Managing Accountability in the Dhaka-Chittagong Expressway Development Project in Bangladesh

By

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MPPG 4th Batch

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Department of Political Science and Sociology
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Dedicated to

The people who have sacrificed their lives for Bangladesh.
Acknowledgement

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Sincerely
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Abstract

The necessity of sustained growth and development is paramount for any country that envisions ensuring well-being for its citizen. Public-Private Partnerships (PPPs) is becoming a popular investment model since 1990s in the world. PPPs in the delivery of public services have become a phenomenon which is thinning out around the world and generating great interest among governments, investors and other key project stakeholders. As a developing country like Bangladesh, the importance of development projects and their proper management is a vital issue for policymakers and concerned stakeholders. Bangladesh, like many other developing countries, has emphasized on public-private partnerships as an integral policy strategy to improve its deeply rooted socio-economic, political, fiscal and societal problems and to meet the pressure of attaining the goals of national developmental projects. In spite of the reasons advanced for the importance of PPPs as an alternative service-delivery option, several doubts about the efficacy of accountability and suggestions that it may undermine public control have been expressed.

Given the importance of accountability and based on the research objective, the current study aims to explore the accountability management aspects practiced, implemented and reflected in Dhaka-Chittagong Expressway PPP based development project of Bangladesh. In the absence of prior specific theory or framework that would fit to examine the PPP based development project in the context of Bangladesh, an analytical framework has been designed from the existing topics, frameworks concepts and strategies of accountability discourse. The current study has taken three main dimensions of accountability - the hierarchical perspective, the horizontal perspective, and accountability as a virtue; which is useful for understanding accountability of PPPs based projects in practical terms. These three perspectives have been applied as the intermediaries of the dependent variable “Accountability in Dhaka-Chittagong Expressway Project”. Internal administrative accountability and external accountability towards stakeholders have been used to measure the level and variation among each independent variable which are compliance strategy, discretionary or flexible strategy, communication strategy, and information strategy.

The current study found that the state of accountability is not satisfactory in the Dhaka-Chittagong Expressway project that is in its design phase. There are notable aspects that need to be improved to ensure accountability. From the current study, it is evident that the DCE project predominately practices the hierarchical dimension of accountability which is not conducive for PPP based projects and the practice of internal managerial accountability level is comparatively lower than the practice of external accountability towards stakeholders. For improving accountability management in PPP based development projects, the government and concerned stakeholders need to design, develop and implement an enabling culture that recruits people of high moral responsibility, and encourages the horizontal aspects of accountability instead of vertical accountability. The researcher hopes that the findings of this dissertation would help to bring necessary policy decisions by the government so that interests of the involved parties in the PPP based initiatives could be uphold that would be contributing to good governance and accelerate the socio-economic development of Bangladesh.
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<tr>
<td>ADB</td>
<td>Asian Development Bank</td>
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<td>ADP</td>
<td>Annual Development Programme</td>
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<td>BBA</td>
<td>Bangladesh Bridge Authority</td>
</tr>
<tr>
<td>BDT</td>
<td>Bangladesh Taka</td>
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<tr>
<td>BDT CRORE</td>
<td>1 Crore BDT=10 Million BDT</td>
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<tr>
<td>BGMEA</td>
<td>Bangladesh Garment Manufacturers and Exporters Association</td>
</tr>
<tr>
<td>BIFFL</td>
<td>Bangladesh Infrastructure Finance Fund Limited</td>
</tr>
<tr>
<td>BOO</td>
<td>Build Operate Own</td>
</tr>
<tr>
<td>BOOT</td>
<td>Build Operate Own Transfer</td>
</tr>
<tr>
<td>BOT</td>
<td>Build Operate Transfer</td>
</tr>
<tr>
<td>CCEA</td>
<td>Cabinet Committee on Economic Affairs</td>
</tr>
<tr>
<td>CEO</td>
<td>Chief Executive Officer</td>
</tr>
<tr>
<td>DCACE</td>
<td>Dhaka - Chittagong Access Controlled Expressway</td>
</tr>
<tr>
<td>EA</td>
<td>Executing Agency</td>
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<tr>
<td>EGC</td>
<td>Economic Growth Centers</td>
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<td>EPZ</td>
<td>Export Processing Zones</td>
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<td>FBCCI</td>
<td>Federation of Bangladesh Chambers of Commerce and Industry</td>
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<td>FY</td>
<td>Fiscal Year</td>
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<td>FYP</td>
<td>Five Year Plan</td>
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<td>GOB</td>
<td>Government of Bangladesh</td>
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<td>IA</td>
<td>Implementing Agency</td>
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<td>IDCOL</td>
<td>Infrastructure Development Company Limited</td>
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<td>JDCF</td>
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Chapter 1  
 Introduction 

The significance of infrastructure development for overall economic development in any developing country is paramount. Infrastructure reflects credibility, self-reliance, low-cost production, and market competitiveness (Nataraj, 2007). The importance of physical infrastructure for economic growth and poverty reduction has been well documented in the literature (Estache, 2004; Jones, 2004; Asian Development Bank [ADB], 2005). Furthermore, investment in physical and social infrastructure positively affects the poor directly and indirectly in multiple ways. Developing region like South Asian countries are making concerted efforts to improve infrastructure capacities in their countries. However, the infrastructure construction industry in South Asian economies is characterized by a vicious cycle of inefficiency—facilities remain almost entirely in the public sector and are plagued with problems related to inefficiency and weak governance (Nataraj, 2007). This, in turn, yields poor cost recovery and conflicting incentives to provide efficient, expandable, and reliable services.

Generally in South Asia, the development projects are financed through taxes or by borrowing from commercial banks and international financial institutions, such as World Bank and Asian Development Bank (ADB). The role of the private sector has been relatively limited, usually restricted to subcontracting during the construction phase. However, over the last two decades, this process has changed significantly. Demand for infrastructure investment has increased dramatically in response to the rapid industrialization and urbanization that has occurred in most of the region’s developing economies (Maree, 1996; Arndt, 1999) and even more so in the faster growing economies, such as in Bangladesh. Governments are no longer able to finance infrastructure projects solely or even predominantly from the public purse (Noel and Brzeski, 2004; Grimsey and Lewis, 2004). In the current global, regional and national context of most developing countries, managing finance of large infrastructure development projects by exclusively focusing on public tax is not a pragmatic solution.

Nataraj (2007) opined that, all South Asian countries face budgetary constraints due to, among other things, declining terms of trade for primary commodities, the high
cost of debt servicing, increasing revenue expenditures, and smaller aid flows. Governments are also under pressure from multilateral agencies to strengthen fiscal discipline as a part of their ongoing structural reforms. Therefore, governments have reduced their involvement in the design, construction, and management of infrastructure projects. Governments are looking to the private sector to not only finance but also build and operate infrastructure assets (Nataraj 2007). However, there are some difficult issues relating to institutional set up, financing, regulatory authorities, tariffs, and Public-Private Partnerships (PPPs). In recent times, PPPs have emerged as an emerging vital tool in building, managing, and operating infrastructure services efficiently. The importance of public-private partnerships (PPPs) in promoting infrastructure development in developing countries like Bangladesh has been significant.

This study aims to search the state of accountability management of Dhaka-Chittagong Access Controlled Expressway Project. This current study intends to carry out a detailed analysis of the strategic perspective to accountability management of Public Private Partnership based Dhaka-Chittagong Expressway project which is a major development oriented infrastructure project for the government of Bangladesh. The current study looks at how development project personnel and project stakeholders manage their accountabilities with different strategies from accountability management perspective. The current study also examines the constraints faced by the stakeholders of PPP based development projects of Bangladesh in light of accountability issue.

1.1 Background and Context of the Study

Project stakeholders like the government and developing partners are increasingly concerned about better project management which has significant role for the development of Bangladesh. As a developing country with limited resources, Bangladesh is somewhat dependent on foreign assistance for materializing its national development policy. According to the revised Annual Development Programme (ADP) for FY 2014-15, the government's contribution to the ADP stood at BDT 50,100 crore, while foreign assistance to BDT 24,900 crore, with an total outlay of BDT 75,000 crore (DT, March 10, 2015). The total number of projects in the revised ADP rose to 1,204 from 1,187 in the original ADP. Out of the 1,204 projects, there are some 1014 investment ones while 169
technical and 21 from Japan Debt Cancellation Fund (JDCF). There are two approaches for implementation development projects namely, program approach and project approach. But all ‘best practices’ are not fit everywhere. Many countries implement their development issues through projects and some countries implement this as ‘program approach’. In Bangladesh, we have both project and program approach to implement ADP. ADP has different projects which are executed by Ministries/ Divisions/ Agencies. There are lots of activities that are proposed to be implemented by the authorities. According to Ahmed (2010), the importance of development projects and its efficient, effective and strategic management is significant of the socio-economic development of a developing country like Bangladesh.

According to PPP Office Bangladesh (2015), the Dhaka-Chittagong Expressway Project is a major developmental project on Public Private Partnership (PPP) based model in Bangladesh because Dhaka and Chittagong are the two major metropolitan areas of Bangladesh. Dhaka, the capital of Bangladesh, is the main commercial and administrative center of the country and Chittagong, the main seaport, accounts for over 90% of the country’s import and export. Around 25% of the population of Bangladesh lives within the Dhaka–Chittagong corridor. Currently road communication between the two major cities is served by the 231KM 2 lanes Dhaka–Chittagong National Highway (N1), which can be considered to be the most important highway and the lifeline of commerce in Bangladesh. It is also part of the Trans-Asian Highway network. However, the road traffic on this route is severely hampered because of the lack of capacity of the existing highway and the load restrictions of bridges; with journeys taking around 10 hours due to the congestion of the road. The road also suffers from poor road safety records because of the lack of segregation between local and national traffic and between motorized and non-motorized traffic. As the Government of Bangladesh has prioritized the improvement of road communications between Dhaka and Chittagong as part of the country’s sixth five year plan (2011-2015) and has initiated the Dhaka-Chittagong Expressway project as a key component of its overall development program (PPP Office Bangladesh, 2015). To study about development projects, the basic concept of project is stated below.

The concept ‘project’ is not a new phenomenon in development history rather it is an ancient phenomenon. Egyptian Pharaoh Cheops died in 2612 BC and was buried in
The great Pyramid of Giza. More than twenty years and almost seven million person weeks of effort were made to build this structure. This is treated as most ancient project of civilization. Like all projects of modern days, it also took a time and cost involvement with specific scope of work. The output was Pyramid; where Pharaoh Dynasty used their resources and abilities towards a desired outcome for memory of the late emperor (Ahmed, 2010). Projects are created when there is a need that cannot be addressed by the day to day operations of an organization. There is no limit to the nature of projects. A project can be as simple as organizing a weekend fundraiser or as complex as running the entire campaign for a political candidate. An essential aspect of a project is the fulfillment of a specific need. These needs are normally addressed in terms of objectives. Clear, definite, and precise objectives need to be identified so that the resolution of these goals can result in the conclusion of the project.

Project management is managing specific to a project. It encompasses the knowledge, skills, and activities, as well as the tools and techniques, to bring a project to its desired outcome. The project manager is the person charged with fulfilling the project objectives. The project manager can work independently or with others as part of a project management team. To properly manage a project, one has to identify the project requirements, clearly define the objectives and project deliverables, balance the “triple constraint” of time, scope, and cost, and collaborate with project stakeholders (PMI, 2004). The importance of project generation, planning and management in the development of a developing country is mentioned by different authors as the “excellent organized efforts”, as the “cutting edge of development”, as the “basic blocks of development” and as the “privileged particles of the development process” (Ahmed, 2010). Therefore it is of utmost importance for a resource-scarce country like Bangladesh to properly manage development projects for the optimum utilisation of the hard earned money of the taxpayers. Accountability is an important element of good governance and is essential for sustained growth and development. It is the collective responsibility of parliament, executive, audit institution, anti-corruption institution, judiciary, media, and civil society and so on.

