of the Corporation or any person authorized by the Corporation in the exercise of the powers conferred under this Ordinance.
56. Making annoying begging or showing any deformed part of the body or dirty wound.
57. Establishing a brothel or operating prostitution in an area declared prohibited by the Corporation.
58. Any Commissioner or any officer or employee of the Corporation knowingly, directly or indirectly, acquiring ownership or share in any contract of the Corporation, either personally or through any partner.
59. Absence from work, neglect of work or refusal to work by any such officer or employee, despite being declared an essential officer or employee by the Corporation, or willfully or incompetently performing work.
60. Doing any act declared to be an offence by rules.
61. Disobeying this Ordinance or any rule or any order or direction made thereunder or any declaration or notification issued thereunder.
62. Attempting or aiding in the commission of the above-mentioned offences.

    The Government may, in consultation with the Commission, by notification, assign other functions and responsibilities.

Government of the People's Republic of Bangladesh

Local Government Reform Commission

Preamble: Whereas, the "Local Government Reform Commission" has been duly constituted with the approval of the Hon'ble Chief Adviser of the Interim Government of the People's Republic of Bangladesh, with the mandate to recommend such reforms as may be deemed necessary for the purpose of strengthening and making the local government system of the People's Republic of Bangladesh more effective;

Whereas, the noble purpose of the spirit of July-August 2024 revolution of students and the mass people was to eliminate the disparities and sustain the effectiveness of the democratic system to ensure the rule of law and a better participatory system in the local government structure, reflecting the will of the people;

Whereas, the local government system is recognized as a separate public entity and an integral part of the state structure in the Constitution of the People's Republic of Bangladesh, and strengthening local government is essential to empower the people, the owners of all powers of the Republic; And

Whereas, it has become imperative to enhance transparency and accountability in the local government in the Local Government Institutions, resolve conflicts, battle against corruption, and establish good governance;

Whereas, the existing laws and regulations governing local government institutions are not sufficiently effective to improve the capacity of the local governments to attain the targeted goals, it has become expedient and necessary to repeal those Acts and to enact a unified and consolidated legal framework titled the "Local Government (Union Parishad, Upazila Parishad, Zila Parishad, Pourashava, and City Corporation) Ordinance, 2025," along with provisions for its timely implementation, maintenance, monitoring, and operational guidelines; and it is considered to be appropriate and necessary to enact a new law for the establishment of a Permanent Local Government Commission to oversee the implementation of the aforementioned Ordinance;

Therefore, it is hereby enacted as follows:

The Local Government Commission Ordinance, 2025

(Ordinance No. ---- of 2025)

Section 1. Short Title, Commencement, and Application:

(2) This Act shall be known as the *Local Government Commission Ordinance, 2025*.

(3) It Ordinance shall come into effect on the date, which the Government shall decide through notification in the official Gazette.

(4) This Ordinance shall apply to the whole of Bangladesh.

Section 2. Definition

Unless there is anything contrary to the subject or context, in this Ordinance—

(a) "Commission" means the Local Government Commission constituted under Section 3 in this Act;

(b) "Chairman" means the Chairman of the Commission;

(c) "Member" means a Member of the Commission;

(d) "Local Government Institution" means the Union Parishad, Upazila Parishad, Zila Parishad, Pourashava (Pourashava), City Corporation, and, applicable cases, the Hill District Councils and the Chittagong Hill Tracts Regional Council;

(e) "Fund" means the Fund of the Commission formulated under Section 15 of this Ordinance;

(f) “Manpower” means the manpower of the Commission;

(g) “Rules” means the rules framed under this Ordinance;

(h) “Regulations” means the regulations formulated under this Ordinance;

(i) “Government” means the Local Government;

(j) “Secretariat” means the Secretariat established under this Ordinance;

(k) “Hill District” means Rangamati Hill District, Khagrachari Hill District, and Bandarban Hill District;

(l) “Hill District Council” means the Rangamati Hill District Council, Khagrachari Hill District Council, and Bandarban Hill District Council established under their respective Acts;

(m) “Chittagong Hill Tracts Regional Council” means the Chittagong Hill Tracts Regional Council constituted under the Chittagong Hill Tracts Regional Council Act, 1998;

(n) For the purpose of fulfilling the objectives of this section, “Supreme Judicial Council” shall mean the Supreme Judicial Council constituted under Article 96 of the Constitution of the People’s Republic of Bangladesh, and in the event of an inquiry into an allegation brought against the Chairman or any Member, the provisions of Article 96(3) of the Constitution shall be applied with necessary modifications.

Section 3. Formation of the Commission

(1) Subject to the provisions of this Act, the Government shall, as soon as practicable, after the commencement of this Act, shall constitute a Commission to be called the *Local Government Commission*, through notification to be published in the official Gazette.

(2) The Commission shall be a statutory body and shall have perpetual succession and a common seal, and subject to the provisions of this Ordinance, shall have the power to acquire, hold, and transfer both movable and immovable property, and may sue and be sued in its own name.

(3) The Commission shall be a statutory body comprising one Chairman and at best four Members.

(4) The Chairman and Members shall be appointed by the Government in the similar manner by which the Chairman and Members of other constitutional commissions are appointed, and their appointment, privileges, and other terms and conditions shall be decided by rules.

(5) The Chairman shall be the Chief Executive of the Commission.

(6) The Commission shall have its own Secretariat.

(7) The Commission shall be independent in the performance of its responsibilities and shall be subject only to the Constitution and the law.

Section 4. Qualifications and Procedure for Appointment

1. **The qualifications for appointment of the Chairman and four Members shall be the substantial experience and recognized contribution in the field of local government. The Chairman and all other four Members commission must be individuals of high moral character and integrity and shall be committed to safeguarding the public interest. The primary qualifications to be considered in this regard shall include:**

   (a) Extensive administrative experience, including in local government management; or

   (b) Nationally and internationally recognized academic and research work and experience in local government; or

   (c) Special expertise in public finance and accounts management; or

(d) Specialized experience in disciplines such as Sociology, Political Science, Economics, Public Administration, Law, Urban and Rural Planning, etc.;

(e) As far as practicable, the qualifications of the four Members shall pertain to four distinct and specialized fields of expertise.

2. Appointment Procedure:

(a) A selection committee appointed by the National Parliament or the President shall prepare a panel of ten candidates.

(b) A comparative list of qualifications shall be prepared for the shortlisted candidates for each position, including the Chairman.

(c) The names of the shortlisted candidates shall be published in the mass media and in the official websites.

(d) Mass objections, if raised, shall be duly reviewed and assessed.

(e) The committee shall submit its final recommendations to the President.

(f) The President shall approve the appointment of the Chairman and four other Members.

Section 5. Disqualifications for Appointment

A person shall be eligible for appointment as Chairman or member if she/he:

(a) is not a citizen of Bangladesh;

(b) is a loan defaulter in any bank or financial institution;

(c) is an elected representative or employee of any local government institution;

(d) is associated with any private organization which may raise any conflict of interest with the Commission's responsibilities;

(e) is engaged in any business or financial activities that may influence the activities of the Commission;

(f) has been declared convicted by the competent court in a criminal offense;

(g) does lobby or canvass for appointment of a candidate in the Commission.

Section 6. Age Limit

(1) A person shall be eligible for appointment as the Chairman of the Commission if he or she is at least sixty (60) years and at best 80 (eighty) old on the date of his/her appointment as Chairman.

(2) No person shall be appointed as a member unless she/he is not less than 50 years and not more than 70 years old on the date of appointment.

Section 7. Tenure of Appointment

(1) The Chairman and four members of the Commission shall hold office for a period of 5 years from the date of their appointment:
Provided that no person shall be eligible for appointment as Chairman or member consecutively or otherwise for more than two terms. Further provided that if the office of the Chairman falls vacant due to age or any other reasons, the senior-most member of the Commission shall act as the acting Chairman until the appointment of a new person is made.

(2) If the office of the Chairman or a member falls vacant before the expiry of his/her duration, the Government shall, in the manner prescribed in Section 4, shall appoint a new Chairman or member.

Section 8. Removal of the Chairman and Members

(1) The President may, on the basis of proven misconduct, physical or mental inability, on the basis of the inquiry report of Supreme Judicial Council, or because of suppression of information, may remove the Chairman or any Members from their offices.
(2) If the Chairman or a member commission fails to submit the account of their assets during or after their appointment shall be removed.
(3) For the purpose fulfil the objectives of this section, "Supreme Judicial Council" shall mean the Council constituted under Article 96 of the Constitution of the People's Republic of Bangladesh, and the provisions of Article 96(3) of the Constitution shall apply, with necessary adaptations, in an inquiry conducted by the Council against the Chairman or a Member.

Section 9. Terms of Service, Salary, and Allowances

(1) The terms of service, salary, allowances, and other benefits of the Chairman and members of the Commission shall be determined by the Government.
(2) The Chairman and members shall be full-time officers and shall perform their official duties on full-time basis.
(3) The terms and conditions of the service, salary, and allowances of the Chairman and members shall not be varied to their disadvantage after their appointment.
(4) The Chairman shall enjoy the salary, allowances, and status of a full Minister/Judge of the Appellate Division, and the members shall enjoy the status and salary of a High Court Judge.

Section 10. Resignation

(1) The Chairman or a member may resign from his/her office by submitting a signed resignation letter to the Government.
(2) The Chairman or any of the members may withdraw their resignation before its acceptance by the Government.

Section 11. Powers of the Commission

(1) Subject to the provisions of this Act and the rules formulated thereunder, the Commission may exercise the following powers to ensure the proper management, administration, development, and control of local government institutions.
(A) The Local Government Commission shall act as the ombudsman for the Ministry of Local Government, Public Institution and Public Engineering and their subordinate institutions, as well as all local government institutions.

b) Policy-making Powers:

i. To formulate, review, update, and recommend policies, strategies, and action plans for the overall development of local government institutions;
ii. To prepare model codes of conduct for local government institutions and monitor their implementation;
iii. To formulate financial regulations for local government institutions and monitor their implementation;
iv. Arrange the oath-taking ceremonies of elected representatives of local government institutions.

c) Supervision and Monitoring Powers:

i. To supervise and monitor the activities of local government institutions;
ii. To review and approve or recommend for approval of the budgets and development plans of local government institutions;
iii. Regularly audit the income and expenditure accounts of local government institutions in a prescribed manner;
iv. To conduct the spot inspections of the activities of local government institutions.

d) Regulatory and Coordinating Powers:

i. To take measures to mitigate disputes arising among local government institutions;
ii. To coordinate the activities of the local government institutions with various ministries, departments, and agencies of the Government;
iii. To support the local government institutions in performing their functions;
iv. To support the Election Commission in conducting elections of the local government institutions;

e) Human Resource Management Powers:

i. To recommend to the Government about the manpower structure of the local government institutions;
ii. To formulate rules and regulations regarding the formulation and management of the "Local Government Service";
iii. To formulate the policy for recruitment, posting, promotion, and transfer of employees of local government institutions and monitor their implementation;
iv. To formulate and implement training programs for the elected representatives and employees of local government institutions;

f) Power to Receive and Resolve Complaints:

i. To receive complaints relating to services and activities, and misconduct of elected representatives of the local government institutions;
ii. To investigate on the received complaints and recommend for the appropriate action basing the findings of the investigation report:

Provided that, if the Commission feels it necessary the take the assistance of a specialist, the Commission may appoint such person temporarily on special terms or take their services on special conditions.

g) Power for data collection and preservation:

i. Collect and preserve data relating to activities of the Local Government Institutions, and assist in decision-making based those data through dashboards;
ii. Conduct research relating to local government issues and recommend to the Government on the basis of research findings.

h) Other Powers:

i. The Commission in consultation with the Government may, if deems necessary, appoint one or two part-time special members for working in the specialized tasks;
ii. The Commission, for the purpose of fulfilling the objectives of this Act, may exercise authorities prescribed by other rules or regulations;
iii. Raise the public awareness about enacted Acts and Rules relating to the local government;
iv. Perform any other duties assigned by the Government at different times.