Accountability related research in public administration has evolved over the decades (Hwang, 2013). Accountability in modern organizations has been studied as a
matter of accountability to whom and for what (Bardach & Lesser, 1996) as well as a matter of accountability how (Behn, 2001). A recent collection of papers on accountability (Dubnick & Frederickson, 2011), building on discussions from a 2008 symposium sponsored by The Kettering Foundation, also identifies three accountability themes for public administration: the problematic meaning of accountability (for what), the existence of multiple accountabilities (to whom), and the emphasis on accountability mechanisms rather than on accountability itself (how). Nonetheless, it is fair to say that the study and practice of accountability are still in their infancy (Greitens, 2012). In particular, beyond the three basic questions pertinent to accountability, the specification of an accountability system with what consequences is rarely contested.

A key definition of accountability is “a social relationship in which an actor feels an obligation to explain and to justify his or her conducts to some significant other” (Bovens, 2005). Accountability can also be defined differently based upon social, political, cultural and institutional conditions (Dubnick & Frederickson, 2011). Edwards and Hulme (1996) define it as “the means by which individuals and organizations report to a recognized authority (or authorities) and are held responsible for their actions.” A Kettering report found that government leaders see accountability as measurement that drives improved performance, while citizens see accountability as responsibility by leaders and citizens themselves (Johnson, Rochkind, & DuPont, 2011). In this study, project workers’ role in managing accountability—‘accountability management’ will be focused rather than only focusing upon accountability. The current study applies a strategic perspective to accountability management of Dhaka - Chittagong Expressway PPP based development Project. How PPP based development project personnel manage their accountabilities with different strategies is the point of accountability management.

1.2 Statement of the Problem

The necessity of sustained growth and development is vital for any country that envisions ensuring wellbeing for its citizen. As a developing country like Bangladesh, the importance of development projects and their proper management is an essential issue for policymakers and concerned stakeholders. Managing the public service oriented development projects in Bangladesh can be defined somewhat challenging task because
most of the projects lack smooth completion and struggle to achieve desirable impacts. One needs to have a clear notion on the accountability and responsibility within the project management domain. The project managers must be well aware of their responsibilities and the accountability towards the project whether it is a success or a failure (Chittoor, 2012). Bangladesh faces scarce resources and need to ensure optimum use of resources by taking pragmatic plans to guide their efforts for development. Government of Bangladesh attempts to achieve desired growth and development by allocating necessary funds for macro initiatives like Annual Development Programme (ADP) to implement development projects every year. ADP consists of projects in different economic sectors and each ministry sets priorities to implement their own projects. In this aspect, managing accountability is a demanding issue.

Lack of accountability is a problem in any workplace because it is unproductive, it negatively impacts employee engagement and it leads to poor results. A productive workplace requires every employee to be held accountable for his or her actions (Craemer, 2011). According to the audit report of project management framework of Canada (2014), the management of project is vital to provide value for money and demonstrating sound stewardship in program delivery. Moreover, a comprehensive approach to managing projects is appropriate for the level of project risk and complexity, will enhance the likelihood of realizing project outcomes. The accountability management approach should be designed in a way so that accountability for outcomes is clear, appropriate controls are in place to minimize risk and limit project duplication and overlap, key project stakeholders are consulted and outputs and outcomes are monitored and reported. So, it is important to find out whether the project management has established a functioning accountability mechanism to manage the project. The daily average traffic on the Dhaka – Chittagong highway was about 20,000 in 2004. According to Roads and Highways Department officials (2014), it has now almost doubled said.

According to the Dhaka-Chittagong Expressway PPP design project study by the ADB (2015), almost 90 percent of the country's total imports and exports are transported through the Dhaka-Chittagong highway. Sixty percent of the vehicles plying the highway carry goods. It takes around 10 hours and sometimes more to cross the 250-kilometre distance. The long, strenuous journey means a huge waste of fuel as well as working
hours. Besides, shipments of goods are often delayed due to long queues of vehicles on the highway (Expressway project, The Daily Star, 2015). So, Dhaka-Chittagong Expressway project as a key component of its overall development program of Bangladesh which is based on Public Private Partnership modality of public service delivery. So, the current study of exploring state of accountability management in Dhaka-Chittagong Expressway PPP based development project that would act as an academic endeavor in the road to ensuring good governance in the infrastructure development under socio-economic aspect of Bangladesh.

1.3 Research Objective

Accountability is an integral element of practicing good governance and also essential for growth and development of Bangladesh. A development project is created to solve a developmental challenge and the end result can be a product, service, a solution or almost anything. Therefore, ensuring accountability in development projects is very crucial for the desired development of Bangladesh. The research objective of the current study is:

To explore the accountability management aspects practiced, implemented and reflected in Dhaka-Chittagong Expressway PPP based development project of Bangladesh.

In this context, therefore, this proposed research will try to determine whether and to what context accountability mechanisms like “accountability management” have been adopted or applied in in Dhaka-Chittagong Expressway PPP based development project of Bangladesh towards the achievement of a quality and successful project performance.

1.4 Research Question

To achieve the research objective of the current study, the following research questions have been addressed.

• What is the current state of accountability mechanism in Dhaka-Chittagong Expressway PPP Project of Bangladesh?
• To what extent accountability management have been adopted or applied in Dhaka-Chittagong Expressway PPP Project?
1.5 Significance, Rationale and Scope of the Study

In a project management environment, implementation of projects as per the project plans, project managers in particular and project stakeholders in general are often ill-informed as to the status and progress of their projects’ journey toward completion (Burke, 2000). Developmental Project management practice forms the basis of administering the developmental activities of the public sector in Bangladesh. Successful mechanisms for proper implementation of project are vital for socio-economic development of the developing countries like Bangladesh. According to Hamiduzzaman, (2014), managing development projects for Bangladesh have been considered as one of the foremost dilemmas.

The broad purpose of the current study is to explore the state of accountability and accountability management in managing PPP based development projects of Bangladesh. Accountability management is rarely studied in the context of Bangladesh so we have little knowledge about how development project practitioners manage their accountability requirements. The current study of accountability management has implications for how practitioners should act in the face of accountability requirements. Thus, this study hopes to provide significant contributions to the relevant theory and practice.

The current study concentrates on the state of accountability management in development project management of Dhaka-Chittagong Expressway project under Public Private Partnership (PPP) which is a significant development project in the transport sector of Bangladesh.

1.6 Definition of Key Terms

Accountability
Obligation, or responsibility of a person or organizations or entities to explain, answer, justify, and defend their actions or what they have done to another party who will observe, evaluate, and scrutinize that performance and they can give feedback, including reward and punishment.
Accountability Management
Accountability Management is “the appropriate exercise of a navigational competence: that is, the proper use of authority to range freely across a multi-relationship terrain in search of the most advantageous path to success”, (Considine, 2002).

Project
“A temporary endeavor undertaken to produce a unique product, service or result” (PMI Staff 2008).

Project Management
“The application of knowledge, skills, tools, and techniques to project activities to meet the project requirements” (PMI Staff 2008).

Public Private Partnership (PPP)
PPP can be defined as “a long-term contract between a private party and a government entity, for providing a public asset or service, in which the private party bears significant risk and management responsibility, and remuneration is linked to performance.”

Strategy
Strategy is the way in which an organization adapts to its environment and pursues improvement in its performance (Walker & Brewer, 2009). The meaning of accountability strategy used in the current study should be distinguished from the meaning of strategy used in gaming behavior.

1.7 Literature Review
Numerous definitions of accountability have been presented by scholars and practitioners of development discourse. Various studies and researches are found which focuses on different aspects of accountability and its mechanisms but few researches have focused upon the accountability management aspect of accountability. The root of the word ‘accountability’ comes from the word ‘account’. In the past, the aspects of accountability have been predominantly related to financial accounting, particularly bookkeeping (Bovens, 2005). Accountability is usually understood as a system to be established since
it is all about relations. This perspective is anchored on accountability’s role (Hwang, 2013). At the present time, accountability is a notable feature of almost every area, including politics and social science (Mulgan, 2002). According to Sinclair (1995), different authors focus on different types of accountability. Some auditors focus on accountability in terms of financial and numerical matters while some philosophers think that accountability is a subset of ethics.

In some countries, ‘accountability’ is all the more difficult to comprehend, or ‘pin down’ because the native language contains no direct equivalent of English word ‘accountability’. Some countries, such as France, Spain, Italy and Portugal, use various forms of ‘responsibility’ to represent ‘accountability’ (Dubnick, 2002). In Brazil, ‘accountability’ is translated as a combination of ‘transparency’ and ‘responsibility’ (Litovsky and MacGillivray, 2007). Some languages, e.g. Korean, Romanian, Spanish and Thai do not actually have a word for accountability, but it is sometimes translated as ‘responsibility’ (Osborne 2004). Fox and Brown (1998) describe accountability as “the process of holding actors responsible for actions.” In a unique issue of the IDS Bulletin on “Accountability through Participation,” Cornwall, Lucas, and Pasteur (2000) expanded this perspective by suggesting that accountability is both about being “held responsible” by others and about “taking responsibility” for oneself. As such, accountability has both an external dimension in terms of “an obligation to meet prescribed standards of behavior” (Chisolm, 1995) and an internal one motivated by “felt responsibility” as expressed through individual action and organizational mission (Fry, 1995). The goal of accountability is to ensure that public administrators pursue publicly valued goals and satisfy legitimate performance expectations (Romzek & Dubnick, 1998). Careful attention to accountability helps to define the problem and to find a solution in public management (Dubnick & O’Brien, 2011). Accountability management involves identifying, defining, and managing diverse expectations placed upon organizations or projects and their workers within them by internal and external stakeholders.

The idea of accountability management stems from the premise that public agencies and their workers like development project personnel manage the diverse accountability expectations generated within and outside their organizations (Romzek &
Dubnick, 1987). As Dubnick and Romzek (1993) write, “a central fact in the world of public administrators is the need to deal with expectations, no matter what their source”. According to Hwang (2013), accountability management by development project workers involves identifying, defining, and managing diverse expectations placed upon development projects and workers within them by internal and external stakeholders.

A project is “a temporary endeavor undertaken to produce a unique product, service or result” (PMI Staff 2008) that is how Guide to the Project Management Body of Knowledge defines a project. A project is created to solve a problem and the end result can be a product, service, a solution or almost anything. Management is best defined by Peter F. Drucker. He said that management’s fundamental task is, “to make people capable of joint performance through common goals, common values, the right structure, and the training and development they need to perform and respond to change” (Drucker, 2001). As project is a temporary endeavor to achieve some desired result or impact, proper management of the endeavor is paramount.

As a field study, project management is having achieved project objectives within time, cost, at the desired technological level. Additionally, resources must be allocated and used efficiently and the end product must be accepted by the end user (Kerzner, 2003). Project management is management specific to a project. It encompasses the knowledge, skills, and activities, as well as the tools and techniques, to bring a project to its desired outcome. Project management itself is defined by (PMI Staff 2008) as “….the application of knowledge, skills, tools, and techniques to project activities to meet the project requirements. Project management is accomplished through the appropriate application and integration of the….project management process.”