(2) The Commission for discharging its duties and responsibilities effectively under this section, may exercise the powers stated below in the way similar to the Civil Court run under the Civil Procedure Code, 1908:

(a) Summon any person and compel his/her attendance and take evidence under oath;

(b) Compel to search out and present documents or records;

(c) Send commissions for recording speeches of the witnesses;

(d) Requisition the public record or copy thereof from any court or office;

(e) Issue show-cause notices to concerned individuals;

(f) Exercise any other power prescribed by rules for fulfilling the objectives of this Act.

Section 12. Functions of the Commission

(1) The Commission shall perform the following functions, namely: —

Core Functions

1. The Local Government Commission shall be regarded as the Ombudsman of the local government system and shall discharge the functions of an Ombudsman as per the Constitution.
2. The Commission shall endeavor to bring harmony and coordination among all ministries related to local government.
3. The Government shall obtain the opinion of the Commission before allocating funds for the local governments in the national budget.
4. The Ministry shall obtain opinion of the Commission for enacting, amending or revising any Act, Rule or regulation related to local government.
5. The Commission shall have the authority to provide directives on policies of any ministry involved in local development and service delivery of the Local Government Institutions.

Other Functions

(a) Regular review of the activities of local government institutions, concerned rules and regulations, strategies, action plans etc., of local government institutes on a regular basis and provide timely recommendations for reform to the Government;

(b) Formulate the code of conduct in light of the National Integrity Strategy for the elected representatives of local government institutions and monitor its execution;

(c) Take necessary measures regarding the oath-taking and removal of elected representatives of the local government institutions;

(d) To ensure transparency and accountability in the activities of local government institutions and the public representatives;

(e) Attract skilled man-power in the local government institutions for forming the “Local Government Service” and formulate rules and regulations for its efficient operation;

(f) Oversee and monitor the recruitment, posting, and promotion of employees of local government institutions and to formulate policies in this regard;

(g) Recommend to the Government for determining the financial allocations, honorariums/ salaries and allowances for elected representatives for operating their regular activities;

(h) Receive complaints regarding the service delivery, functions and misconduct of local government institutions or their elected representatives, conduct investigations, and recommend appropriate action to the Government on the basis of the investigation report;

(i) Provide all out cooperation and support to the Election Commission to ensure free, fair and unbiased elections of local government institutions;

(j) Increase cooperation and exchange of experiences with different international organizations, development partners, and international organizations for strengthening the local government system;

(k) To prepare annual reports on the activities of local government institutions and present those reports to the National Parliament;

(l) To perform any other functions assigned by the Government from time to time.

Section 13. Recommendation on Transfer of Government Resources

(1) The Commission shall review the feasibility of transferring different resources under the government-control, such as hat-bazars, water bodies, sand quarries, stone quarries, ferry terminals, etc., to the concerned local government institutions to increase their revenue income.

(2) Upon completion of such feasibility under sub-section (1), the Commission may, considering public interest, shall provide rational recommendations to the Government for transferring such resources to the concerned local government institution.

(3) The Government shall take necessary steps considering the recommendations of the Commission.

Section 14. Secretary and Other Officers of the Commission

(1) There shall have a Secretary appointed by the Government in the Commission with vast experience and knowledge about the local government.

(2) The Secretary shall be a full-time officer of the Commission and shall be responsible for implementing decisions and performing regular administrative functions of the Commission.

(3) The rank, qualifications, and service conditions of the Secretary shall be determined by the Government.

(4) With prior approval of the Government, the Commission may appoint such number of officers and employees as may be necessary for the proper discharge of its functions.

(5) The recruitment procedure, number of posts, ranks, responsibilities, duties, and service conditions of the officers and employees of the Commission shall be determined by rules.

(6) The Commission shall determine its staffing structure in consultation with the Government.

Section 15. Power relating to Appointment

In consultation with the Government and subject to obtaining clearance and consultation with the Government, the Commission shall have the power to appoint the third and the fourth-class officers and employees in its office.

Section 16. Establishment of Commission Fund

(1) For fulfilment of the objectives of this Act, a fund called the "Local Government Commission Fund" shall be established.

(2) The following funds shall be credited to the Commission, namely: —

(a) Grants provided by the Government;

(b) With prior approval of the Government, grants received from any foreign government, agency, or international organization;

(c) Income generated by the Commission;

(d) Fees received in exchange of services rendered by the Commission;

(e) Profit earned from the investment of the fund of the Commission;

(f) Funds received from any other lawful source of income.

(3) The Secretary shall operate the funds on behalf of the Commission.

Section 17. Preservation and Investment etc., of the Commission's Fund

(1) The Commission fund shall be deposited in a scheduled bank.

(2) Required expenditures of the Commission shall be met from this fund.

(3) The account of the fund shall be maintained and operated in the manner prescribed by Rule.

(4) The Commission, with prior approval of the Government, may invest the funds in profitable sectors.

(5) Within three months from the date of completion of each of the financial years, the Commission shall prepare the income-expenditure statement of that year in the prescribed form and procedure decided by the Rule and will be deposited to the government for proper auditing.

(6) The Commission shall prepare an annual budget at the end of each financial year for the next financial year and submit it to the Government for approval.

(7) The Government shall approve the budget of the Commission and allocate the approved block grant.

Section 18. Oversight Strategy for controlling the Local Government Institutions (Union Parishad, Upazila Parishad, Pourashava, Zila Parishad, City Corporation, Chittagong Hill Tracts Local Government)

(1) Subject to this Act and the rules and regulations made thereunder, the Local Government Institutions shall be operated independently within their respective jurisdictions.

(2) The Commission will be empowered to apply the following oversight strategies over local government institutions: —

(a) Policy formulation and directives: The Commission shall formulate policies, guidelines, and model codes of conduct for the operation of local government institutions and issue necessary directives for its implementation.

(b) Approval of Plan: The Commission shall review the development plans and budgets framed as per provisions of the concerned Act and Rules of the Local Government Institutions and, if necessary, approve them with amendments or recommend their approval to the Government.

(c) Supervision and monitoring: The Commission shall regularly supervise and monitor the activities of Local Government Institutions and conduct field inspections.

(d) Calling for reports: The Commission may call for reports from Local Government Institutions on any matter and may provide necessary directions upon reviewing such reports.

(e) Audit and examination: The Commission shall examine and audit report of the income and expenditure of local government institutions in the prescribed manner and may conduct special audits if necessary.

(f) Investigation: The Commission shall investigate complaints against Local Government Institutes and make recommendations for action based on such investigation reports.

(g) Coordination: The Commission shall take necessary steps to ensure coordination of activities among Local Government Institutes and between Local Government Institutes and different ministries, divisions, and agencies of the Government.

(h) Special provisions for Chittagong Hill Tracts: In relation to Hill District Local Government institutes (Hill District Council and Chittagong Hill Tracts Regional Council), the Commission shall function in accordance with the relevant Acts, Rules, and contracts (if any) and shall advise the Government as and when necessary.

(3) The Commission shall exercise its control over local government institutions in such a manner so that their autonomy is not undermined or the conduct of their functions are hindered.

(4) Local government institutions shall be bound to execute the directions & recommendations of the Commission.

(5) If any local government institution fails to comply with the Commission’s directives, the Commission may recommend for appropriate action to the Government against such Local Government Institution

as per provisions of the rules.

Section 19. Power to Formulate Rules

For the purpose of fulfillment of the objectives of this Act, the Government may, by notification in the official Gazette, formulate rules.

Section 20. Power to Formulate Regulations

For the purpose of fulfilment of the objectives of this Act, the Commission may, with the prior approval from the Government formulate regulations and publish notification in the official Gazette.

Section 21. Removing the barriers to effective implementation of the Act

(1) If there arise any difficulty in the execution of the provisions of the Act, the Commission shall be empowered to take any necessary steps using the relevant orders to remove such difficulties.

(2) Until the relevant rules or regulations are framed by the Government for the removal of the difficulties, the Commission may take necessary steps in accordance with any judgment of the Supreme Court of Bangladesh.

National Physical Planning and Land Use Ordinance, 2025

Preamble: Whereas, to propose necessary reforms for strengthening and making effective the local government system of the People's Republic of Bangladesh, the "Local Government Reform Commission" has been constituted with the approval of the Hon'ble Chief Adviser of the Caretaker Government of the People's Republic of Bangladesh;

Whereas, in light of the spirit of the July-August 2024 student-public revolution, aimed at eliminating discrimination and maintaining the effectiveness of democratic systems, there exists a noble purpose to implement rule of law and more participatory systems in local government in accordance with people's aspirations;

Whereas, to ensure proper evaluation and control of Bangladesh's national physical planning and land use by establishing uniformity of laws and policies, and considering the natural conditions for infrastructure development, there is a need for a legal framework to adopt integrated infrastructure management strategies, policies, and programs;

Whereas, as infrastructure construction across all sectors is not being conducted through proper land use planning, the nation is often deprived of optimal development benefits, and local authorities must prepare local plans following a unified policy for both urban and rural areas under national physical planning;

Whereas, as existing local government institution laws lack specific and effective provisions regarding national physical planning and land use, it is appropriate and necessary to enact a new law for implementing time-appropriate national physical planning and land use, along with conservation, monitoring, and management guidelines;

therefore, it is hereby enacted as follows:

National Physical Planning and Land Use Ordinance, 2025
(Ordinance No. ___ of 2025)
Chapter I
Preliminary

1. **Short title, commencement and application** –
   (1) This law shall be called the National Physical Planning and Land Use Ordinance, 2025.
   (2) It shall come into force on such date as the Government may, by notification in the official Gazette, appoint.
   (3) This Ordinance shall apply to the whole of Bangladesh.
   Now, therefore, the following law is hereby made:

2. **Definitions –**
   Unless there is anything contrary to the subject or context, in this Ordinance—
   (1) ‘Authorized person’ means, in relation to any provision, a person who has been designated in writing by the local planning authority as an authorized person for the purposes of that provision;
   (2) ‘Appeal Board’ means the Appeal Board constituted under this Act;
   (3) ‘Engineering operations’ means the formation or levelling of land, the construction or laying of roads and the laying of cables, main pipes, or conduits for the supply or drainage of water;
   (4) ‘Development’ means the carrying out of building, engineering, mining, industrial or other similar operations in, on, over or under any land, the making of any material change in the use of any land or building or any part thereof, or the subdivision or consolidation of land surfaces; and the expression "to develop" shall be construed accordingly;