Hwang’s (2013) study findings on “the Impact of Accountability and Accountability Management on Performance at the Street Level” of Virginia support the study’s argument that accountability should be stressed for better performance and highlight the need for the careful design of accountability mechanisms in public services. The study of Hwang (2013) had two stages: interviews and a survey. The qualitative content analysis of the interviews provides several noteworthy findings. Kabir (2011) has also found some significant problems in the accountability mechanisms of the Press
Information Department (PID) of Bangladesh. The study found that due to the lack of proper policies and rules, and clear roles and responsibilities, PID’s administrative rules cannot guide them; on the contrary hinder their performance due to bureaucratic procedures. As the study looks into the accountability issue of PPP based development project, empirical view on PPPs and their accountability aspect is also taken into account.

According to Forrer et al. (2010), public–private partnerships have existed worldwide at least since the time of the Roman Empire. Later, much of the West was developed through a variety of PPPs, including the cross-continental railway (Bain 1999). Savas (2000) defines a public–private partnership “as any arrangement between government and the private sector in which partially or traditionally public activities are performed by the private sector”. Forrer et al. (2010) stated that “Public–private partnerships are ongoing agreements between government and private sector organizations in which the private organization participates in the decision-making and production of a public good or service that has traditionally been provided by the public sector and in which the private sector shares the risk of that production”. This is an extensive definition that accommodates a variety of arrangements, from contracting out to the use of vouchers.

As stated by Forrer et al. (2010), Public–private partnerships (PPPs) increasingly have become the alternative solution to government problems and needs, most recently for infrastructure, and they are embraced by a wide range of constituencies, across political parties, and throughout the world. This trend may speed up as governments experience fiscal deficits and look for alternative ways to finance and deliver government services. The reasoning for creating such arrangements includes both ideological and pragmatic perspectives (Savas, 2000). Of course, any agreement or contract between the government and any other entity (a private firm or nonprofit organization) might be labeled a “partnership,” to suggest some shared goals or spirit of cooperation in the undertaking; many of these involve interesting accountability challenges. So, clear understanding of differentiating between other partnerships with PPP based partnership is important to address the objective of the current study.
1.7.1 Inference of the Literature Review

From the above review, it can be summarized that in some literature, ‘accountability’ is all the more difficult to comprehend because the native language contains no direct equivalent of English word ‘accountability’ (Dubnick, 2002). In terms of accountability issue, among many scholars the study of Bovens (2005), Mulgan, (2002), and Sinclair, (1995) have defined accountability as a system to be established since it is all about relations between principal and agents.

To some scholars like Romzek & Dubnick (1998), the goal of accountability is to ensure that public administrators pursue publicly valued goals and gratify legitimate performance expectations. According to Dubnick and O’Brien (2011), careful attention to accountability helps to define the problem and to find a solution in public management. Accountability management involves identifying, defining, and managing diverse expectations placed upon organizations or projects and their workers within them by internal and external stakeholders.

All the study related to accountability management stems from the premise that public agencies and their workers like development project personnel manage the diverse accountability expectations generated within and outside their organizations. Hwang’s (2013), and Kabir’s (2011) study findings stated that accountability should be stressed for better performance and highlight the need for the careful design of accountability mechanisms in public services and lack of proper policies of managing accountability may hinder public service delivery processes.

According to Forrer et al. (2010), and Bain (1999) Public–private partnerships (PPPs) increasingly have become the alternative solution to government problems and needs, most recently for infrastructure, and they are embraced by a wide range of constituencies, across political parties, and throughout the world. Savas (2000) opined that, any agreement or contract between the government and any other entity might be labeled a “partnership,” to suggest some shared goals or spirit of cooperation in the undertaking; many of these involve stimulating accountability challenges.
1.8 Conclusion

This chapter presents the idea of the current study and its importance for research. Finding literatures and research works on the issue of accountability let alone on PPP from public sector in Bangladesh are very challenging, though there is increasing urgency to make government more accountable in developing countries such as Bangladesh. In a nutshell, it can be summarized that although PPP is a very widely practiced alternative public service delivery options for different developed and developing nations, but there are realistic concerns for developing country like Bangladesh where it has not been practiced for long time and has not been critically examined. The current study has not found any prior country (Bangladesh) specific accountability management scientific literature focusing the PPP perspective. From the reviewed literature it can be noted that, the current study would contribute into the academic discourse in terms of accountability and good governance aspect in the field of PPP based development project management of Bangladesh as the current study wants to examine accountability perspective of the PPP based development project management in Bangladesh towards the achievement of its economic development.
Chapter 2
Theoretical Framework and Research Design

2.1 Introduction

To meet the current study objective and answer the research questions reviewing the existing literatures related to the current research topic, the relevant theories and drawing an analytical framework for the study is crucial. This chapter reviews and discusses some applicable theories, states some relevant frameworks on accountability, and identifies related variables from literature review and theory. After that, this chapter then discusses with dimensions of accountability in terms of PPP, strategic perspective of accountability to explore the state of accountability in the selected case of Dhaka-Chittagong Expressway project for the current study. In the next section of this chapter analytical framework and variable matrix is drawn based on the reviewed literature. Then the final section of this chapter lays out research design and method of inquiry for the current study. The current study has primarily adapted qualitative method.

After revising the obtainable literature it is palpable that accountability aspect has significant implication in the desired completion of PPP based development projects to ensure good governance in order to build a better society. The current study has reviewed three theories: the agency theory, stewardship theory and the role theory to understand the relationship between all the involved parties in a PPP based development project. In the discussion of accountability theories, agency theory, and the relationship between principal and agent are generally mentioned (Power 1991). Agency theory is based on an agency relationship, ‘a contract under which one or more person (the principal(s)) engages another person (the agent) to perform some service on their behalf which involves delegating some decision making authority to the agent’ (Jensen and Meckling 1976). Thus, this relationship involves two parties, the principal and the agent (Levinthal 1988). Agency theory is has been applied in numerous study to understand the dynamics of relationship in a work setup. The following theory is the stewardship theory.

Regarding stewardship theory, according to Davis et al. (1997), ‘… the model of man is based on a steward whose behavior is ordered such that pro-organizational,
collectivistic behaviors have higher utility than individualistic, self-serving behavior’. The way a steward performs may affect the accountability relationship. Caers et al. (2006) argue that ‘stewardship theory differs from traditional agency theory in that it questions the assumption that a principal-agent relationship will always be characterized by agency conflicts’. Dicke and Ott (2002) state that stewardship theory is ‘the possible basis for the reform of roles and responsibilities of principals and agents in government contracted service relations, and for the design and development of more effective methods for ensuring accountability in contracted human services’. Stewardship theory touches some aspects which are not clearly addressed by other theories in this regard.

The next theory, usually addressed in human resource management and social psychology research, is that of role theory. This was originally seen as ‘a way to describe how organizations as contrived social systems, manage to produce reliable behavior on the part of their members’ (Frink and Klimoski 1998) and is used to explain organizational behavior. Role theory also emphasizes interpersonal relationships. Frink and Klimoski (1998) explain that ‘role theory postulates a central role for interpersonal expectations, emphasizes the importance of the consequence of compliance, and links tasks and activities to individuals’. These theories indicate some relevant aspects to understand the dynamics of accountability issue in a complex scenario of PPP based development project that comprises multi-stakeholders from different sectors and background.

As accountability is integral to many aspects and its applicability varies based on the particular contest or aspect. The method of practicing accountability mechanism in public institutions may differ from private entities. The people who works in these setups also varies and their roles are shaped by the particular context. Any general explanation regarding accountability mechanisms may not be meaningful. According to Mulgan (2001), a systematic comparison of accountability may provide a clearer framework for better understanding of accountability issues in the selected sector.
Table 1: A Comparative Framework of Accountability by Mulgan (2001)

<table>
<thead>
<tr>
<th>Who is accountable: (a) collective (b) individual</th>
<th>Public</th>
<th>Private/for-profit</th>
<th>Third sector</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Government, agency officials</td>
<td>Company</td>
<td>Organisation volunteers, employees,</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Employees</td>
<td></td>
</tr>
<tr>
<td>For what accountable</td>
<td>Legal compliance and financial reporting</td>
<td>Legal compliance and financial reporting</td>
<td>Legal compliance and financial reporting</td>
</tr>
<tr>
<td></td>
<td>Public interest</td>
<td>Profit</td>
<td>Public welfare</td>
</tr>
<tr>
<td></td>
<td>Just treatment of</td>
<td>Fair treatment of customers</td>
<td>Beneficial treatment of clients</td>
</tr>
<tr>
<td>citizens</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>To whom accountable: (a) legal compliance and financial reporting</td>
<td>Public: Courts Auditor-General</td>
<td>Public: Courts ASIC ACCC</td>
<td>Public: Courts Attorney-General Registrars</td>
</tr>
<tr>
<td>To whom accountable: (b) general policy and performance</td>
<td>Public: Parliament Auditor-General</td>
<td>Owners/shareholders</td>
<td>Members Parent organizations Donors</td>
</tr>
<tr>
<td>To whom accountable: (c) particular decisions</td>
<td>Citizen-clients: Complaints procedures and internal review Ombudsman Tribunals/courts Anti-discrimination agencies</td>
<td>Customers: Complaints procedures and internal review Industry ombudsmen Courts Anti-discrimination agencies</td>
<td>Clients</td>
</tr>
<tr>
<td>Personal accountability of individuals</td>
<td>Hierarchical</td>
<td>Hierarchical</td>
<td>Hierarchical Professional/collegial Whistle-blowing</td>
</tr>
<tr>
<td></td>
<td>Professional</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Whistle-blowing</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Mulgan’s comparative framework helps to understand the complex dimensions of stakeholders comprising different parties in a PPP based development project setup.

2.2 Accountability Components

According to Mashaw (2006), there are six main components of accountability. The first two components are the people or organizations in the accountability relationship, i.e. accountor and accountee. This relationship is usually based on the principal-agent relationship (Power 1991), whereby there is a contract between the accountor and accountee that clarifies what the accountor should be accountable to the accountee for. ‘Accountability for what’, ‘processes’, ‘standards’ and ‘effects’ are also significant
components of accountability (Mashaw 2006). Roberts (1991) focuses on how the influences of different forms of accountability can vary depending on the type of relationship, in particular the actions of individuals, or individual actions towards others. All these components form the process of accountability. The current study found that, different scholars have addressed different types of accountability in their literature for different circumstances.

2.3 Types of Accountability

Various scholars and practitioners of accountability discourse have categorized the term in different ways. The types of accountability include public, political, administrative, bureaucratic, legal and constitutional, fiscal, performance, social, and moral accountability. They can be formal or informal, internal or external, individual or collective, and can work through either vertically, horizontally, and diagonally (Bovens, M. 2005). According to (Mashaw 2006), public governance, market and social accountability are the three main regimes of accountability. Public governance focuses on the accountability of public sector organizations and the officials they employ. Market is related to accountability in the private sector. For social accountability, accountability among families, professions are the main considerations. Development project management is the main focus of this research. Therefore, first the regime of public governance is described and discussed.

The first type is that of public accountability. Sinclair (1995) defines this type as ‘a more informal but direct accountability to the public, interested community groups and individuals’. A citizens’ right to know is at the root of this type of accountability (Pablos et al. 2002). Public accountability involves the process of answering public concerns about organizational actions and performance through various mechanisms, such as the media (Sinclair 1995). Public officials should treat the public fairly (Behn 2001; Axworthy 2005). For public sector accountability, scholars cite a variety of ideas about the types of accountability. Day and Klein (1987) stated two main types of public accountability; political and managerial accountability.
The next type is political accountability that has been applied since the Athenian era, when it meant holding officials accountable for their actions (Newell and Bellour 2002). It was then extended to include ministerial and parliamentary accountability. The meaning of political accountability, according to Day and Klein (1987), is about those with delegated authority being answerable for their actions to people, whether directly in simple societies or indirectly in complex societies. For some countries, the chain directly links public managers to representatives and political parties (Bovens 1998). The basis of this accountability relationship is based on responsiveness to constituents (Romzek and Dubnick 1987; Brinkerhoff 2001). The other type of public accountability is managerial accountability.

Managerial accountability is defined as ‘making those with delegated authority answerable for carrying out agreed tasks according to agreed criteria of performance’ (Day and Klein 1987). Stewart (1984) argues that managerial accountability involves program and performance accountability, which focus on goals and results, and standards and performance. This means managerial accountability focuses on input, output, and outcome. Accounting information and financial reports are important tools for showing how organizations use resources and how effective they are (Behn 2001). More importantly, they can confirm that project management agencies are using public money wisely. Some researchers use the word ‘administrative’ instead of managerial accountability. According to Sinclair (1995), others believe that managerial accountability focuses on monitoring inputs and outputs, or outcomes, while administrative accountability focuses on only monitoring processes of the use of inputs.

Accountability can also be classified as either internal or external accountability (Mulgan 2000). Internal accountability relates to individual behaviors, such as professional accountability and personal accountability. According to Mulgan (2000), for these kinds of accountability, individuals have to be accountable for their actions. Regarding external accountability, types of accountability consist of political, public and managerial accountability, and relate to investigating and assessing actions taken by organizations or subordinates and imposing sanctions.
2.4 Accountability in Public–Private Partnerships

Though the above stated types of accountability help to clarify the complex dynamics of a project based scenario, and to have a more clear understanding it can be noted from the empirical findings, there are three main dimensions of accountability that are useful for understanding accountability in PPPs in practical terms; the hierarchical perspective, the horizontal perspective, and accountability as a virtue (Fombad, 2013). In the following section, hierarchical perspective, the horizontal perspective, and accountability as a virtue is been discussed.

The hierarchical perspective is based on the traditional approach of accountability, where the vertical chain of authority and the principal and agent relations are innate in hierarchical and bureaucratic state of affairs (Mulgan 2003; Armstrong 2005; Bovens 2007). Within the context of PPPs, hierarchical accountability echoes a structure where individuals perceive themselves as responsible for reporting, justifying, or clarifying their actions to others and being liable to sanctions in the event of errors and deficiencies. However, due to its focus only on reporting and formal sanctions, hierarchical accountability is less apt to PPPs because of the compound, complex, and conflicting undertakings of stakeholders, resulting in blurring of public-and private-sector responsibilities (Mörth 2007). To have a clear understanding about hierarchical perspectives helps to understand the following perspective, the horizontal perspective.

Consequently, the horizontal dimension of accountability, also known as management of expectations, provides a practical and representative approach to understanding accountability in PPPs. Accountability as management of expectations expedites discussions on how multiple expectations generated within and outside the partnership, often with conflicting objectives are managed in a nonhierarchical way (Fombad, 2013). This involves identifying each partner’s expectations, aligning goals, modifying strategies, assessing implementation, communicating performance, and facilitating learning (Kearns 1994). Though this perspective is the preferred one in PPPs in practical terms, the third perspective is necessary to nurture for any scenario.
The third perspective of accountability in PPPs is accountability as a virtue that is, having a conscience or a moral responsibility about what one is doing. It is considered a means of dealing with potential challenging situations that necessitate excuse-making, justification, rationalization, and other forms of account-giving (Demirag and Khadaroo 2011). To have a sound conscience and acting accordingly in any circumstances enhances the practice of accountability and good governance.

These approaches accentuate the shifting demands on public accountability when government responsibilities are shared with private and nonprofit entities. Unlike conventional contract management, PPPs entail more than being a “smart buyer” (Kettl 2002). PPPs encompass integrated responsibilities along a number of long-term aspects with a private partner that is not easily severed, as in a short-term contractual relationship. When PPPs are designed, each partner enters into the agreement with its own objectives and resources. Many PPPs, especially infrastructure projects, involve “public sector organizations getting access to private capital and construction expertise and private sector organizations getting new orders and securing new customers” (Hodge and Greve 2005). Ghere (2001) also provides examples in which private partners provide technical expertise, resources, or capital to the partnership, and public bodies provide access to public resources as well as public support for new initiatives. Thus, it is necessary for public managers to understand what their organization can offer, as well as what they will receive, from proposed PPPs.

Understanding the long-term view of partnership relationships is also necessary. A key to ensuring accountability is the recognition that “the public entity needs to be aware that its responsibility for contract management does not end once the contract has been awarded” (New Zealand Office of the Auditor-General 2006). According to Forrer et al. (2010) “PPPs require controls and oversight both ex ante and ex post contract formation”. Ghere describes the ex post involvement as “ongoing negotiation” (2001) between the public and private partners. Most PPPs last longer than election cycles, or even the average tenure of many public managers. PPPs in the United Kingdom generally have 30-year concession periods, and some PPPs in the United States have approached a century. In such cases, accountability depends heavily on anticipating the ex post issues and relationships (Forrer et al. 2010).
This PPP based modality also depends on procedures and decision rules embedded in the agreement. However, assessing the success of PPPs does not have to wait until the termination of the agreement. The quality of services can be compared to past performance, to performance by others, and to performance standards established in the PPP. Exercising accountability in PPPs ultimately depends on clarifying responsibilities in relationships. Kee et al. point out how interactions between public and private partner “affect the overall ability of an agency to monitor compliance and reward and punish success or failure by the contractor” (2007). This is a significant characteristic that differentiates PPPs from short-term contracts. PPPs are “seen as an advance on—almost an alternative to—‘contracting out and privatization’” (Wettenhall 2003). What is required, therefore, are mechanisms for both parties to demonstrate their commitment to the partnership. Accountability, in this case, can be seen as “two-sided,” implying “both a willingness to take responsibility for one’s actions and an expectation that these actions will be recognized” (Milward and Provan 2006). Clear two-way channels of communication are needed to strengthen cooperation. If either channel of communication lacks to response in due time or context, it would be difficult to achieve preferred result.

PPPs need to be stewarded by the government in order to ensure that public interests are met throughout the arrangement. “The public partner should seek a leadership role that defines the tenor of the partnership” (Ghere 2001). Thus, while both partners develop interdependence in the partnership, ensuring public accountability requires government to play an upper hand. This requires public managers to be aware of various strategy dimensions of public sector accountability.

2.5 Accountability Mechanisms

Regarding mechanisms of accountability, the experience of countries over time has resulted in multiple measures being adopted leading to a "redundancy of control" rather than a single instrument. This has resulted in a system of overlapping constraints and permissions, which, in combination, are designed to promote responsible bureaucrats and organizations (Smith, 1991). According to Jordan (2005), almost all mechanisms now employed in the organizational level and sector have arisen predominantly from queries
from government or other donor sources and have led to a series of accountability mechanisms those include various tools and techniques. Romzek and Dubnick in 1991 (cited in Deleon 1998) offered the variety of possible mechanisms currently in use which is suggested by a typology. They separate four kinds of accountability according to whether the source of control is (a) internal or (b) external, and whether the degree of control is (a) tight/high or (b) loose/low.

Table 2: Various Types of Accountability Mechanisms

<table>
<thead>
<tr>
<th>Degree of control</th>
<th>Source of control</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td><strong>Internal</strong></td>
</tr>
<tr>
<td><strong>High</strong></td>
<td>Bureaucratic</td>
</tr>
<tr>
<td><strong>Low</strong></td>
<td>Professional</td>
</tr>
</tbody>
</table>

Source: Deleon, L. (1998)

In the above table, bureaucratic accountability mechanisms stress the need to follow orders and close supervision. Legal accountability obtains when there are two relatively autonomous parties, one who can mandate expectations with the force of law, and another whose responsibility is to implement the law (a principal-agent relationship). Political accountability allows the agency or administrator to have the discretion to decide whether or not to respond to external expectations; its mechanisms involve the participation of the parties whose expectations are relevant. According to Kabir (2011), professional accountability relies upon the integrity and trustworthiness of the expert who has special skills to get the job done.

2.6 Strategic Aspects of Accountability Management

The accountability management perspective in the field of project management can be understood and operationalized by a strategic perspective. As Kearns (1994) observes, accountability management involves an element of strategy in which “management attempts to forecast diverse expectations and to position their agency for proactive as well as reactive responses”. Applying this strategic management perspective in accountability management is constructive since scholars need to develop a strategy for how public
managers can better manage thoughtfully and appropriately in particular contexts, when it is observed that overreliance on a particular type of accountability generates problems (Romzek & Ingraham, 2000; Schwartz & Sulitzeanu-Kenan, 2004). Dubnick and Romzek (1991) refer to accountability as a “strategic approach to the management of expectations.” While strategy is geared toward increasing profit, market share, and growth in the private sector, strategy in the public sector may be centered on increasing organizational performance, maximizing citizen well-being, ensuring the organization’s survival as cited in Hwang, (2013).

2.6.1 Strategies of Accountability Management

In the operation of strategy of accountability management, Kearns’s (1994) four strategic behaviors for the analysis of public managers’ behavior are somewhat helpful. Kearns’s typology of four strategies is compliance, negotiated, anticipatory, and discretionary strategy. From these four strategies, a compliance strategy involves adhering to the law. This component follows the rules, subject to oversight and periodic audits or evaluations. A flexible or discretionary strategy involves determining the latitude for discretionary judgment. It shapes and defines the norms and rules that workers believe will eventually be imposed (Kearn, 1994; Hwang, 2013). And Hwang (2013) came up with two strategies when he measured caseworkers’ accountability management. According to him, communication strategy means communicating and consulting with supervisors or peers in the internal setup and with other stakeholders in the external setup. Information strategy includes listening and learning information from project colleague or supervisor and providing explanation or clarification to the external queries from stakeholders. The current study, paid specific attention to the strategic behavior of PPP based development project personnel and their stakeholders. So, in this study, first two strategies “discretionary or flexible strategy” and “compliance strategy” are adopted from Kearns (1994), the other two (“communication” and “information strategy”) strategies have been adopted from Hwang (2013). For better understanding of the research objective to explore the accountability management aspects practiced, implemented and reflected in Dhaka-Chittagong Expressway PPP based development project of Bangladesh, the current study has designed an analytical framework.
2.7 Analytical Framework

From the three theories (agency, stewardship, and role), mentioned earlier which have somewhat explained the relationship between the project management and stakeholders of the project. Mulgan’s (2001) comparative framework (page-15) helps to explain accountability as a situational concept, in that its requirements need to be determined in terms of the particular context. Mulgan’s (2001) comparative framework has been applied as a reference to formulate the analytical framework of this study because it highlights that to explore accountability mechanisms of any particular context, we need to know: (i) who is accountable, (ii) for what are they accountable and (iii) to whom are they accountable. As the current study applies a strategic perspective to accountability management; study is needed from different dimension as suggested by different theories as models as presented in figure below. By analyzing the various theories, frameworks and literatures following variables has been identified for Analytical Framework of the current study. The dependent variable of the analytical framework is ‘Accountability in Dhaka-Chittagong Expressway Project’. The four strategic aspects of accountability have been adopted from Kearns (1994) and Hwang (2013) and these strategies have been applied as the independent variables in the analytical framework drawn below.