(5) ‘Development area’ means a development area declared under this Act;
(6) ‘Development charge’ means the development charge prescribed by this Act;
(7) ‘Development plan’ means a “development plan” in relation to any area— a local plan for the area; or if there is no local plan for the area, the Structural Plan for the area and, in relation to any land or building, the development plan defined for the area in which the land or building is situated;
(8) ‘Development Proposal Report’ means the report required to be submitted by an applicant for planning permission as prescribed in this Act;
(9) ‘Committee’ means the District Planning Committee established under section 4;
(10) ‘Council’ means the National Physical Planning Council established under section 2A;
(11) ‘Central Planning Committee’ means the committee referred to in Article 3 with the Chief Planner of the Department of Public Engineering as the Chairman;
(12) ‘Agriculture’ means horticulture, farming, the growing of crops, fruits, vegetables or plants, the cultivation of plants for use as livestock, production of milk, breeding and keeping of cattle, fish or bees, and the use of land for purposes incidental to those activities or for any other agricultural activity; but does not include the enjoyment of land as a garden with a building attached to the land; and "agriculture" shall be construed accordingly;
(13) ‘Structural Plan’ shall mean, in relation to a district, the structural plan for that district and any modifications to such effective plan made under Section 17; and in relation to any land or building, shall mean the **“structural plan”** for the district where such land or building is situated; and the term **"Draft Structural Plan"** shall be construed as the context may require;
(14) ‘Draft Local Plan’ shall mean a draft local plan and draft structural plan prepared under this Act;
(15) ‘Tree felling’ means the cutting, topping, tearing, uprooting, damaging or destroying of trees;
(16) ‘Density’ means the intensity of land use calculated or expressed on the basis of the number of persons, residential units, or habitable rooms per unit of land, or a combination of all those factors;
(17) ‘District Planning Committee’ means, in relation to an area, the District Planning Committee established for that area under section 4;
(18) ‘District Planner’ means the District Level Planner of the Department of Public Engineering;
(19) ‘National Physical Plan’ means the physical plan adopted, prepared and approved under this Act;
(20) ‘District Director’ shall mean the Director of the Department of Public Engineering of that district;
(21) ‘Rules’ means the rules made under this Act;
(22) ‘Chief Planner’ means the Chief Planner of the Department of Public Engineering whose functions are primarily as set out in Section 2B;
(23) ‘Plan’ includes reports, drawings, maps and models adopted under this Act;
(24) ‘Planning permission’ means permission granted for development, whether subject to conditions or not;
(25) ‘Plinth area’ means the proportion of any lot covered for construction;
(26) ‘Plot ratio’ means the ratio of the total floor area of a building to the area of the building plot measured within the survey boundary line or, if there is no survey boundary line, within the provisional boundary line;
(27) ‘Specially protected lands’ means wetlands, rivers, riverbanks, forests, floodplains, mineral deposits, cropland, reservoirs, residential areas, factories, markets, business centers, open fields, pastures, canals, beels, haors-baors, etc., declared by the government for special purposes;
(28) ‘Use’ means the use of land specified in Schedule One to this Act;
(29) ‘Building’ means any house, hut, shed, or roofed enclosure, whether or not used as a human habitation, and includes any wall, fence, platform, stage, gate, pole, pillar, frame, hoarding, slip, dock, wharf, jetty, landing-stage, or bridge, and any structure, support, or foundation attached to or connected

with any of those structures;

(30) 'Building construction' means the demolition, construction, reconstruction or extension of any building or part thereof and includes—

(a) the increase in height or floor area of any building;
(b) the construction or reconstruction of the roof of any building or part thereof;
(c) any addition or alteration to any building which affects its drainage or sanitary arrangements or is likely to affect its soundness;
(d) any addition or alteration to any building, whether made before or after the construction of the building, which deviates in any way from any plan or specification approved for the building at any time by any authority empowered under written law to approve plans or specifications;
(e) any addition or alteration to any building which materially affects or is likely to materially affect the building; and
(f) any other activity customarily undertaken by a person carrying on the business of building construction;

And for the purposes of this definition, "habitable room" does not include a kitchen, storeroom, utility room, toilet, bathroom or garage;

(31) 'Earthworks' means any work of excavation, levelling, filling with any material, or felling of trees on any land, or dealing with or disturbing any land;

(32) 'Land' means—

(a) the surface of the earth and all the substances forming the surface;
(b) all the substances beneath the surface of the earth;
(c) all plants and other natural products, whether or not the production of which requires the application of labor, and whether on or under the surface of the earth;
(d) whether on or under the surface of the earth, which is attached to the earth or to anything permanently attached to the earth;
(e) land covered by water; and
(f) any property or interest in or on land;

(33) 'Floor area' means the total floor area of a building, measured between the centers of the external walls or, in the case of partition walls, between the centers of such walls;

(34) 'Local Authority' means any City Corporation, Municipality, Zilla Parishad, Upazila Parishad and Union Parishad;

(35) 'Local Plan' shall mean a local plan adopted under this Act;

(36) 'Local Planning Authority' shall mean, in relation to any land or building, the local planning authority designated under this Act;

(37) 'Minister/Advisor' means the Minister/Advisor responsible for the National Physical Plan;

(38) 'Occupant' means an "occupier" in relation to any land or building, and includes—

(a) a tenant of the land or building;
(b) the owner of the land or building who is occupying or otherwise using the land or building;
(c) a person in actual possession of the land or building either in his own name or as agent for another person, but does not include a tenant;

(39) 'Open space' means any land, whether enclosed or not, which is reserved in whole or in part for the public as a garden, park, sports and recreation ground, pleasure ground, promenade or other public establishment;

(40) 'Owner', in relation to any land or building, shall mean—

(a) The registered owner of the land;
(b) If the registered owner cannot be located in the opinion of the Local Planning Authority, his agent or trustee;
(c) In case of the registered owner's death, his legal personal representative;
(d) If none of the persons mentioned in clauses (a) and (b) exist and clause (c) is not applicable, the

person who is currently receiving rent for the land or building - whether in his own name or as agent/trustee for another person, or as receiver - or who would receive rent if the land or building were let out;

(41) 'Determination' means to determine in accordance with the rules;

(42) 'Road' means any public or private road and any road, square, court, lane, bridge, footpath, track, passage or highway, howsoever situated, over which the public has a right of way;

(43) 'Special Area' means the area specified under this act;

(44) "Amenity" shall mean any quality or condition of a place or area that contributes to its pleasantness, harmony, and enhanced enjoyment, including but not limited to open spaces, parks, recreational grounds, and playgrounds;

Second Chapter
Policy and Administration

3. **National Physical Planning Council**

(1) A National Physical Planning Council shall be established for the management of national, regional and local physical planning within the framework of the National Physical Planning in the country, the structure of which shall be as follows:

a)	Prime Minister/Chief Advisor	Chairman
b)	Deputy Prime Minister/Senior Minister/ Advisor (one)	Vice-Chairman
c)	Minister/Advisor of the Ministry of Local Government, Rural Development & Cooperatives	Member
d)	Minister/Advisor of the Ministry of Housing and Public Works	Member
e)	Minister/Advisor of the Ministry of Planning	Member
f)	Minister/Advisor of the Ministry of Finance	Member
g)	Minister/Advisor of the Ministry of Land	Member
h)	Minister/Advisor of the Ministry of Road Transport and Bridges	Member
i)	Minister/Advisor, Ministry of Environment, Forest and Climate Change	Member
j)	Minister/Advisor of the Ministry of Disaster Management and Relief	Member
k)	Minister/Advisor of the Ministry of Agriculture	Member
l)	Minister/Advisor of the Ministry of Power, Energy and Mineral Resources	Member
m)	Minister/Advisor, Ministry of Health and Family Welfare	Member
n)	Cabinet Secretary	Member
o)	Chairman, National Physical Planning Committee	Member
p)	Chief Law Officer of the Government	Member
q)	One District Planning Committee Chairman-Member from each division nominated by the Prime Minister/Principal Advisor (total of 8);	Member
r)	Not more than five persons appointed by the Chairman	Member
s)	Chief Planner – Public Engineering Department	Member-Secretary

(2) The functions of the National Physical Planning Council shall be:

(a) To promote physical planning as an effective and efficient tool for improving the physical environment and achieving sustainable development in the country, within the framework of national laws and policy frameworks of various sectors in the country;

(b) Identifying economic zones, including growth centers, and defining the boundaries of planning areas, including formulating a national urban development strategy paper;

(c) Prepare a plan by identifying growing industrial areas, including conurbations, nationally, after analyzing appropriate data;

(d) To carry out all the work of preparing the National Physical Plan through the Planning Wing of the Department of Public Engineering;

(e) To advise the Central Government or any Zila Parishad including local authorities on matters related to physical planning required under this Act;
(f) To prepare and analyze the Infrastructure Growth Management Strategy in the country as soon as possible and to take necessary programs;
(g) Formulate national physical plans, district structure plans, and national urban and rural planning policies within the spatial planning framework as soon as possible;
(h) Classification of land according to nature. To prevent changes in the nature of land by identifying it nationally as agricultural land, homestead land, urban and rural land, forest land, wetlands, mountains, plains, floodplains, etc.
(i) To form the "Working Committee of the National Physical Planning Council", "National Physical Planning Advisory Council", "Inter-Agency Planning Group", "Technical Working" and Appeal Board for the formulation and implementation of the National Physical Plan;
(j) To establish an institutional framework for physical planning by dividing the administrative divisions of the country into general planning regions, if deemed necessary for the facilitation of physical planning. and;
(k) To perform any other functions assigned to the Council under this Act.

(3) The Council may from time-to-time issue directions to the Chief Planner of the Public Engineering Department consistent with the provisions of this Act and the Public Engineering Department will implement such decisions.

(4) The Council may add to and perform any function incidental or consequential to any of the functions referred to in sub-section (2) and may perform all functions necessary or expedient for the performance of its functions under this Act.

(5) The Council will arrange a meeting every four months in a year and hold any additional meetings called by the Chairman;

(6) The Council may determine its own procedure for the formulation and implementation of the National Physical Plan within the framework of the spatial planning.

(7) To advise on the addition to this Act or the making of separate rules on matters related to physical planning, namely, planning, control, use of land and buildings, development charges, tree preservation orders, appeal boards, land purchase notices and acquisitions, development areas and miscellaneous provisions;

4. **Functions of the Chief Planner of the Public Engineering Department -**

(1) There will be a specialized planning section of the Public Engineering Department on the subject of National Physical Planning—
(a) to conduct, disseminate and coordinate research relating to any aspect of the National Physical Planning;
(b) to publish reports, bulletins, statistics, monographs and other publications relating to the National Physical Planning and its methods;
(c) to provide information and education to the public on the National Physical Planning;
(d) to report and advise the Council on the use of the National Physical Planning in the conservation, use and development of the country's land and on any amendments to any law affecting the National Physical Planning and, on any matter, referred to it by the Council;
(e) to establish and maintain contact and cooperation with every Zila Parishad Authority relating to the National Physical Planning.

(2) The Chief Planner of the Public Engineering Department will be the Member Secretary of the National Physical Planning Council.

5. **General planning principles**

(1) Considering the population density in Bangladesh, Zila Parishad is given the responsibility of preparing plans for the areas under the jurisdiction of the Zila Parishad. The District Planning Committee shall

prepare the district Structural Plan and provide technical advice to the local planning authority in accordance with the rules laid down under this Act. According to the National Physical Planning and Land Use Act of Bangladesh, the Zila Parishad Authority will be responsible for the general principles in the development and use of all land and buildings within the area of each local authority under the Zila Parishad. Zila Parishad authority shall inform the citizens of the purpose of carrying out the duties of the Zila Parishad authority under this section through various media. The Committee may, from time to time, issue directions to any local planning authority on general matters not inconsistent with the provisions of this Act, and the local planning authority shall implement such directions.

(2) After preparing their own Structural Plans, the City Corporations will prepare integrated local plans for integrated development and implement development works. In preparing their framework and local plans, the City Corporations will follow the National Physical Planning and Land Use Act, the National Physical Plan, the Structural Plans of the Zila Parishad along with sector-wise policies and plans. The district-level planners of the Public Engineering Department will assist the city corporations in preparing all types of plans.

A central planning committee, consisting of the chief planner of the Public Engineering Department, will approve the structure plans of the district councils and city corporations by the National Physical Planning Council.