**Figure 1: The Analytical Framework of the current study**
Variable matrix has been summarized in the following table:

<table>
<thead>
<tr>
<th>Dependent Variable</th>
<th>Intermediaries of Dependent Variable</th>
<th>Independent Variables</th>
<th>Intermediaries of Independent Variables</th>
<th>Indicators</th>
<th>Methods</th>
</tr>
</thead>
<tbody>
<tr>
<td>Accountability in Dhaka-Chittagong Expressway Project</td>
<td>Vertical/Horizontal/As a virtue</td>
<td>Compliance Strategy</td>
<td>Internal administrative accountability</td>
<td>Ethical code following Policy guidelines</td>
<td>Content analysis / Interview</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Flexible Strategy</td>
<td>Internal administrative accountability</td>
<td>External accountability towards stakeholders</td>
<td>Customer/beneficiaries Professional decisions</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Communication Strategy</td>
<td>Internal administrative accountability</td>
<td>External accountability towards stakeholders</td>
<td>Communication with stakeholders Consultations with supervisor Speak out</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Information Strategy</td>
<td>Internal administrative accountability</td>
<td>External accountability towards stakeholders</td>
<td>Listening Learning Information</td>
</tr>
</tbody>
</table>

2.8 Stakeholder Analysis

In the current study that focuses on a specific development project, the Dhaka-Chittagong Expressway project which is in its design study phase, to analyze internal administrative accountability aspect for the independent variables of the analytical framework, project management unit of the DCE project has been taken into account. To analyze the external informal accountability towards stakeholders, ADB and assigned consultants have been taken into account as stakeholders of this project.
2.9 Research Design and Method of Inquiry

The current study has primarily adapted qualitative method. Qualitative methods using primary data sources are suitable for answering the specific research questions. Content and record analysis and in-depth interviews methods will be used for qualitative analysis.

There are two main directions to the research investigation. The first direction is deductive, which ‘… begin with an abstract, logical relationship among concepts, then move toward concrete empirical evidence’ (Neuman 2000). Another approach is inductive, which ‘… begin with detailed observations of the world and move toward more abstract generalizations and ideas’ (Neuman 2000). This study is a combination of deductive and inductive approaches. Eisenhardt (1989), quoted in Yin (2003), argues that the development of theory takes time and can be difficult. This research uses some ideas from previous research papers, particularly theoretical papers about accountability in PPP perspective. The first part of the research starts with a literature review in order to gather information and ideas from previous research to create the analytical framework. The framework is used to examine the state of accountability in Dhaka Chittagong Expressway project.

The second part of the research is an inductive approach. Information from interviews and content analysis of websites and scientific journals will be used to develop some new policy perspectives on accountability in the PPP based public service delivery of Bangladesh. The results will increase knowledge and understanding of accountability theory in a developing country like Bangladesh to ensure good governance and achieve economic emancipation.

2.9.1 Sources of Data

The data has gathered by using primary and secondary sources. Primary data has collected through in-depth interviews. For the current study, in-depth interviews of key personnel of Dhaka-Chittagong Expressway project has been conducted with a view to achieve important insights of accountability management from a strategic point of view.
The interviews help to understand the current scenario and information about the state of accountability management. Major part of the primary data which is needed to address the research question will come from the in-depth interviews. Questions are mainly open ended.

Secondary data has collected through content analysis. The sources of secondary data comes from published books, research reports, journal articles, unpublished dissertations, government policies and publications, official website of the government organizations as well other relevant websites too, newspaper and published and unpublished document in printing and online of related interest. This content analysis helps the study to identify and understand the relevant concepts and theories. Also it helps to find out the adequate data line with current study’s objectives.

2.9.2 Data Collection Technique

A brief description of the data collection techniques which have used in the current study is detailed under.

*In-depth interview*: Structured questions were asked but there was provision for open comments to the interviewee those who are directly linked with the development project management. The interviewees has been encouraged and provoked to speak out from their own hands on experiences. As the respondents are higher ranked officials, an open but formal approach has been maintained. Interviews were taken by the researcher himself with prior appointment. The language of interview was selected by the preference of the interviewee. The whole conversation was recorded (in audio format; with permission). If the interviewee speaks other than in English, the researcher translated it in English and presented it in the current study.

*Content Analysis*: The books and published documents relevant to the current study was collected from various sources such as Resource Center of Master in Public Policy and Governance (MPPG) Program, Department of Political Science and Sociology, North South University; Central Library of North South University etc. Online journals,
articles, unpublished dissertation, newspaper and books were accessed by using myAthens, Google scholar and internet browsing through World Wide Web (WWB).

2.9.3 Selection of Study Case

The main purpose of the study is to explore the state of accountability management in Dhaka-Chittagong Access Controlled Expressway project of Bangladesh Therefore the unit of analysis of the current study is selected project area. The Dhaka-Chittagong Access Controlled Expressway project is being implemented in design phase.

2.9.4 Sampling Method, Population Size and Data Analysis Tools

Purposive Sampling method was used to select the sample so that appropriate respondents can be incorporated in the research. The major reason behind this kind of sampling is to cover major stakeholders related to the research work and those who could be easily available. For the purpose of the study, in the case of in depth interviews, the selected respondents were divided into two categories; (1) Project management personnel (2) stakeholders of project management.

In-depth interview:

For the in-depth interview, 14 key stakeholders have been chosen from the projects those are selected for the current study.

<table>
<thead>
<tr>
<th>Population Sample</th>
<th>Data Collection Method</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project Management Personnel</td>
<td>In-depth Interview</td>
<td>6</td>
</tr>
<tr>
<td>(Government Officials)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Project Stakeholders (Consultants)</td>
<td>In-depth Interview</td>
<td>6</td>
</tr>
<tr>
<td>Key Personnel</td>
<td>In-depth Interview</td>
<td>2</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td>14</td>
</tr>
</tbody>
</table>

The collected data has been processed and analyzed by using simple statistical techniques - MS Word and MS Excel.
2.10 Conclusion

This chapter has discussed the relevant theories of accountability, comparative framework of accountability, types of accountability, accountability mechanisms, accountability in public–private partnerships, strategic aspects of accountability management, and strategies of accountability management. The current study has not found any specific theory or framework that would fit to examine the PPP based development project in the context of Bangladesh, so an analytical framework has been designed from the existing topics, frameworks concepts and strategies. From the above discussion and the table, it can be explain that the three main dimensions of accountability- the hierarchical perspective, the horizontal perspective, and accountability as a virtue which are useful for understanding accountability in PPPs in practical terms (Fombad, 2013) have been applied as the intermediaries of the dependent variable. Internal administrative accountability and external accountability towards stakeholders have been used to measure the level and variation among each independent variable which are compliance strategy, flexible strategy, communication strategy, and information strategy (Kearns, 1994; Hwang, 2013). From the existing literate review and earlier discussion, it can be hypothesized that the higher the practice of each strategy, the more accountable the project would be.
Chapter 3  
Contextual Background of the Dhaka-Chittagong Expressway Project

3.1 Introduction

A nation without a clear vision is a nation gone astray. Such is not the case for Bangladesh whose independence in 1971 was the culmination of a people’s struggle, as much for political freedom as it was for their economic emancipation. Bangladesh’s progress is a mosaic of notable achievements with some disappointments. Over the past 44 years since independence, Bangladesh has increased its real per capita income by more than 130 percent, cut poverty by more than half, and achieved most of the millennium development goals. Hitherto, the country remains a low-income country; almost a third of the population remains below the poverty line, and some 40% are illiterate (Planning Commission of BD, 2012). The perspective plan (2010-21) of Bangladesh government focuses upon the Government’s strategic Vision 2021, to attain middle income country status in achieving a prosperous Bangladesh, from its beginning as a low income country in 1971 from the bloody independence. To make the vision a reality, government, private entities, and citizens of the Bangladesh need to address the current and upcoming socio-economic developmental challenges and issues- infrastructure development is an essential issue for accelerated growth and achieve desired vision. Transport is one of the vital aspects in fostering economic growth and development. Securing improvement in transport system is therefore a major strategic objective to accelerate growth during the perspective plan period. Transport infrastructure development will contribute to the expansion of markets, enhancement of regional trade and investment, all of which are conducive to economic growth and poverty reduction. This chapter addresses the contextual background of the Dhaka-Chittagong Expressway PPP development project, which is a major initiative for the transport and communication infrastructure development of Bangladesh.

3.2 Contextual Background

Bangladesh has become independent in 1971 from Pakistan at the expense of many precious lives in a bloody war of liberation. The war almost completely destroyed the
physical infrastructure of the country. Bangladesh has come a long way since its birth when U.S. Secretary of State, Henry Kissinger had disparagingly called it a “bottomless basket”. There has been notable economic progress in Bangladesh since its independence. None can dare to call it a “bottomless basket” anymore. However, it could have achieved much more had it utilized its development policies efficiently (Helal & Hossain, 2013).

Bangladesh is now an emerging economy in South Asia, with the growth momentum registering a 6.1 percent growth of GDP in FY14. The export earnings (including EPZ) continued to increase from USD 26567 million in FY13 to USD 29765 million in FY14 despite its confrontational politics and global economic slowdown over the last few years (BB, 2014). Our dependency on foreign aid for the development project has reduced from 88% in 1972 to only 2% in 2010 (BBS, 2010). PPP adjusted per capita GDP stood at 3,122 US dollar in 2014 (World Bank, 2014). However, it could have done much better if we had political stability and required infrastructure to foster economic growth. It could have registered growth of 8% or more, like neighboring India, had it not lacked good governance.

According to the annual report of Bangladesh Bank 2014, “Bangladesh's aspiration to become a middle income country by 2021 is likely to be possible if there is good governance in financial and fiscal fronts, political stability and development of infrastructural facilities.” To accelerate economic growth and to sustain our economic progress, we need to properly implement the Annual Development Programs of the Government. To ensure improvements in this area, good governance is essential. To accelerate the large development programs, the government has emphasized on PPP perspective for prospective finances for these significant projects. Among other significant steps taken by government for creating an enabling culture of PPP based public service deliveries, the first meeting of the Steering committee of the Public Private Partnership Program Organization project was held on 18th August, 2011 at the Prime Minister’s Office, Chaired by the then Principal Secretary, Mr. MD. Abdul Karim, Prime
Minister’s Office (PMO, 2011). After a threadbare discussion, some important decision have been taken which is been attached in the annexure part of the current study report.

The Dhaka Chittagong Expressway Project is in line with the Bangladesh Government's targets of the 6th FYP to triple infrastructure development from 2% to 6% of GDP with substantial participation of the private sector through PPPs. In recent years, road transport has become the dominant mode of surface transportation in Bangladesh, carrying more than 70% of passengers and 60% of freight. The Bangladesh Road Master Plan (2007) forecasts annual growth of 6.4% in both freight and passenger traffic during 2010-2015 and 6.0% over the master plan period (2005-2025). Dhaka and Chittagong are the two major metropolitan areas of Bangladesh. Dhaka is the main commercial center and administrative capital of the country; Chittagong is the primary seaport, accounting for about 90% of imports and exports. About a quarter of Bangladesh's population lives along the Dhaka-Chittagong corridor.

The government's Sixth Five-Year Plan, 2011-2015 assigns the highest priority to increasing the capacity of the existing Dhaka-Chittagong Highway, which is part of the Asian Highway network, by widening it to four lanes and building the Dhaka-Chittagong Expressway. Road traffic between Dhaka and Chittagong is hampered by the lack of capacity of the existing 250-kilometer highway and load restrictions on bridges. In general, a fully loaded container cannot be transported by road to Dhaka. Road safety on the two-lane highway is poor because it is overcrowded with different types of vehicles, including rickshaws, bicycles, motorcycles, cars, buses, and trucks. The journey between Dhaka and Chittagong can take up to 10 hours because of congestion on the road. Based on traffic counts in 2009, 20,000-25,000 motorized vehicles, up to 40% of them trucks, use the highway each day. The number of motorized vehicles is expected to grow to at least 35,000 in 2020, 66,000 in 2030, and more than 119,000 in 2040, depending on the section and selected scenario for the traffic forecast.

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1 Prime Minister’s Office, 2011. The Government of People’s Republic of Bangladesh The document number is 03.068.006.08.00.016.2011 which was published on 25/08/2011. Tejgaon, Dhaka.
The 2009 traffic count indicates that the capacity of the existing two-lane highway is already saturated; the capacity of the four-lane highway currently under construction will be saturated shortly after 2020 because of the mixed traffic and large number of intersections, villages, and towns passed by the highway. This demonstrates the need for the additional road transport capacity that will be provided by the Dhaka-Chittagong Expressway. Dhaka and Chittagong are also linked by air, inland waterways, and railway, but road and railway links handle the bulk of passenger and high-value cargo traffic in this corridor. Both of these modes of transport are facing serious capacity bottlenecks. About half of the length of the 327-kilometer railway line between Dhaka and Chittagong is only a single-track line, which limits the number of daily trains. Passenger trains are frequently sold out and because passenger transportation is given preference over freight transportation, only four container trains operate between Dhaka and Chittagong daily, carrying about 10% of the containers to and from Chittagong Port.

According to the ADB project data sheet (2012) of this PPP based developmental project, “to address the transport needs in this corridor, the government is (i) upgrading the existing Dhaka-Chittagong highway by widening of the remaining two-lane sections to four lanes, which is planned for completion by 2013; (ii) improving the capacity of the railway line by making the remaining single-track sections double-track, which is planned for completion in 3-5 years; and (iii) planning to build a new access-controlled expressway.”

This expressway is badly needed, particularly with recent high-level intergovernmental consultations and agreements that will allow better access for Bhutan, India, and Nepal to Chittagong Port. So, this is not a forward looking development plan but rather it is a need basis one in terms of regional connectivity because it is much needed developmental project which has been long overdue (ADB, 2012). This additional traffic of goods and passengers will use the Dhaka-Chittagong corridor and has to be considered when planning the road capacity between Dhaka and Chittagong. The congestion on the existing highway requires the government to progress rapidly with this core transport project. Because funds available for the follow-on investment project are limited and the financing needs are large, opportunities for private sector participation
have to be identified to structure and implement this PPP project in Bangladesh's transport sector.

Development partners like ADB which is the main financier of this project emphasizes to promote infrastructure projects with private sector participation. High-quality international consultants should be engaged in a timely manner to support streamlined and efficient preparation of the PPP project, which will allow the government to enter into a fair agreement with the private sector based on a detailed design with proper allocation of risks between the parties. The initial study concluded that the route alignment selected for the current study of the expressway is technically, economical, and financially viable based on 2008 assumptions, costs, and revenue streams. The selected option was estimated to cost $2.75 billion equivalent in 2011 prices and the implementation period was assumed to be 5-6 years.

However, from the current study, it has been found out that the government failed to attract private investment for the project studied and is discussing different route alignment options that were not appraised in the earlier study. Earlier attempts to recruit a concessionaire on a PPP basis failed mainly because (i) a detailed route alignment design had not been agreed upon, creating uncertainty about the required land acquisition; (ii) an attractive legal framework and risk allocation between the partners was lacking; and (iii) the foreign currency exchange risk allocation was unclear. The cost and revenue streams have changed since the 2008 study and an understanding was reached that a successful PPP project needs detailed project preparation, especially as this project will be the first large PPP based project implemented in Bangladesh's transport sector.

3.3 Lessons from Mayor Hanif Flyover

As Mayor Hanif Flyover or Jatrabari Flyover was the first PPP based project in Bangladesh which completed the construction phase, the accountability lesson from the project is pivotal for the current study project. The key lessons are given in the following section:
Box 1

The current study has found several reports those address the lack of accountability and governance issue of managing the Mayor Hanif Flyover in Jatrabari, Dhaka which is the first PPP based developmental project in Bangladesh. From the initial planning of this PPP based project to its completion of construction and now the toll collection, every process has been addressed in media to highlight lack of accountable and transparent management to ensure public service. In recent investigative report of the Daily Observer on October 8, 2015, it was stated that

“Their greed and corruption did not spare even a public utility. Orion Group minted money through faulty construction of Mayor Mohammad Hanif Flyover. Allegations are there against the group of extracting excessive tolls than the rates fixed. According to project insiders, it was taken up in 1998 under the World Bank assistance to construct this 6.7-kilometre flyover at a cost of BDT 670 crore. When the military-backed caretaker government assumed power in 2007, it cancelled the contract between the Dhaka City Corporation and the Orion Group on various charges of irregularities. But when the Awami League government came, the same group was given the work of constricting the flyover following certain changes and modification in the design. This time the length of the flyover was made 11 kilometers and the cost was fixed up at BDT 2,108 crore. Since the flyover opened to traffic, the Orion Group has allegedly been extracting 70-100 per cent excess tolls causing people's sufferings. According to the project’s Memorandum of Understanding (MoU), the Orion Group, the managing party is supposed to realize a BDT 35 toll against a car, but it is collecting a BDT 60 toll per car, which is a sheer violation of the MoU. Similar excessive rates are also been charged for other types of vehicle. If such a trend goes on unabated, the Orion Group would be able to extort the total project cost of BDT 2,108 crore in a span of just eight years, whereas the tenure of the deal with the DCC on a 'build, operate and transfer' basis is 24 years. Within the next 16 years, the group will extort an amount to the tune of at least BDT 4,216 crore, which is more than double the speculated profit, project insiders say.”
Based on the findings, it has been observed that the most interesting is the fact that during each regime the Orion group took shelter of some vested ruling groups so that they can carry out their self-aggrandizement policy without any obstacles. So, these are some of the earlier evidence of accountability mismanagement concern from prior PPP project in Bangladesh.

3.4 Conclusion

In this chapter, the contextual background of the selected project for the current study is being presented to understand the importance of this study in the perspective of practicing functioning governance to foster economic growth and development. In the initial part, some progresses and challenges of Bangladesh has been touched to show the strategic linkages of securing improvement in transport system to accelerate growth of achieving the desired vision 2021 of Bangladesh. Then, some concerning issues of the DCE project has been discussed.

Previous attempts to recruit a concessionaire of the DCE project on a PPP basis failed mainly because a detailed route alignment design had not been agreed upon which creates uncertainty about the required land acquisition; an attractive legal framework and risk allocation between the partners was lacking which has been found be the current study. The following section of this chapter highlights the pivotal accountability lessons from Mayor Hanif Flyover that was the first PPP based project in Bangladesh which completed the construction phase. The next chapter addresses the state of accountability of the Dhaka-Chittagong Expressway project based on the collected data and evidence.
Chapter 4
State of Accountability in Dhaka-Chittagong Expressway Project

4.1 Introduction
This chapter provides a methodical discussion of collected data and an analysis of those data keeping in view with the research question and objective of the research. In this chapter, initially the state of accountability in the chosen project for the current study is examined in light of the collected data from the interviews and content analysis, followed by analysis and discussion on the data in a sequential manner. The main objective of the current study is to explore the accountability management aspects practiced, implemented and reflected in Dhaka Chittagong Access Controlled Expressway Project of Bangladesh. The findings are then presented according to the objectives and analytical framework of the current study in the context of Bangladesh.

In the following section, the state of accountability mechanism of the Dhaka-Chittagong Expressway Project would be discussed based on analysis of the collected data of this research study. Firstly, the current study largely focuses on facts shown by the collected data. Secondly, it interprets the data in detail, so as to put forth the major findings of the current study in line to meet the research objectives and to find out whether the analytical framework explains the accountability practice of the DCE project. In other words, the chapter provides detailed understanding about the current state of accountability management in Dhaka Chittagong Expressway (PPP) Project as perceived by the concerned policymakers, key project management personnel and key stakeholders of the project.

4.2 Detail Examination of the Accountability Framework of DCE Project

From the collected data of the current study, it can be noted that there is no clearly written accountability mechanism of this project from project management perspective but from the stakeholder’s side ADB has an accountability mechanism which is publicly accessible. The Roads and Highways Department of Ministry of Road, Transport and Bridges has a formal procedure of receiving any complain from any stakeholder. The researcher could not verify it from standard content analysis procedure. From ADB’s
side, there is a general accountability mechanism to receive and solve any complain about their funded projects. Most of the accusation or complain arises in the areas of procurement phase and resettlement phase. As this project is not going through this phase, these issues have not come up so far and the procurement process is directly selected and coordinated by ADB in this project.

It is important to state that, for the understanding of the current study it is important to highlight that, this is a new concept for infrastructure related projects in Bangladesh (expressway). So, the alignment of this project is very important. The government has to keep in mind to secure the right of all stakeholders of this project. In this project, three alternative alignments or options have been chosen with three unique geometric patterns. So, when a PPP based development project like this is designed to build, the project management team has to look after the rights and stakes of all stakeholders including parties like Economic Growth Centers (EGC), Export Processing Zones (EPZs), Special Economic Zones (SEZ), regional connectivity points, etc. As there is no clear accountability mechanism in this selected project for the current research study, but there are several aspects of dependent variables and independent variables which are being practiced in this project by the project management personnel and the project stakeholders. Here the data have been summarized according to the intermediaries of the dependent and independent variables of the current study.

4.2.1 Compliance Strategy

The current study found that there is a formal procedure where anyone can file a complaint to Chief engineer of The Roads and Highways Department, then to Secretary, then to minister of Ministry of Road Transport and Bridges, and finally to the Prime Minister of Government’s Republic of Bangladesh. Another way to file complain is to submit anonymously to the secretariat to the complaint box and a particular complaint number will be issues against that complaint. Based on the complaint, the secretariat also informs the complainer about the necessary action taken based on the complaint. There is log book where people can see the complaint logbook maintained monthly basis.
The project management team has conducted inception workshops, concentration workshops by inviting all major stakeholders from Governments, private sector and business communities like FBCCI, BGMEA, independent organizations, and experts in this field to listen their opinions in this regard to incorporate all the views. As this is an expressway project, so the entry and exit points are very crucial, for example- if the entry and exit points are too far from EPZs or SPZs, then their purpose will not be served by this development project. So, interchange facilities, starting points, end points of interchanges are key issues in design phase.

And the provision of designing the expressway in either 4 lanes or 6 lanes or 8 lanes can be better projected by discussing with business communities who are the main driver of export import as the Dhaka-Chittagong is the main route of this economic issue. One of the policymakers of the government, who is a current secretary and top bureaucrat, expressed his concern that “the project has not been designed in a forward looking development plan. The proposed design of the project has only 4 lanes, which would be obsolete soon considering the current condition and future trend of the traffic between Dhaka-Chittagong routes”. As land is very scarce in Bangladesh and there is a restriction of using agricultural land for infrastructure purpose so priority has been given to acquire minimum lands as necessary. So, the steering committee has arranged meetings and multi-stakeholder discussion in all the districts that will be part of this Dhaka-Chittagong Expressway like delegate of different City Corporations.