6. **District Planning Committee and its functions**

(1) A District Planning Committee will be established for the area covered by the Zila Parishad, consisting—

(a) The Chairman of the Zila Parishad will be the Chairman of the District Planning Committee;
(b) A Deputy-Chairman from among the members of the Executive Council of the Zila Parishad, to be appointed by the Zila Parishad Authority;
(c) Not more than three members appointed by the Zila Parishad, at least one of whom is related to the experience of urban and rural planning of the Zila Parishad from among the members of the Executive Council of the Zila Parishad;
(d) The Chief Executive Officer of the Zila Parishad/District Administrator or his representative;
(e) The District Planner of the Public Engineering Department, who becomes the Member Secretary of the Committee;
(f) A Director of the Land Division of the Zila Parishad area;
(g) Director of the Economic Planning Unit of the Zila Parishad area;
(h) A representative not below the rank of Executive Engineer of the Public Works/Roads and Highways/Water Resources Department/Shipping Authority of the Zila Parishad area.
(i) A Legal Advisor of the Zila Parishad area;
(j) A Financial Officer of the Zila Parishad area;
(k) Executive Engineer of the Public Engineering Department of the Zila Parishad area;
(l) Director of the Department of Environment of the Zila Parishad area;
(m) Four members appointed by the Zila Parishad.

(2) A member of the committee who is not engaged in any government duty may be paid an allowance approved by the Zila Parishad Authorities.

7. **The functions of the District Planning Committee –**

To prepare a District Structural Plan in accordance with the National Physical Planning and Land Use Act-2025, the National Physical Plan, the National Urbanization Policy and the relevant sectoral laws and policies and at the same time to promote the conservation, use and development of all lands in the Zila Parishad area within the national policy framework;

(a) To control, plan and coordinate all development activities in the Zila Parishad area;
(b) To advise the Zila Parishad on matters related to the conservation, use and development of land in the Zila Parishad area on its own initiative or at the request of the Government;

(c) To collect, maintain and publish statistics, bulletins, monographs and other publications related to the National Physical Plan and its methodology, to assist and encourage.

(d) To coordinate the municipalities, upazila councils and Union Parishads under the jurisdiction of the Zila Parishad in the Zila Parishad structure plan.

(3) The District Planning Committee may from time to time give any directions not inconsistent with the provisions of this Act to the Local Planning Authority and the Local Planning Authority shall give effect to such directions.

(4) The District Planning Committee may perform any other functions which are supplementary, incidental or consequential to any of the functions mentioned above and may perform all such functions as are necessary or expedient for the performance of its functions under this Act.

(5) The District Planning Committee may conduct local inquiries or hearings for the purpose of performing any of its functions under this Act.

(6) The District Planning Officer of the Department of Public Works shall be responsible for the implementation of the decisions and policies of the Committee as Secretary to the Committee on matters relating to National Physical Planning; and for the purpose of carrying out his functions under this sub-section, he may use the financial, manpower and other resources of his department.

(7) A District Planning Conference shall be held once every year. The following persons shall be present at the conference:

- All chairmen/mayors of Union, Upazila, Pourashava and City Corporation; Chairpersons and Shadow Council leaders;
- Members of the National Parliament of all chambers of the district;
- Leading business leaders and the district Chamber of Commerce
- Representatives of the District Lawyers Association
- Representatives of the District Shop Owners Association
- Workers' representatives
- Representatives of private voluntary organizations
- Representatives of women's organizations.

Provided that the District Planning Committee shall discuss the list of reserved lands, any procedures for approving building plans and designs, instances of obstructed water flow, waste management in urban and rural areas, and matters concerning transport, communication and environment; and provided further that such meeting shall be held prior to the District Council's own planning and budget session.

8. **Local Planning Authority -**

(1) The Municipalities, Upazilas and Unions situated within the Zila Parishad area shall be the Local Planning Authority for the Zila Parishad area.

(2) If any part of the Zila Parishad area is not part of the area of any Local Authority, the District Planner of the District Public Engineering Department shall be the Local Planning Authority and shall perform the functions of the Local Planning Authority in this Act relating to the term "Local Planning Authority".

(3) A Local Planning Authority shall furnish to the District Planning Committee such information relating to its activities as the Committee may from time to time require.

9. **Functions of Local Planning Authorities -**

(1) The functions of a Local Planning Authority will be—

(a) to regulate the development and use of all land and buildings within its area, and to make a Local Plan; a Local Plan is an integrated development plan including a hundred per cent land plan;

(b) to collect, maintain and publish, assist and encourage statistics, bulletins and monographs and other publications relating to town and country planning and its methods; and

(c) to perform such other functions as the District Planning Committee may assign to it from time to time.

(2) A Local Planning Authority may perform any function which is supplementary, incidental or consequential to any of the functions referred to in sub-section (1) and may perform all such functions as are necessary or expedient for the performance of its functions under this Act.

Third Chapter
First Part
Regional Planning Committee

10. **Regional Planning Committee -**

(1) The National Physical Planning Council may, from time to time, in consultation with the concerned Department and Zila Parishad Authorities, establish a Regional Planning Committee for a joint region comprising an area situated in two or more Zila Parishad areas.

(2) For the purposes of sub-section (1), the Minister shall publish in the Gazette the establishment of a Joint Regional Planning Committee and specify the boundaries of the joint region by which the committee is established.

(3) The Joint Regional Planning Committee consists of—

(a) A Chairman appointed by the Prime Minister/Chief Adviser;

(b) six persons representing the joint region, of whom at least four shall be government officers appointed by the Minister/Advisor;

(c) not more than four persons representing the Government of each region in the joint region, of whom one will be appointed by Zila Parishad, of whom one will be the District Planner of the Public Engineering Department in the area covered by the joint region; and

(d) the Chairman of each local planning authority within the joint region, if that authority is a local authority.

(4) The Joint Regional Planning Committee shall have a Secretary who will be appointed by the Chief Planner of the Public Engineering Department.

(5) The functions of the Joint Regional Planning Committee shall be-

(a) to advise and assist the District Planning Committee and the local planning authorities under the Zila Parishad on appropriate development plans for the joint region in accordance with national policies;

(b) to formulate policies for the direction and coordination of development of the joint region and to formulate a comprehensive Joint Regional Plan;

(c) to plan and coordinate the provision of infrastructure and facilities for the joint region;

(d) to establish common processes and procedures to be used by the Central Government and the Zila Parishad and the local authorities concerned for the joint region;

(e) to monitor the implementation of standards, guidelines and procedures to facilitate the development of the joint zone; and

(f) to conduct research necessary for the planning of the joint zone.

(6) The Joint Regional Planning Committee shall furnish to the concerned District Planning Committee and the National Physical Planning Council such returns, reports and information relating to its activities as the Council or the District Planning Committee may request from time to time.

(7) The Joint Regional Planning Committee shall determine its own procedure for the implementation of its activities.

Second Part
National Physical Plan

11. **National Physical Plan -**

(1) The Chief Planner of the Public Engineering Department shall, as directed by the Council, prepare a draft National Physical Plan, including its planning subdivisions, and submit it to the Council for

approval, covering the whole of Bangladesh.

(2) The draft National Physical Plan shall be—

(a) a written statement setting out the strategic policies for the purpose of determining the general direction of the physical development of the nation and the integrated national development trend;

(b) such indicative plans as may be necessary to clarify the strategic policies;

(c) such other matters as may be prescribed or may be specified by the Council in any particular case;

(d) To form special feature planning areas considering the characteristics, structure, local culture, resources, etc. of different areas of the country and to determine the system for their management.

While determining the content of the National Physical Planning Council, the Chief Planner of the Public Engineering Department shall consider the current National Urbanization Policy and other similar sectoral policies and shall consult with each Zila Parishad Authority and other authorities or organizations as directed by the Council.

(3) Along with the review of the National Five-Year Development Plan, the National Physical Planning Council will review the National Physical Plan every five years at a time as directed by the National Physical Planning Council.

(4) It shall be the general duty of the Central Government and each Zila Parishad to assist in ensuring that the objectives of the National Physical Plan are achieved.

(5) The Chief Planner of the Public Engineering Department shall report to the Council periodically, or at such time as the Council may direct, on the implementation of the National Physical Plan.

Third Part
Development Plan

12. **Survey of the planning area -**

(1) The District Planner of the Public Engineering Department will, in so far as he/ she has not already done so, conduct a survey of the area covered by the Zila Parishad, examine the matters likely to affect the development or planning of the area covered by the Zila Parishad and in any case keep such matters under review.

(2) Notwithstanding the discharge of his duties under sub-section (1), he shall, if he thinks fit, and if so, directed by the Council or the District Planning Committee, conduct a fresh survey of the entire district, examining the matters referred to in that sub-section.

(3) Without prejudice to the generality of sub-sections (1) and (2), the matters to be examined and kept under review under that sub-section shall include—

(a) the main physical, economic, environmental and social characteristics of the State, including the principal land uses, and, so far as may be likely to affect the state, the characteristics of the adjoining areas;

(a 1) the national physical plan and other major economic, social, physical and environmental management and conservation policies of the nation;

(b) the size, composition and distribution of the population of the state, whether resident or not;

(c) the effects of paragraph (a), the communications, transport and means of transport of the state and, so far as may be, the state, on the adjacent areas;

(d) any matter not mentioned in any of the preceding paragraphs which may be expected to affect any of the matters mentioned;

(e) such other matters as may be prescribed or as the Council or the District Planning Committee may specify in any particular case; and

(f) any changes already proposed in any of the matters in the preceding paragraph and the effect of such changes on the ‘development, or development plan’ of the state.

(4) For the purpose of carrying out his duties under this section, the District Planner shall consult with the Planner of any other district, on matters relating to the area of that district which may be expected

to affect the development or planning of the district for which a survey is being carried out under this section.

(5) Sub-section (1) shall be construed as authorizing the District Planner, during any period when this section is in force in part in a district, to conduct and keep under review a survey of matters affecting that part of the district only; and sub-section (2) shall have the effect of authorizing the District Planner, whether or not this section is in force in the whole district, to conduct a new survey in part only in the district and to give directions to the Council or the District Planning Committee; And sub-section (3) shall be construed accordingly as mentioned in this district or adjoining districts.

13. **Preparation of draft Structural Plan-**

(1) The District Planner shall, within the time specified by the Council or the District Planning Committee, prepare and submit to the Committee a report of his survey under section 7 and at the same time cause a draft Structural Plan for the district to be prepared in accordance with sub-section (3) and submit it to the District Planning Committee for approval.

(2) The report shall include an estimate of any changes likely to occur within the time specified by the Council or the District Planning Committee in the matters referred to in sub-section 7(3); and different periods may be specified in relation to different matters.

(3) The draft Structural Plan for the district is a written statement containing—

(a) to formulate policies and general proposals of the State Authority relating to the development and use of land in the district, including measures for the improvement of the physical living environment, improvement of communication facilities, management of transport, improvement of socio-economic welfare and promotion of economic growth and facilitation of sustainable development;

(b) to state the relationship of these proposals with general proposals for the development and use of land in the surrounding area which are likely to affect the district;

(c) to coordinate the matters of all local planning authorities with the determination of the policy of the Structural Plan in the district as a whole, and

(d) to include such other matters as may be prescribed or as the Council or the District Planning Committee may specify in any particular case.

(4) In formulating the policy and general recommendations under paragraph (3) (a), the District Planner of the Department of Public Works shall ensure that the policy and recommendations are justified by the results of his survey under section 7 and by any information he may obtain, and

(a) he/ she will have regard to the current policies of the State and the nation relating to social and economic planning and development and environmental protection;

(b) he/ she will have regard to the resources available for implementing the recommendations of the Structural Plan; and

(c) such other matters as the Council or the District Planning Committee may direct him to take into account.

(5) A draft Structural Plan for an area will contain such figures and descriptive matter as the District Planner may deem fit for the purpose of explaining or illustrating the recommendations of the plan, or as may be specified by the Council or the District Planning Committee in the directions given by it; the figures and descriptive matter shall be deemed to form part of the plan.

(6) Before the Committee approves a Structural Plan for the whole district under section 10, the District Planner of the Public Engineering Department will, with the consent of the District Planning Committee and, if so directed, prepare and submit a draft Structural Plan for the approval of the District Planning Committee; and where the Committee has approved or directed the preparation of a draft Structural Plan for a part of that area, a reference to an area mentioned in this section will be construed as including a reference to a draft Structural Plan relating to a part of that area.