From the collected data, it is evident that though many aspects of the project document have been addressed; but the depth, quality and delivery of these aspects need to be improved to achieve the desired impact of the current study project. One critical finding from top project management personnel is presented in the following section:

**Box 2**

“Even though there are still loopholes that need to be improved. It would be much more fruitful if the project design team can discuss with key stakeholders in one to one or face to face communication because in current scenario many delegates of these multi-stakeholder meeting have not gone through the project document and hence unable to
share relevant feedback or opinion. Sometimes, the delegates could not express their opinion in a multi-stakeholder meeting where they feel hesitant to talk about in front of others. This compliance process can be claimed as technically sound but in terms of quality and efficiency, there are rooms to improve the compliance mechanism.”

It has been observed from data findings that the selected project for this research is mainly a study project, consultants are now producing study reports, and the current arrangement is that any report simultaneously submitted to Project Implementation Unit (PIU) and ADB. So, if there is any observation from ADB’s end, they inform other parties and similar method also applies to the PIU from Government side. The PIU also invites other departments who are not part of the project but have relevant experience and knowledge to go through these reports and for major project report, a separate workshop is conducted by the PIU. In each workshop, the PIU categorizes the tasks in several sections, like a group to look after the structure part, other team for environment or social aspects of this project. Their feedback and expert opinion then accumulated by the PIU and discussed with the consultants. So, no option goes unchecked in this process. No payment has been approved without compliance check mechanism of this project. So, the project to some extent follows its own mechanism and also takes professional support from other parties as necessary. The ADB also have all the updates and they conduct a periodic review to monitor the progress of this project. It has been claimed from the PIU team that all decisions are then finalized after fulfilling the necessary requirements from both the parties, from the PIU and ADB.

From the collected data, it can be stated that here are some issues which are not clearly written in the project document like finalizing the provisional sum (accommodations, office facilities, etc.) of the consultants. To finalize the provisional sum, some pre-testing is conducted by the consultants. All these processes are trivial for project’s aspect and the PIU keeps track in these issues. The project personnel claims that “ADB also checks about the quality of the report and compliance of the project. In terms of provisional sum, the consultants prepare the budget following the guideline of the procurement framework by the approval of PIU. The PIU is subjected to scrutiny, not only from People’s Republic of Bangladesh Government, but also from ADB”.
Based on the data findings, it can be stated that financial compliance issue in this project appears transparent. The contract of this project is designed in such a way that the payment options are milestone based on the lump sum contract. When the consultant provides the inception report and it is approved, then they will get a clearly fixed fee of the whole contract which has been addressed before. Once report is accepted by the client PIU and ADB, then the consultant is actually eligible to get the payment. The PIU team of this project recommends to ADB because the financial transactions are paid and look after by the ADB. The consultants provide all the necessary invoices to PIU in favor of the payment, then PIU forward this documentary evidence to ADB. If ADB is satisfied with the documentation, only then they pay to the consultants. So, the project follows a dual compliance mechanism to look after the financial aspect of this project.

In this project, project incentives are two types. 1. Implicit, and 2. Explicit. Implicit incentives include the logistical facilities like transport or communication facilities that the PIU team have in the project. In a development project, which is in a design phase, the external pressure is comparatively low than the usual activity of Roads and Highways Department. Sometimes, new government decision can play significant impact in a PPP based development project. The current study found an important issue that plays significant role to the mindset of the PIU of the DCE project. One top PIU personnel anonymously expressed his concern which is presented in the following box.

Box 3

“Before announcing the new salary structure of the government employees in June 2015, the government had a recent procedure of 20 percent allowance for project related government employees who came to work under deputation. But after this new pay scale announcement, it has been dropped. This allowance cut has significant impact in the mindset of the PIU personnel. This project demands intellectual and academic expertise like regular academic study, international communication with different time zones, evaluating technical reports, etc. which are not always preferred by government employee and specialist like engineers. So, PIU personnel will have less preference if they do not get any formal incentives for their extra effort and pressure.”
Based on the presented data that has been collected from the current study, it can be analyzed in the following manner which is mentioned in the following table.

**Table 5: Key Analysis of Compliance Strategy**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Intermediaries of Independent Variables</th>
<th>Key Analysis</th>
</tr>
</thead>
</table>
| **Compliance Strategy** (Exercise of authority & compliance of orders, compliance condition; cases of reward and punishment) | Internal administrative accountability | • The project follows a dual compliance mechanism to look after the financial aspect and technical aspect of this project.  
• As the project is in the design phase, financial compliance issue in this project appears transparent.  
• Changing macroeconomic policy guidelines from the government may have significant impact in the particular project. |
| | External accountability towards stakeholders | • This compliance process can be claimed as technically sound but in terms of quality and efficiency, there are rooms to improve the mechanism.”  
• In the design phase, the external pressure or request is comparatively low than the usual customs and activity of Roads and Highways Department.  
• PPP based project like this demands intellectual and academic expertise like regular academic study, international communication with different time zones, evaluating technical reports, etc. which are not always preferred by government employee and specialist like engineers. |

It is evident from the above discussion and analysis that in terms of compliance strategy, some issues need to be addressed for better practice of accountability. The next section discusses findings on the practice of discretionary strategy of DEC project.

**4.2.2 Discretionary Strategy**

From the collected data it is found that, the PIU will proceed with the detail design soon, based on the detail draft design that has been prepared during feasibility study period.
Now the PIU and consultant will try to find out issues those need to solve like land acquisition, settlement, etc. In a complex PPP based project like this one, only following the initial project guideline and concept paper cannot solve the emerging challenges that arises when the project progress gradually. In the following box, an emerging scenario from the ongoing project has been presented:

**Box 4**

The project manager of the DCE project presented an emerging scenario which needs discretionary strategy. According to him, “As the PIU is following the draft design provided by the consultant, now the PIU team need to sit with the Comilla Cantonment authority of Bangladesh Army to discuss the issue of land acquisition as some part of the expressway will be passing through cantonment area. So, in this regard Bangladesh Army is a direct stakeholder of this expressway project. So, to come up with any solution, the PIU team need to discuss with the Bangladesh Army which is a separate entity of People’s Republic of Bangladesh Government. This is a critical issue for this project. Developing country like Bangladesh was has fragile democratic system and where Army play crucial role in decision making and have track record of governing the country, this issue to be addressed from a discretionary point of view with profound negotiation skills and credible arguments”.

The PIU team has also conducted field visit across its proposed routes with different stakeholders whether land acquisitions or other issues will bring any social unrest or unwanted issue. Here, the preferred plan is to use the lands of Roads and Highways Department, where they have any acquired land near to the proposed routes. The access points are very crucial. The PIU team is checking whether these access points are convenient for people who will use these access points to get into the expressway. For this matter, the PIU team has sat with institutions like Chittagong Development Authority (CDA) who are responsible for the development of Chittagong city. How to integrate this expressway into the development plan of Chittagong is very trivial. From the collected data, another case of emerging issue which needs to take into account is presented in the following section:
There is a tunnel project in Chittagong which is also a potential stakeholder of the current study project. To utilize precious resources like land or energy, the PIU needs to look into the matter whether this project can help to connect beyond Chittagong area for enhancing other economic zones in Cox’s Bazar, proposed deep sea port and building regional connectivity. For environmental assessment, the PIU team needs to consult with Department of environment of Bangladesh Government. As the safeguard policy will be taken into account due to the involvement of International development partners like ADB. So, if the procedure of this project is not compliant with ADB’s safeguard policy then it will not move forward. So, these are some of the critical points including other issues those need to solve to implement the project.

As this project is a new concept based project in terms of method of infrastructure (expressway) and method of investment (Public Private Partnership), the PIU team need to have proper knowledge in this aspect. So, as training purpose, the PIU team and the consultant team have already been to other countries where those countries have already implemented expressway projects and Public Private Partnership basis project to acquire clear understanding and relevant knowledge to manage the project. These countries were selected based on their economic status like advanced economies and less advanced economies. One team went to South Korea, India and Sri Lanka to gain practical and professional experiences where India’s condition is most similar to Bangladesh, then Sri Lanka and Korea is comparatively advance in nature. Another team went to Malaysia, Indonesia and Vietnam for practical and professional experiences where many PPP projects have been successfully implemented.

The focus areas of this foreign country based training were technical aspect (as no expressway has been built in Bangladesh before), institutional capacity aspect and challenging aspects of Public Private Partnership (PPP) based project. Generally the PPP based projects are large in nature, and it has many complex issues- why the private sector will be interested to invest in PPP projects, whether the existing laws, acts are adequate to address the issues, etc. Institutional capacity to implement a large PPP project is very crucial. It is very important to know what are the current institutional setup and private readiness to invest in PPP project in Bangladesh. The training teams tried to learn these
issues from their foreign exposure visit. Another issue is the role of transaction adviser. Transaction adviser basically connects a project with PPP structure and format. The procedure of a PPP based project is different than a conventional development project. In a conventional development project, a competitive bidding process is announced first to choose a contractor, and then the contractor is selected through the bidding process by the government.

And in the PPP format, the transitional consultant manages the finances of the project. So, the consultant needs to know what guarantees he would require to satisfy the private investor to be a part of this investment. The legal and financial aspect of PPP based project which will be coordinated by the transactional consultant is also very critical. From the collected data, it has been observed that, the potential investor of PPP project will make sure to know that whether his return on investment will be smooth or there are chances that the existing laws and procedures and not enabling enough to secure this return on investment. These provisions are very significant to take this project into forward. So, the PIU team thus tried to enhance the capacity aspect of the project management team for a successful implementation of the project. If there is lack of clear understanding and comprehensive knowledge to deal with issues of PPP based project where the multi-stakeholders also include several ministries, it can be very challenging and time consuming to implement.

It has been found that in PPP project, time is considered as money because private investor will calculate their return on investment and in that case of delay, for example-for land acquisition or resettlement delay, the government has to compensate the incurring cost. From the expert opinion, the training structure for field level personnel of most of the government development projects in Bangladesh are inadequate in nature and need to improve for better efficiency and ensuring public service. In terms of resolving discretionary issues, trained and knowledgeable workforce is essential. In this regard, one top project personnel expressed his concern with anonymity which is presented in the box below:
The initial designed organogram by ADB which is needed to implement considering the size of the investment project, is not being followed by the Government of Bangladesh. Currently there is severe shortage of management level people in this project in terms of knowledge diversity. The heterogenic knowledge base among the PIU team is very trivial to implement a large development project like this one. The government has limited manpower to assign management level people in this project. So, it is a pertinent issue whether the PIU team will be able to carry out the proposed activities considering the project timeline with this existing manpower. ADB personnel points out that at similar project in India, they have 25-30 people to look after the project whereas in Bangladesh which one fifth of that size. For the government, it is a huge challenge to pick the right people for this project who have relevant knowledge and experience to implement this unique project. Due to the capacity limitation, there are few skilled people in government pool for this task. The people who will be part of this project when it will be running into full phase, it is very important that all the departments and the concern people of this project has clear understanding of this project. For instance, for any financial approval the Roads and Highways Department needs approval from Ministry of Finance. There are chances that those who are dealing with is project from that department lacks necessary knowledge to understand the technical and other aspects of this project.