14. **Publicity related to the preparation of the draft Structural Plan -**

(1) While preparing a draft Structural Plan for the district and determining its contents for final submission to the District Planning Committee, the District Planner shall take such steps as in his/ her opinion will ensure that-

(a) the report of the survey under section 7 and the matters which he/ she proposes to include in the plan are circulated in the district; and

(b) all persons who may desire an opportunity to make representations to the District Planner on these matters are informed that they are entitled to do so and that they are being given the opportunity, and the District Planner shall consider every representation made to him/ her within the prescribed time.

(2) As soon as possible after the submission of the draft Structural Plan to the District Planning Committee, the District Planner will -

(a) publish a notice in at least three issues of two local newspapers, one of which will be in the national language stating that copies of the draft Structural Plan are available for inspection at the office of the District Planner and at such other places as he may determine and within what period objections may be made to the plan; and

(b) keep copies of the plan open for inspection at such places as may be specified in the notice; and each copy will be accompanied by a statement of the period specified in the notice within which objections may be made to the plan, to the District Planning Committee.

(3) The period for lodging objections to the draft Structural Plan shall be not less than one month from the date of first publication of the notice in the local newspaper in the national language under clause (2)(a) and may be extended by the District Planner for a period of one month in favor of any particular objector at any time specified in the notice.

(4) The draft Structural Plan submitted by the District Planner for approval to the District Planning Committee will be accompanied by a statement containing the prescribed particulars -

(a) the steps taken by the District Planner to comply with sub-section (1); and

(b) the views of other persons including the advice and consideration of the District Planner on the matters included in or originally proposed in the plan.

(5) After considering the statement submitted with the draft Structural Plan and the 'subject matter' of the draft Structural Plan and other information furnished by the District Planner, if the Committee is satisfied that the objectives of paragraph (1)(a) and (b) have been adequately achieved by the steps taken by the District Planner, it shall proceed to consider whether the 'Structural Plan will be approved; and if it is not so satisfied, it will return the plan to the District Planner and direct him –

(a) to take such further steps as may be determined by the Committee so as to better achieve those objectives; and

(b) after so doing, resubmit the plan with such modifications, if any, as the District Planner may consider appropriate, and if necessary, within a specified period as directed, but the District Planning Committee will not return the plan or make such direction if three months have elapsed since the District Planner submitted the plan to the Committee.

(6) If the District Planning Committee returns the draft Structural Plan to the District Planner under sub-section (5), it will inform the District Planner of the reasons for doing so and, if any person has objected to the plan to the Committee, will also inform the person who returned the plan.

(7) If the District Planner is directed by the Committee under sub-section (5), he/ she will forthwith withdraw the copies of the plan available for inspection in accordance with the requirements of sub-section (2) and publish the information of the withdrawal in at least three issues of two local newspapers, one of which will be in the national language.

(8) Sub-sections (2) to (7), with the necessary modifications, will apply to the draft Structural Plan re-submitted to the Committee, as it applies to the plan originally submitted in accordance with the directions given under sub-section (5).

15. **Approval or rejection of the draft Structural Plan by the District Planning Committee -**
    (1) The District Planning Committee, after considering the draft Structural Plan submitted or re-submitted, may approve it for forwarding to the Central Planning Committee in whole or in part and with or without modifications or objections, or may reject it.
    (2) While considering the draft Structural Plan, the District Planning Committee may consider any matters which it considers relevant, whether or not they have been taken into account in the submitted or re-submitted plan.
    (3) If, after considering the draft Structural Plan, the District Planning Committee does not then decide to reject it, before deciding whether to approve it,
        (a) consider any objections to the plan, so far as may be, if they are made in accordance with the rules made under section 17;
        (b) give an opportunity of appearing and being heard before a sub-committee appointed by the Committee, consisting of four members, one of whom shall be appointed as the Chairman of the sub-committee; and
        (c) if a local inquiry or other hearing is held, the same opportunity shall be afforded to the District Planner and such other persons as the District Planning Committee may deem appropriate.
    (4) Without prejudice to sub-section (3), while considering the draft Structural Plan, the District Planning Committee will-
        (a) take the directions and advice of the Central Planning Committee; and
        (b) may consult or consider the views of any other authority or person, but will not be obliged to consult or consider the views of any other authority or person or, except as provided in that sub-section, to give an opportunity to make any objection or other representation, or to hold a local inquiry or other hearing.
    (5) If the District Planning Committee fails or neglects to approve or reject a draft Structural Plan within six months of its submission to the Committee, the District Planner may refer the draft Structural Plan to the Central Planning Committee for decision on the plan.
    (6) After the draft Structural Plan is approved by the Central Planning Committee, the Committee shall submit the Structural Plan to the Zila Parishad Authority for the approval of the Zila Parishad Authority, and upon approval, the plan will come into force.
    (7) The District Planning Committee will publish the information of the Zila Parishad Authority's approval of the draft Structural Plan in the Official Gazette and in at least two local newspapers, one of which will be in the national language, along with a mark identifying the plan and a statement of the place of inspection of the plan.

16. **Review or modification of Structural Plan -**
    (1) A Structural Plan which has come into force will be reviewed every five years along with the preparation of the five-year development plan of the country and it will be related to the entire district.
    (2) Notwithstanding sub-section (1), after a Structural Plan for a district has come into force, the District Planner may submit to the District Planning Committee, if any, any amendments thereto, and, if so directed by the Committee, will submit within such time as may be specified in the directions, proposals for the review or modification of the plan which appear to be problematic to the District Planner or the District Planning Committee, as the case may be, may direct, and the proposals may relate to the entire district or to part of the district.

17. **Procedure for reviewing the Structural Plan –**
    If it is decided under section 11 that a review of the Structural Plan of a district will be held, the District Planner will submit to the District Planning Committee a report of the results of the review of the relevant matters under section 7, together with the information on which the proposals are based, and sections 9 and 10 will apply, with necessary modifications, in relation to the proposals, as they relate to the structure plan.

18. **Procedure for changing the Structural Plan -**
    (1) Where it is decided under section 11 that a change will be made in the Structural Plan of the district, the District Planner will prepare proposals for such change and submit them to the District Planning Committee.
    (2) While preparing proposals for such change, the District Planner will consider such directions as may be given by the Central Planning Committee or the District Planning Committee.
    (3) The District Planner will submit the Structural Plan incorporating the proposed changes to the District Planning Committee and at the same time publish a notice in at least two local newspapers, one of which must be in the national language, stating that copies of the plan are open for inspection and objections may be raised within one month from the date of publication.
    (4) The District Planning Committee will appoint a sub-committee consisting of four members of the committee, one of whom will be appointed as the chairman of the sub-committee and the sub-committee will hear every objection raised in accordance with the rules made under section 16.
    (5) The District Planning Committee will then consider the proposed changes to the Structural Plan and either approve them in whole or in part and with or without modifications, or reject them.
    (6) The District Planning Committee will submit the approved modified Structural Plan to the Central Planning Committee for planning approval and upon approval, the modified Structural Plan will come into force.
    (7) The Committee will publish the information regarding the approval of the modified Structural Plan in the Official Gazette.
19. **Preparation of draft local plans -**
    (1) The Local Planning Authority may, when a draft Structural Plan is being prepared, or before giving its consent to a draft Structural Plan prepared by the Zila Parishad Authority, if it thinks fit, prepare a draft local plan for any part of its area.
    (2) Where a Structural Plan has come into force for the Zila Parishad, the Local Planning Authority will prepare a draft local plan for the whole of its area as soon as may be.
    (3) A draft local plan will consist of a map and a written statement and
        (a) will set out such proposals as the local planning authority may think fit for
            i. development;
            ii. use of land;
            iii. protection and improvement of the physical environment;
            iv. conservation of natural landscapes;
            v. improvement of landscapes;
            vi. planting and conservation of trees;
            vii. creation of open spaces;
            viii. preservation and enhancement of the character and appearance of buildings;
            ix. improvement of communication facilities; and
            x. management of traffic congestion in the local planning area;
            xi. identification of economic zones; and
            xii. such matters as may be prescribed or specified by the Committee.
    (4) A draft local plan for an area shall contain such figures and descriptive matter as the local planning authority may think fit to explain or illustrate the proposals of the plan, or as may be prescribed by the committee, or as may be specified by the committee in a direction given by the committee; and the figures and descriptive matters will be deemed to form part of the plan.
    (5) Without prejudice to the foregoing provisions of this section, the local planning authority will, if the District Planning Committee gives a direction in respect of a part of the area of the local planning authority for which a draft Structural Plan has been, or is being, prepared, prepare a draft local plan for that part as soon as may be specified in the direction.

(6) The Committee may give directions under subsection (5) before or after the draft Structural Plan comes into force.

(7) In formulating its proposals in the draft local plan, the local planning authority will ensure that the proposals are consistent with the Structural Plan for the state for the time being, whether or not it is in force, and may take into account any information and other considerations which appear to it to be relevant, or which may be prescribed, or which may in any particular case direct the Committee to take into account.

(8) Before giving any direction to the local planning authority under subsection (7), the Committee will consult with the local planning authority about the proposed direction.

20. **Campaigns related to the preparation of draft local plans –**
Before commencing the preparation of a local plan, the local planning authority will take such steps as it considers safe

(a) to publicize in its area, the draft local plan to be prepared, its purpose and the objectives of its preparation and the matters which the local planning authority proposes to include in the plan;

(b) to make known to persons who may wish to make representations to the local planning authority on these matters that they are entitled to do so and that they are being given the opportunity.

21. **Publicity in relation to draft local plans -**

(1) When a local planning authority prepares a draft local plan, it shall, before adopting it under subsection 15(1), but not before the Structural Plan comes into force, so far as may be applicable to the draft local plan, and subject to subsection (2), will open copies of the draft local plan for inspection at its office and at such other places as it may determine; and every copy open for inspection will be accompanied by a statement of the period specified in the notice published under subsection (2) within which objections or representations in respect of the draft local plan may be made to the local planning authority.

(2) Before opening a copy of the draft local plan for inspection under sub-section (1), the local planning authority will publish a notice in at least three issues of two local newspapers, one of which will be in the national language, stating the date on which the copy of the draft local plan will be opened for inspection, the place and time during which the copy will be opened for inspection, which will not be less than four weeks from the date of opening for inspection, within which objections or representations may be made to the local planning authority in respect of the draft local plan.

(3) The time specified in the notice under sub-section (2) for making objections or representations in respect of the draft local plan may be extended by the local planning authority on an application by any person for a period not exceeding four weeks.

22. **Inquiry and hearing on draft local plans -**

(1) For the purpose of considering objections and representations to the draft local plan, the local planning authority may hold a local inquiry or other hearing by a committee of three persons appointed by the District Planning Committee.

(2) The Zila Parishad Authority may by rules

(a) make provision for the appointment and qualifications of persons to hold a local inquiry or other hearing under sub-section (1);

(b) make provision for the remuneration and allowances of persons appointed to hold a local inquiry or other hearing under that sub-section.

23. **Approval or rejection of draft local plans -**

(1) After the expiry of the period prescribed for objections or representations to the draft local plan or, if such objections or representations have been duly made within that period, after consideration of

the objections or representations, the local planning authority will submit the draft local plan or the draft local plan as amended to take into account any matters arising from the objections or representations or proceedings.

(1a) The District Planning Committee may, after considering the draft local plan submitted to it, approve it in whole or in part and with or without modification, or reject it.

(1b) In considering the draft local plan, the District Planning Committee may take into account any matters which it considers relevant, whether or not they were considered at the time of submission or re-submission of the plan.

(1c) The District Planning Committee submits the approved draft local plan to the Zila Parishad Authority for its approval, and the plan will come into force after its approval.

(2) The Local Planning Authority will, with the approval of the Zila Parishad Authority, publish the draft local plan in the District Gazette and in at least two local newspapers, one of which must be in the national language, together with the sign where the plan may be identified and a statement of the place where the plan may be inspected.

(3) The local plan should be consistent with the Structural Plan, but if at any time after the local plan comes into force there is any difference between the local plan and the district Structural Plan and the Committee is satisfied that it is due to the expiry of the Structural Plan for the area, the District Planning Committee will forward the difference to the Zila Parishad Authority for its decision.

(4) If the Zila Parishad Authority is satisfied that the difference actually exists due to the District Structural Plan being out of date, the Zila Parishad Authority will, by notification in the Official Gazette, declare that the local plan could prevail over the Structural Planin respect of that particular provision.

24. **Alteration, cancellation and replacement of local plans -**

(1) If the District Planning Committee is satisfied that the local planning authority has failed to take steps to prepare a local plan or a proposal for the variation, cancellation or replacement of a local plan, the District Planning Committee may direct the District Planner to prepare the plan or proposal and the expenses relating to such preparation will be paid by the local planning authority to the District Planner.

(2) Sections 13, 14, 15, 16 and 17 of this act shall apply to the preparation of a local plan or the preparation of a proposal for the variation, cancellation or replacement of a local plan under this section.

25. **Special Area Planning**

(1) At the time of the preparing or enacting of any Structural Plan or local plan, a district planner or local planning authority may, on their own initiative or as directed by the district planning committee, submit a proposal to the district planning committee for designating a special area for special and detailed analysis. The district planning committee may determine whether the special area, in whole or in part, shall be responsible for preparing a plan for the special area, by means of development, conservation or management practices, or partly by one and partly by the other, and the nature of the proposed analysis shall be specified.

(2) For the purposes of subsection (1), the district planning committee shall determine whether the district planner or the local planning authority shall be responsible for preparing a special area plan.

(3) For the purposes of subsection (2), a special area plan shall be prepared in the same manner as a local plan, except that it shall include detailed implementation and management instructions. Such a plan may have the same effect as a local plan.

26. **Acts done in good faith –**

No civil or criminal suit or any other legal proceeding shall lie against the Government, the Council, any

member of the Council, the Directorate, or any officer or employee of the Directorate for any act done in good faith under this Ordinance or any rules made thereunder, which causes or is likely to cause loss or harm to any person.

27. **Power to formulate rules –**
For the purpose of giving effect to the provisions of this Act, the Government may, by notification in the official Gazette, formulate rules.
28. **Power to make regulations –**
For the purpose of carrying out the objectives of this Act, the Commission may, with prior approval of the Government, make regulations by notification in the official Gazette.
29. **Removal of difficulties in implementing the Act -**
(1) If any difficulty arises in giving effect to the provisions of this Act, the Government may, by issuing appropriate orders, take such measures as it deems necessary to remove the difficulty.
(2) Until rules or regulations are made by the Government to address difficulties in implementing the Act, the Commission may take necessary actions in accordance with any relevant judgment of the Supreme Court of Bangladesh, if such a judgment exists.

Schedule – 1
Land Use

(1) "Use" in relation to any land shall mean any use of the land—which is used solely for the purpose of storing or preserving materials and equipment employed in the construction or erection of a building on the land, or as a temporary building site for the accommodation of workers engaged in the construction or erection of a building;
Use—includes roads, water and electricity supply, street lighting, sewerage, drainage, public works and other similar public services and facilities.
(2) For the purpose of this Act, for the avoidance of doubt in determining what constitutes a material change in the use of land, it is hereby declared that-
(a) the use of land as a place for the storage of refuse or waste involves a material change, even if the land is included in a place already used for that purpose, if the surface area or height of the land is materially increased;
(b) any use of land or part thereof which is inconsistent with or inconsistent with any provision of the development plan involves a fundamental change in the use of the land.
(3) For the purposes of this Act, for the avoidance of doubt in determining what constitutes a fundamental change in the use of a building, it is hereby declared that-
(a) a fundamental change in the use of a building is involved when the number of units in a building is increased beyond the number originally authorized by any authority empowered to grant approval under any written law;
(b) a fundamental change in the use of a building not intended for human habitation is involved when the building is used as a dwelling house;
(c) Any alteration or addition to the interior or exterior of a building, to that part of the building, which is connected with any regular street line laid down or defined by any written law relating to the building, involves a fundamental change in the use of the building;
(d) Any use of a building or part thereof which is in contravention of, inconsistent with or contrary to any provision of the development plan, involves a fundamental change in the use of the building;
(e) Any use of a building or part thereof for any other purpose which was originally constructed as a dwelling house, involves a fundamental change in the use of the building.

The following are the recommendations and rationale for the amendment ordinance, citing the sections of 3 District Council Acts:

Annexure 10.1

Bandarban District Council (Amendment) Ordinance, 2025[1]

(Act No. 21 of 1989 as amended by Act No. 11 of 1998)

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
1.	Bandarban District Council (Amendment) Act, 1998 (Act No. 21 of 1989 as amended by Act No. 11 of 1998)	Section 4 (1) The Council shall consist of the following members, namely: - (a) Chairman; (b) Nineteen tribal members; (c) Eleven non-tribal members. 13[(d) Three women members, two of whom shall be tribal and one non-tribal. Explanation: There shall be no quota for different tribes in the district in respect of the tribal women members mentioned in clause (d).]	According to the above-mentioned Section 4(1), the number of members of the District Council shall be 34. The caste-based membership as determined in the structure of the Council shall remain in force.	If the voting is conducted under the existing law of Bandarban District Council, it shall be difficult for a voter to elect 34 members (1 chairman and 33 members) in one ballot. Therefore, the clause of caste-based membership in the existing law shall be kept in force. But since there is no clear instruction regarding voting, it can be proposed to amend the law by keeping the provision of voting for candidates of one's own ethnicity and ethnic group in the current existing law.
2.	Same as above	Section 4(2) states that "The Chairman and other members shall be elected by the people by direct vote in accordance with this Act and the rules."	Section 4(2) shall be amended to state that the election shall be held through parliamentary system. All members other than the Chairman shall be elected by direct vote of the public in accordance with this Act and Rules.	Many of the 13 ethnic groups in the Chittagong Hill Tracts are backward. Therefore, it is important to hold early elections in the District Councils to ensure representation of these backward ethnic groups at the center of power. Therefore, if the elections are held in the above-mentioned manner, the ethnic groups with less population shall also get the opportunity to

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
				be directly represented.
3.	Same as above	Section 4 (3) [Of the tribal members referred to in sub-section (1)(b)]— (a) ten shall be elected from the Marma and Khyang tribes; (c) one shall be elected from the Tripura and Uchai tribes; (e) one shall be elected from the [Bam], Lusai and [Pangkhwa] tribes;	By amending Section 4(3), the membership may be distributed as follows: (a) 9 persons shall be elected from the Marma tribe and 1 person shall be elected from the Khyang tribe; (c) 1 person shall be elected from the Tripura tribe; (e) 1 person shall be elected from the Bam tribe.	(c) Uchai is a tribe of Tripura tribe. Therefore, the word Uchai can be omitted from the said section. (e) Since Lusai and Pangkhwa did not live in Bandarban district since ancient times and their original residence is Rangamati (there is a seat reserved for them in Rangamati District Council). But the Bam community has been living in Bandarban since ancient times. Therefore, the seat in Bandarban District Council would be reserved only for the Bam community. There is no need to allocate Bandarban seats for Lusai and Pangkhwa.
4.	Same as above	Section 4(3)[14] [of the tribal members referred to in sub-section (1)(b)]— (a) Ten shall be elected from the Marma and Khyang tribes; (b) Three shall be elected from the Mro (Murang) tribe; (c) One shall be elected from the Tripura and Uchai tribes; (d) One shall be elected from the [15][Tanchangya] tribe; (e) One shall be elected[16] from the [16][Bom], Lusai and [17][Pangkhwa] tribes; (f) One shall be elected from the Chakma tribe; (g) One shall be elected	The clause of Section 4(3) shall be as follows: All the tribal members of the Council shall be elected by direct vote of the voters of their respective ethnic groups. Similarly, 11 non-tribal members shall be elected by the local non-tribal voters.	The Bandarban District Council (Amendment) Act, 1998 does not clearly mention the method by which the remaining 33 members, except the chairman, shall be elected. It shall be a difficult matter for one voter to elect 33 members on one ballot paper. Another issue that shall create confusion among the voters is that out of the 33 members, they shall have to be elected separately on the basis of community. As a result, if the voting is conducted in the

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		from the [18][Khumi] tribe; (h) One shall be elected from the Chak tribe.		conventional manner mentioned in the Zila Parishad Act, it shall not only be difficult to conduct the voting properly, but it shall also delay the voting. Therefore, this proposal is being made by the Commission - in the case of electing representatives on the basis of community, the voters of their respective ethnic groups shall elect their representatives through direct voting.
5.	Same as above	According to Section 4(4), "The Chairman shall be elected from among the tribals."	The following sentences shall be added to Section 4(4) - The members elected by secret ballot within the Council shall elect one of them as Chairman. The Chairman shall be the Chief Executive of the District Council. The candidate for Chairman shall be a tribal. Non-tribal members shall not be candidates for Chairman.	
6.	Same as above	Section 7 states that "A person elected to the post of Chairman or any member shall, before assuming his office, take an oath or make a declaration in the following form 23 before [a judge of the High Court Division nominated by the President for this purpose] and sign the affidavit or declaration, namely: - "I, ..., father or husband of ....., being	After the publication of the Gazette, all members shall take the oath prescribed by law. The oath shall be taken publicly. The members shall read the written oath aloud, placing their hands on their respective religious scriptures, at the assembly of voters. No official shall be required to read the oath. However, it shall be desirable for a representative of the	In this case, the elected representatives shall be responsible and committed to the people. Later, the representatives shall be obliged to answer to the people for each of their tasks or responsibilities.

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		elected Chairman or Member of the Bandarban Hill 24 [District] Council, do solemnly swear or solemnly declare that I shall perform the duties of my office in accordance with the law and with fidelity and that I shall bear true faith and allegiance to Bangladesh."	Election Commission to be present.	
7.	Same as above	Section-17 Eligibility to be a voter [and voter list] [33][17. [34][(1)] A person becomes eligible to be included in the voter list for the election to the Council if he- (a) is a citizen of Bangladesh; (b) is at least eighteen years of age; (c) is not declared mentally unsound by a competent court; and (d) is a permanent resident of the Bandarban Hill District.] [35][(2) The Election Commission shall prepare a voter list for the purpose of holding the election to the Council.]	The words 'and voters list' were inserted by section 3 of the Bandarban District Council (Second Amendment) Act, 2000 (Act No. 35 of 2000). All voters in the Chittagong Hill Tracts region included in the updated voters' list prepared by the Election Commission for the National Assembly elections shall be deemed to be voters of the Zila Parishad.	Since Section 17 of this Act has been replaced in the light of the Hill Tracts Accord, initiatives should be taken to amend this section after discussing it with the Chittagong Hill Tracts Regional Council. Otherwise, it shall not be possible to hold elections in the Hill District Councils due to this section of the Act.
8.	Same as above	Section 19 "No person shall be a candidate for election to the office of Chairman and Tribal Member at the same time."	This section shall be repealed.	Since elections are to be held under the parliamentary system, a chairman shall be elected from among the members and he shall be considered both chairman and member. Section 19 shall be in conflict with the parliamentary system.

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
				Therefore, it has been proposed to abolish this section.
9.	Same as above	Section 20 Conduct of Elections: (2) The Government shall, by notification in the Official Gazette, make rules for the election of the Chairman and members of the Council and such rules may provide for all or any of the following matters, namely: - (h) the method of voting; (i) the custody and distribution of ballot papers and other election papers;	h) The voting procedure shall be as follows: Different voting booths may be set up for each ethnic group. i) Separate ballot papers of different colors may be prepared for each ethnic group (tribal and non-tribal).	If different colored ballot papers and separate booths are used during elections, it shall be easier for those who cannot read or write to vote in this way.
10.	Same as above	Section 21 Publication of results of election of Chairman and members: The Election Commission shall, as soon as possible after the election, publish in the official Gazette the names of all persons elected as Chairman and members.	The Election Commission shall publish the official gazette within 5 working days after the election is completed.	The Hill District Council elections shall be applicable only to 3 Hill Districts. Therefore, it shall be possible to publish the names of the members of the three Hill District Councils in the gazette within 5 working days.
11.	Same as above	Section 24 Executive Power: (1) The Council shall have the power to do all things necessary for the proper performance of all functions under this Act. (2) Unless otherwise provided in this Act or the rules, the executive power of the Council shall be vested in the Chairman and exercised by the Chairman directly or through any other person authorized by him in	a) One Chairperson shall be elected from among the elected members (tribal and non-tribal). An officer of the Election Commission may be present for the election of the Chairperson. The Chairperson shall preside over all meetings. He shall have no executive power. b) Arrangements shall be made to elect the Chairman under the chairman's chairmanship. c) After being elected, the	The executive power of the Hill District Council shall be vested in the hands of the people and the method by which the executive council or council **is formed shall be similar to that of the other 61 district councils.**

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		accordance with this Act and the rules. (3) Any executive or other function of the Council shall be declared to have been undertaken in the name of the Council and be proved in the manner prescribed by the rules.	Chairman shall assume the responsibility as the leader of the Council and shall form an 'Executive Council or Council' consisting of 5 members as per the law, which shall be considered as the Executive Council of the Chairman. d) The Chairman and 5 members of the Executive Council shall be considered as full-time employees of the Council and they shall receive salary and allowances from the Council as per the rules.	
12.	Same as above	Section 25 Transaction of functions: (1) The business of the Council shall be transacted by its meetings or by its committees or by its Chairman, members, officers or employees within the limits and in the manner prescribed by the regulations. (2) The Chairman, and in his absence any other member elected from among the tribal members by the members present at the meeting, shall preside over all meetings of the Council. (3) No act or proceeding of the Council shall be invalid merely by reason of the vacancy in the membership of the Council or any defect in its constitution or by reason of the fact that any person has done such act notwithstanding his right	a) There shall be a 'Secretary' of the Council and a 3/5-member secretariat under the Chairman. They shall write the minutes of the meetings of the District Council and the minutes of the standing committees and distribute them to everyone. b) The Chairman and the Executive Council shall conduct the work of the Council in the light of the decisions of these meetings. c) The Chairman shall be a full-time salaried employee of the Council. He shall receive the salary of the next step of the Council Chairman. d) One-third of the members elected to the Council by the Chairman Council or Council shall be	

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		to attend or vote at a meeting of the Council or to take part in its proceedings in any other manner. (4) A copy of the minutes of every meeting of the Council shall be forwarded to the Government within fourteen days of the date of the meeting.	women members. e) The Council may elect a shadow Council leader if it so wishes. The Chairman shall be considered as the Council leader.	
13.	Same as above	Section 26 Right of Bomang Chief to attend meetings of the Council	The Bomang Circle Chief shall be considered a regular member of the Bandarban District Council.	The existing law states that the Circle Chief can attend any meeting if he wishes or is invited. But in the past, it has been seen that the Circle Chief has never been invited by the District Council. Therefore, it can be proposed to amend Section 26 and make the concerned Circle Chief a regular member.
14.	Same as above	Section 27 The Council may appoint committees as it deems necessary to assist it in its work and may determine the number of members of such committees and their responsibilities and procedures.	The council shall have 10 standing committees. The chairperson and number of members of the standing committees shall be decided in the council meeting. They shall meet every two months and give their opinions/recommendations on their respective matters. Each committee shall include one-third of women members.	

Annexure 10.2

Rangamati District Council (Amendment) Ordinance, 2025[2]
(Act No. 19 of 1989 as amended by Act No. 9 of 1998)

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
1.	Rangamati District Council (Amendment) Act, 1998 (Act No. 19 of 1989 as amended by Act No. 9 of 1998)	Composition of the Council 4. (1) The Council shall be constituted with the following members, namely: - (a) Chairman; (b) Twenty tribal members; (c) Ten non-tribal members; [11][(d) Three women members, two of whom shall be tribal and one non-tribal. Explanation: There shall be no quota for different tribes in the district in respect of the tribal women members mentioned in clause (d).]	According to the above-mentioned Section 4(1), the number of members of the Zila Parishad shall be 34. The caste-based membership as determined in the structure of the Council shall remain in force.	If the voting is conducted under the existing law of Rangamati District Council, it will be difficult for a voter to elect 34 members (1 chairman and 33 members) in one ballot. Therefore, the clause of caste-based membership in the existing law shall be kept in force. But since there is no clear instruction regarding voting, it can be proposed to amend the law by keeping the provision of voting for candidates of their own ethnicity and ethnic group in the current existing law.
2.	Same as above	Section 4(2) states that "The Chairman and other members shall be elected by the public by direct vote in accordance with this Act and the rules."	Section 4(2) shall be amended to state that the election shall be held through parliamentary system. All members other than the Chairman shall be elected by direct vote of the public in accordance with this Act and Rules.	Many of the 13 ethnic groups in the Chittagong Hill Tracts are backward. Therefore, it is important to hold early elections in the district councils to ensure representation of these backward ethnic groups at the center of power. Therefore, if the elections are held in the above-mentioned manner, the ethnic groups with less population shall also get the opportunity to be directly represented.
3.	Same as above	Section 4(3) 14 [referred	The clause of Section 4(3)	The Rangamati District

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		to in sub-section (1)(b)] of the tribal members— (a) ten shall be elected from the Chakma tribe; (b) four shall be elected from the Marma tribe; (c) two shall be elected from the 13[Tanchangya] tribe; (d) one shall be elected from the Tripura tribe; (e) one shall be elected from the Lusai tribe; (f) one shall be elected from the 14[Pangkhwa] tribe; (g) one shall be elected from the Kheyang tribe.	shall be as follows: All tribal members of the Council shall be elected by direct vote of the voters of their respective ethnic groups. Similarly, 11 non-tribal members shall be elected by the local non-tribal voters.	Council (Amendment) Act, 1998 does not clearly mention the method by which the remaining 33 members, except the chairman, shall be elected. It shall be a difficult matter for one voter to elect 33 members on one ballot paper. Another issue that shall create confusion among the voters is that out of the 33 members, they shall have to be elected separately on the basis of community. As a result, if the voting is conducted in the conventional manner mentioned in the District Council Act, it shall not only be difficult to conduct the voting properly, but it shall also delay the voting. Therefore, it is being proposed by the Commission that in the election of representatives on the basis of community, the voters of their respective ethnic groups shall elect their representatives through direct voting.
4.	Same as above	According to Section 4(4), "The Chairman shall be elected from among the tribals."	The following sentences shall be added to Section 4(4): "The members elected by secret ballot within the Council shall elect one of them as Chairman *through a majority vote*. The Chairman shall be the	

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
			Chief Executive of the District Council." The Chairman candidate shall be a tribal and non-tribal members would not be candidates for Chairman.	
5.	Same as above	Section 7 states that "A person elected to the post of Chairman or any member shall, before assuming his office, take an oath or make a declaration in the following form before [23][a judge of the High Court Division nominated by the President for this purpose] and sign the affidavit or declaration, namely: - "I, ..., father or husband of ....., being elected Chairman or Member of the Rangamati Hill [24][District] Council, do solemnly swear or solemnly declare that I shall perform the duties of my office in accordance with the law and with fidelity and that I shall bear true faith and allegiance to Bangladesh."	After the publication of the Gazette, all members shall take the oath prescribed by law. The oath shall be taken publicly. The members shall read the written oath aloud, placing their hands on their respective religious scriptures, at the assembly of voters. No official shall be required to read the oath. However, it shall be desirable for a representative of the Election Commission to be present.	In this case, the elected representatives shall be accountable to the and committed to their dutie. Later, **they shall also be obligated to report to the people on each of their tasks and responsibilities**.
6.	Same as above	Section-17 Eligibility to be a voter [and voter list] 33[17. 34[(1)] A person becomes eligible to be included in the voter list for the election to the Council, if he- (a) is a citizen of Bangladesh;	The words 'and voters' list' were inserted by section 3 of the Rangamati District Council (Second Amendment) Act, 2000 (Act No. 35 of 2000). All voters in the Chittagong Hill Tracts region included in the	Since Section 17 of this Act has been replaced in light of the Hill Tracts Accord, initiatives should be taken to amend this section after discussing it with the Chittagong Hill Tracts Regional Council. Otherwise, it

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		(b) is at least eighteen years of age; (c) is not declared mentally unsound by a competent court; and (d) is a permanent resident of the Rangamati Hill District.] [35][(2) The Election Commission shall prepare a voter list for the purpose of holding the election to the Council.]	updated voters' list prepared by the Election Commission for the National Assembly elections shall be deemed to be voters of the Zila Parishad.	shall not be possible to hold elections in the Hill District Councils due to this section of the Act.
7.	Same as above	Section 19 "No person shall be a candidate for election to the office of Chairman and Tribal Member at the same time."	This section shall be repealed.	Since it is proposed to hold elections under the parliamentary system, a chairman shall be elected from among the members and be considered both chairman and member. Section 19 shall be in conflict with the parliamentary system. Therefore, it is proposed to abolish this section.
8.	Same as above	Section 20 Conduct of Elections: (2) The Government shall, by notification in the Official Gazette, make rules for the election of the Chairman and members of the Council and such rules may provide for all or any of the following matters, namely: - (h) the method of voting; (i) the custody and	h) The voting procedure shall be as follows: Different voting booths may be set up for each ethnic group. i) Separate ballot papers of different colors may be prepared for each ethnic group (tribal and non-tribal).	If different colored ballot papers and separate booths are used during elections, it shall be easier for those who cannot read or write to vote in this way.

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		distribution of ballot papers and other election papers;		
9.	Same as above	Section 21 Publication of results of election of Chairman and members: The Election Commission shall, as soon as possible after the election, publish in the official Gazette the names of all persons elected as Chairman and members.	The Election Commission shall publish the official gazette within 5 working days after the election is completed.	The Hill District Council elections shall be applicable only to 3 Hill Districts. Therefore, it shall be possible to publish the names of the members of the three Hill District Councils in the gazette within 5 working days.
10.	Same as above	Section 24 Executive Power: (1) The Council preserves the power to do all things necessary for the proper performance of all functions under this Act. (2) Unless otherwise provided in this Act or the rules, the executive power of the Council shall be vested in the Chairman and be exercised by the Chairman directly or through any other person authorized by him in accordance with this Act and the rules. (3) Any executive or other function of the Council shall be declared to have been undertaken in the name of the Council and be proved in the manner prescribed by the rules.	a) One Chairperson shall be elected from among the elected members (tribal and non-tribal). An officer of the Election Commission may be present for the election of the Chairperson. The Chairperson shall preside over all meetings. He shall not have any executive power. b) Arrangements shall be made to elect a Chairman under the chairmanship of the Chairperson. c) After the Chairman is elected, he shall assume the responsibility as the leader of the Council and form an 'Executive Council or Parishad' consisting of 5 members as per the law, which shall be considered as the Executive Council. d) The Chairperson and 5 members of the Executive Council shall be considered as full-time	The executive power of the Hill District Council shall be vested in the hands of the people and the method by which the executive council or council shall be formed shall be similar to the rest of the 61 district councils in the country.

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
			employees of the Council and they shall get salary and allowances from the Council as per the rules.	
11.	Same as above	Section 25 Transaction of functions: (1) The business of the Council shall be transacted by its meetings or by its committees or by its Chairman, members, officers or employees within the limits and in the manner prescribed by the regulations. (2) The Chairman, and in his absence any other member elected from among the tribal members by the members present at the meeting, shall preside over all meetings of the Council. (3) No act or proceeding of the Council shall be invalid merely by reason of the vacancy in the membership of the Council or any defect in its constitution or by reason of the fact that any person has done such act notwithstanding his right to attend or vote at a meeting of the Council or to take part in its proceedings in any other manner. (4) A copy of the minutes of every	a) There shall be a 'Secretary' of the Council and a 3/5-member secretariat under the Chairman. They shall write the minutes of the meetings of the District Council and the minutes of the standing committees and distribute them to everyone. b) The Chairman and the Executive Council shall manage the work of the Council in the light of the decisions of these meetings. c) The Chairman shall be a full-time salaried employee of the Council. He shall receive the salary of the next step of the Council Chairman. d) One-third of the members elected to the Council by the Chairman Council or Council shall be women members. e) The Council may elect a shadow Council leader if it so wishes. The Chairman shall be considered as the Council leader.	

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		meeting of the Council shall be forwarded to the Government within fourteen days of the date of the meeting.		
12.	Same as above	Section 26 Right of Chakma Chief to attend Council meetings	The Chakma Circle Chief shall be considered a regular member of the Rangamati District Council.	The existing law states that the Circle Chief can attend any meeting if he wishes or is invited. But in the past, it has been seen that the Circle Chief has never been invited by the District Council. Therefore, it can be proposed to amend Section 26 and make the concerned Circle Chief a regular member.
13.	Same as above	Section 27 The Council may appoint committees as it deems necessary to assist it in its work and may determine the number of members of such committees and their responsibilities and procedures.	The council shall have 10 standing committees. The chairperson and number of members of the standing committees shall be decided in the council meeting. They shall meet every two months and give their opinions/recommendations on their respective matters. Each committee shall include one-third of women members.	

Annexure 10.3

Khagrachari District Council (Amendment) Ordinance, 2025
(Act No. 20 of 1989 as amended by Act No. 10 of 1998)

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
1.	Khagrachari District Council (Amendment) Act, 1998 (Act No. 19 of 1989 as amended by Act No. 9 of 1998)	**Section 4: Composition of the Council** 4. (1) The Council shall be constituted with the following members, namely: - (a) Chairman; (b) Twenty-one tribal members; (c) Nine non-tribal members; [11][(d) Three women members, two of whom shall be tribal and one non-tribal. Explanation: There shall be no quota for different tribes in the district in respect of the tribal women members mentioned in clause (d).]	According to the above-mentioned Section 4(1), the number of members of the District Council shall be 34. The caste-based membership as determined in the structure of the Council shall remain in force.	If the voting is conducted under the existing law of Khagrachari District Council, it shall be difficult for a voter to elect 34 members (1 chairman and 33 members) in one ballot. Therefore, the clause of caste-based membership in the existing law shall be kept in force. But since there is no clear instruction regarding voting, it can be proposed to amend the law by keeping the provision of voting for candidates of their own ethnicity and ethnic group in the current existing law.
2.	Same as above	Section 4(2) states that "The Chairman and other members shall be elected by the public by direct vote in accordance with this Act and the rules."	Section 4(2) shall be amended to state that the election shall be held through parliamentary system. All members other than the Chairman shall be elected by direct vote of the public in accordance with this Act and Rules.	Many of the 13 ethnic groups in the Chittagong Hill Tracts are backward. Therefore, it is important to hold early elections in the district councils to ensure representation of these backward ethnic groups at the center of power. Therefore, if the elections are held in the above-mentioned manner, the ethnic groups with less population shall also get the opportunity to be directly represented.
3.	Same as above	Section 4(3) 14 [referred	The clause of Section 4(3)	The Khagrachari

Serial	Name of the Law/ Act	Section of the Law/ Act	Proposal to amend the section of the law/ Act	Rationality
		to in sub-section (1)(b)] of the tribal members— (a) Nine shall be elected from the Chakma tribe; (b) six shall be elected from the Tripura tribe; (c) six shall be elected from the Marma tribe;	shall be as follows: All tribal members of the Council shall be elected by direct vote of the voters of their respective ethnic groups. Similarly, 11 non-tribal members shall be elected by the local non-tribal voters.	District Council (Amendment) Act, 1998 does not clearly mention the method by which the remaining 33 members, except the chairman, shall be elected. It shall be a difficult matter for one voter to elect 33 members on one ballot paper. Another issue that shall create confusion among the voters is that out of the 33 members, they shall have to be elected separately on the basis of community. As a result, if the voting is conducted in the conventional manner mentioned in the District Council Act, it shall not only be difficult to conduct the voting properly, but it shall also delay the voting. Therefore, it is being proposed by the Commission that in the election of representatives on the basis of community, the voters of their respective ethnic groups shall elect their representatives through direct voting.
4.	Same as above	According to Section 4(4), "The Chairman shall be elected from among the tribals."	The following sentences shall be added to Section 4(4): "The members elected by secret ballot within the Council shall elect one of them as Chairman. The Chairman shall serve as the Chief	

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			Executive of the District Council."	
5.	Same as above	Section 7 states that "A person elected to the post of Chairman or any member shall, before assuming his office, take an oath or make a declaration in the following form before [23][a judge of the High Court Division nominated by the President for this purpose] and sign the affidavit or declaration, namely: - "I, ..., father or husband of ....., being elected Chairman or Member of the Khagrachari Hill [District] Council, do solemnly swear or solemnly declare that I shall perform the duties of my office in accordance with the law and with fidelity and that I shall bear true faith and allegiance to Bangladesh."	After the publication of the Gazette, all members shall take the oath prescribed by law. The oath shall be taken publicly. The members shall read the written oath aloud, placing their hands on their respective religious scriptures, at the assembly of voters. No official shall be required to read the oath. However, it shall be desirable for a representative of the Election Commission to be present.	In this case, the elected representatives shall be accountable to the people and committed to their duties. **They shall also be obligated to report to the people on each of their tasks and responsibilities."**
6.	Same as above	**Section-17** **Eligibility to be a voter [and voter list]** 33[17. 34[(1)] A person becomes eligible to be included in the voter list for the election to the Council, if he- (a) is a citizen of Bangladesh; (b) is at least eighteen years of age; (c) is not declared mentally unsound by a competent court; and	The words 'and voters' list' were inserted by section 3 of the Khagrachari Zila Parishad (Second Amendment) Act, 2000 (Act No. 35 of 2000). All voters in the Chittagong Hill Tracts region included in the updated voters' list prepared by the Election Commission for the National Assembly elections shall be deemed	Since Section 17 of this Act has been **amended** in accordance with the Hill Tracts Accord, **further revisions to this section must be made in consultation with the Chittagong Hill Tracts Regional Council. Unless such amendments are enacted, elections for the Hill District Councils cannot be held under the**

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		(d) is a permanent resident of the Khagrachari Hill District.] [35][(2) The Election Commission shall prepare a voter list for the purpose of holding the election to the Council.]	to be voters of the Zila Parishad.	**current provisions of this Act.**
7.	Same as above	Section 19 "No person could be a candidate for election to the office of Chairman and Tribal Member at the same time."	This section shall be repealed.	Since it is proposed to hold elections under the parliamentary system, a chairman shall be elected from among the members and he shall be considered both chairman and member. Section 19 shall be in conflict with the parliamentary system. Therefore, it is proposed to abolish this section.
8.	Same as above	Section 20 Conduct of Elections: (2) The Government shall, by notification in the Official Gazette, make rules for the election of the Chairman and members of the Council and such rules may provide for all or any of the following matters, namely: - (h) the method of voting; (i) the custody and distribution of ballot papers and other election papers;	h) The voting procedure shall be as follows: Different voting booths may be set up for each ethnic group. i) Separate ballot papers of different colors may be prepared for each ethnic group (tribal and non-tribal).	If different colored ballot papers and separate booths are used during elections, it shall be easier for those who cannot read or write to vote in this way.
9.	Same as above	Section 21 Publication of results of	The Election Commission shall publish the official	The Hill District Council elections shall

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		election of Chairman and members: The Election Commission shall, as soon as possible after the election, publish in the official Gazette the names of all persons elected as Chairman and members.	gazette within 5 working days after the election is completed.	be applicable only to 3 Hill Districts. Therefore, it shall be possible to publish the names of the members of the three Hill District Councils in the gazette within 5 working days.
10.	Same as above	Section 24 Executive Power: (1) The Council shall have the power to do all things necessary for the proper performance of all functions under this Act. (2) Unless otherwise provided in this Act or the rules, the executive power of the Council shall be vested in the Chairman and exercised by the Chairman directly or through any other person authorized by him in accordance with this Act and the rules. (3) Any executive or other function of the Council shall be declared to have been undertaken in the name of the Council and proved in the manner prescribed by the rules.	a) One Chairperson shall be elected from among the elected members (tribal and non-tribal). An officer of the Election Commission may be present for the election of the Chairperson. The Chairperson shall preside over all meetings. He shall have no executive power. b) Arrangements shall be made to elect a Chairman under the chairmanship of the Chairperson. c) After the Chairman is elected, he shall assume the responsibility as the leader of the Council and form an 'Executive Council or Parishad' consisting of 5 members as per the law, which shall be considered as the Executive Council. d) The Chairperson and 5 members of the Executive Council shall be considered as full-time employees of the Council and they shall receive salary and allowances from the Council as per the rules.	The executive power of the Hill District Council shall be vested in the hands of the people and the method by which the executive council or council shall be formed shall be similar to the rest of the 61 district councils in the country.
11.	Same as above	Section 25	a) There shall be a	

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		Transaction of functions: (1) The business of the District Council shall be transacted by its meetings or by its committees or by its Chairman, members, officers or employees within the limits and in the manner prescribed by the regulations. (2) The Chairman, shall preside all meetings of the council. In the Chairman's absence, the members present at the meeting shall elect another presiding member from among the tribal members. (3) No act or proceeding of the Council shall be invalid merely by reason of the vacancy in the membership of the Council or any defect in its constitution or by reason of the fact that any person has done such act notwithstanding his right to attend or vote at a meeting of the Council or to take part in its proceedings in any other manner. (4) A copy of the minutes of every meeting of the Council shall be forwarded to the Government within fourteen days of the date of the meeting.	'Secretary' of the Council and a 3/5-member secretariat under the Chairman. They shall write the minutes of the meetings of the District Council and the minutes of the standing committees and distribute them to everyone. b) The Chairman and the Executive Council shall manage the work of the Council in the light of the decisions of these meetings. c) The Chairman shall be a full-time salaried employee of the Council. He shall receive the salary of the next step of the Council Chairman. d) One-third of the members elected to the Council by the Chairman Council or Council shall be women members. e) The Council may elect a shadow Council leader if it so wishes. The Chairman shall be considered as the Council leader.	

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12.	Same as above	Section 26 Right of Mong Chief to attend Council meetings	The Mong Circle Chief shall be considered a regular member of the Khagrachari District Council.	The existing law states that the Circle Chief can attend any meeting if he wishes or is invited. But in the past, it has been seen that the Circle Chief has never been invited by the District Council. Therefore, it can be proposed to amend Section 26 and make the concerned Circle Chief a regular member.
13.	Same as above	Section 27 The Council may appoint committees as it deems necessary to assist it in its work and may determine their composition, responsibilities, and procedures.	The council shall have 10 standing committees. The chairperson and number of members of the standing committees shall be decided in the council meeting. They shall meet every two months and give their opinions/recommendations on their respective matters. Each committee shall include one-third of women members.	