So, to minimize the gap of understanding, a de-briefing program has been introduced recently. But in reality, it is inadequate in nature as the de-briefing session is
very short and the level of knowledge and understanding among the delegates of de-briefing session varies significantly. There is no mechanism to preserve the documents of this de-briefing session which can be used later for the purpose of this kind of projects. So, there is lacking in terms of sustainability aspect.

In PPP based projects, to fill up the finance gap, the government also invests alongside with the private sector which is termed as “Viability Gap Financing” or (VGF). According to the Project manager of this project, “The VGF is approved by Ministry of Finance of government of Bangladesh. Based on the experience of Dhaka Bypass project, another important development based infrastructure project, the process of VGF took a longer time than initially calculated. In the upcoming phase of this PPP project, this aspect can have multifaceted implication for completion of the project”.

Based on the presented data that has been collected from the current study, it can be analyzed in the following manner which is mentioned in the following table.

**Table 6: Key Analysis of Discretionary Strategy**

<table>
<thead>
<tr>
<th>Independent Variable</th>
<th>Intermediaries of Independent Variables</th>
<th>Key Analysis</th>
</tr>
</thead>
</table>
| **Discretionary Strategy** (With customer/beneficiaries, Professional decisions). (Situational dialogue/ meeting with stakeholders) (Professional judgment, project know how) | Internal administrative accountability | • Institutional capacity of managing situation challenges and aspects of PPP based project can play decisive role.  
• Due to the capacity limitation, there are few skilled people in government pool for this task.  
• Lack of clear understanding and comprehensive knowledge to deal with issues of PPP based project can be very challenging, costly and time consuming to implement. |
| | External accountability towards stakeholders | • The role of transaction adviser in PPP based project is significant.  
• As the project is PPP based in nature and it needs to take into account all the concerns of multi-stakeholders. ADB has its own safeguard policy. So, if the procedure of this project is not compliant with ADB’s safeguard policy then it will not move forward.  
• Powerful stakeholders like the Army can play substantial role which will have crucial impact to this PPP based project. |
From the above findings, it can be stated that the practice of discretionary strategy in DCE project needs to be improved a lot. The next section is about findings based on the practice of communication strategy of DEC project.

4.2.3 Communication Strategy

From the collected data, it can be stated that communication patterns and coordination meetings among the project management personnel and with the project stakeholders are issue based which requires one or several meetings. Sometimes it is difficult to foresee upcoming challenges or situational issues that may arise in the upcoming days.

In this project, the internal feedback or communication mechanism is interactive as the PIU team is small in size. The PIU team regularly follow up the tasks and updates. Performance is checked regularly. But sometimes the communication process hampers which can create bottleneck and stagnant situation for a PPP based project. One such scenario from the collected data is stated in the box below:

Box 7

As this project is running short of capable project personnel, any long leave of existing PIU team member like maternity leave (6 months) can cause major stagnation. Sometimes work distribution is not even and it put substantial pressure on some PIU personnel which is hard to deal with.

It has been found from the collected data that, the junior project management personnel mainly do the routine types of work and they hardly give any feedback to the senior colleague due to the bureaucratic culture of the government structure. Although Junior officers can take part in critical problem solving situation for their learning but their individual contribution is not significant due to the vertical decision making structure. It usually helps to equip them to build their mental setup of dealing unexpected and situational context.
Based on the presented data that has been collected from the current study, it can be analyzed in the following manner which is mentioned in the following table.

Table 7: Key Analysis of Communication Strategy

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>Intermediaries of Independent Variables</th>
<th>Key Analysis</th>
</tr>
</thead>
</table>
| Communication Strategy (Communication with stakeholders, Consultations with supervisor, Speak out)—(Voice and feedback mechanisms, consultation), (Monthly coordination meeting; Project website; Feedback mechanisms) | Internal administrative accountability | • Size of the Project Implementation Team greatly affects the internal feedback or communication mechanism.  
• Communication pattern in some cases are still one way and bureaucratic in nature. |
| | External accountability towards stakeholders | • Absence of people who maintains communication with stakeholders can create stagnant scenario of PPP based project. |

From the above findings, it can be opined that the practice of communication strategy in DCE project lacks critical aspects which need to be incorporated. The next section is about findings based on the practice of information strategy of DEC project.

4.2.4 Information Strategy

Without asking for any information from government or Project Implementation Unit (PIU), some basic information is available in the internet. If anyone request to access public information, then the PIU provides relevant information accordingly based on Right to Information Act. The project does not have a website and there is currently no proactive planned approach from the PIU side to inform the citizen. There are some pragmatic reasons which are presented in the following box:

**Box 8**

There is a culture of ill practice in developing country like Bangladesh that some opportunistic groups always seek ways to capitalize their personal gains. In infrastructure project like this one- some people try to build pseudo infrastructure to get compensation during resettlement procedure of the project.
It is found that, the PIU intends to disclose some information publicly after finalizing the alignment of the expressway route of the project. Some information of the development projects are updated from the website of the Roads and Highways Department of Ministry of Road Transport and Bridges.

From the collected data, the current study found that this particular project follows the general guideline and Rules and regulations of project management of Roads and Highways Department of Ministry of Road Transport and Bridges. This project does not have any separate and specific rules and regulations or charter of duties to manage the accountability mechanism of this project. The project follows the formal performance appraisal system of the concerned ministry of the government which is Annual Confidential Report (ACR). But the ACR hardly have any impact in this type of scenario because this type of project requires regular evaluation based on the collected information of the performance of project personnel for necessary improvement.

### Table 8: Key Analysis of Information Strategy

<table>
<thead>
<tr>
<th>Independent Variables</th>
<th>Intermediaries of Independent Variables</th>
<th>Key Analysis</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Information Strategy</strong> (Listening, Learning Information), (providing explanation/clarification), Charter of duties; Rules and regulations</td>
<td><em>Internal administrative accountability</em></td>
<td>• No separate and specific information guideline about rules and regulations or charter of duties to manage the accountability mechanism of this project.</td>
</tr>
<tr>
<td></td>
<td><em>External accountability towards stakeholders</em></td>
<td>• Sporadic practice of evaluation based on the prevalent information of the performance of project personnel with the stakeholders.</td>
</tr>
</tbody>
</table>

The next section addresses the dimensions of accountability based on the findings.

### 4.3 Dimensions of Accountability Practiced in the DCE Project

As mentioned in the earlier sub section of chapter two titled- Accountability in Public–Private Partnerships, that horizontal dimension of accountability, also known as management of expectations, provides a practical and representative approach to
understanding accountability in PPPs than the other two dimensions (Formad, 2013); so the current study found that in this PPP based project in many cases the project still follows the hierarchical perspective that is based on the traditional approach of accountability, that is the vertical chain of authority and the principal and agent relations are intrinsic in hierarchical and bureaucratic state of affairs. That is one significant reason that still very few PPP based projects have started the implementation phase in Bangladesh.

This hierarchical structure also provides concerning signal to enthusiastic private investor from Bangladesh or outside who is a vital component of any PPP based development project because they fear that the rigid bureaucratic process is not enabling to invest their capital. It has been also found that, in some cases, the PIU team is trying to expedites discussions on how multiple expectations can be generated within and outside the partnership to manage the conflicting objectives in a nonhierarchical way. But, the PIU has its own limitation like- all the PIU personnel who come in development project for a short time period in deputation and lack sense of belongings. The third dimension, that is accountability as a virtue, is a basic instrument that enables having a personal conscience or an individual moral responsibility to practice the accountability culture, but without systematic approaches and aspects of horizontal accountability, it can hardly have a meaningful impact in the complex scenarios and dynamic nature of PPP based project.

From the collected data, the current study found clue of not practicing accountability as a virtue. The data is presented below:

**Box 9**

One top management personnel disclosed that, “there are few government employees who prefer to work in the design or feasibility phase of a development project. Because in the design or feasibility phase, where the finance is mainly coordinated and managed by the development partners like ADB, there is limited scope of engaging in the procurement process.”

So, there is lack of practice in terms of accountability as a virtue as moral responsibility. After analyzing the data from the current study, it can be stated that the views of stakeholders are not similar. Though the top management claimed that they are
practicing the horizontal accountability perspective, the evidence and statement from middle tiers of PIU and stakeholders do not entirely validate the claim of the top management.

4.4 Conclusion

Ensuring accountability is vital for the road to good governance and sustained economic development of Bangladesh. From the current study it has found that accountability is being primarily practiced in a sporadic way rather than a cohesive and systematic manner in the Dhaka Chittagong Expressway project. In terms of the dimensions of accountability, the project predominately practices the hierarchical dimension of accountability as it is evident from the analysis that from the four strategic perspectives and their two indicators of practicing accountability, that practice of internal managerial accountability level is comparatively lower than the practice of external accountability towards stakeholders.

It can be opined from the above data findings related to the independent variables (strategies) of the analytical framework of the current study that the project which is in its design phase has comparatively functioning compliance strategy to a certain degree because in terms of quality and efficiency, there are major areas to improve. It has been observed that changing macroeconomic policy guidelines from the government can create significant impact in the particular project. From the stakeholders’ point of view, ADB has its own compliance mechanism for all the projects it finances which may not fully adaptable to the specific nature of a particular project. PIU team members sometimes feel less enthusiastic to work in the design phase of an infrastructure oriented PPP based project as it requires special knowledge and understandings to deal with complex issues. In terms of practicing discretionary strategy, the project lacks capacity, understanding and comprehensive knowledge of managing emerging challenges of PPP based project. The role of transaction adviser in PPP based project is crucial. Due to the multi-stakeholder engagement like ADB, fulfilling issues like safeguard policy of stakeholder is need critical to implement the project. In terms of practicing communication strategy, the lacks adequate people to address all communication issues and in some cases are still one way in nature which hampers objectives of the current study. The current study found that there is no specific information guideline about rules and regulations or charter of duties
to manage the information strategic perspective of this project. In this aspect, sporadic practice is prevalent to evaluate the performance of project personnel with the stakeholders.

From the above findings, it can be summarized that the state of accountability is not satisfactory in the Dhaka-Chittagong Expressway and there are notable aspects that need to be improved to ensure accountability. The government, and concerned authority need to design, develop and implement an enabling culture that encourages the horizontal aspects of accountability instead of vertical accountability. Specially the Government and the concerned parties of PPP not only need to incorporate appropriate accountability mechanism to deal with the comparatively new PPP based developmental approach in Bangladesh but also need to develop a comprehensive culture of understanding, designing, implementing, monitoring, evaluating and achieving desired long term impacts from these kinds of development projects to provide and ensure quality public service. In the next chapter discussion for future policy consideration, conclusion and recommendation is presented.
Chapter 5
Public Private Partnership (PPP) in Comparative Perspective

5.1 Introduction

Public–private partnerships (PPPs) are mounting in popularity as a governing model for delivery of public goods and services. PPPs had existed since the Roman Empire, but their opening out into traditional public projects today raises thoughtful questions about public accountability (Forrer et al. 2010). Given the growing value of commitment to infrastructure development through PPPs, there has been increased attention to issues concerning the accountability of PPPs as developmental projects (Formad, 2013). PPPs are alternative service-delivery arrangements to traditional public procurement that may enhance cost-effectiveness and service delivery through accountability (Bovaird 2004; Brinkerhoff 2007). Many proponents argue that the private sector is more efficient to the public sector in producing and delivering many goods and services. Pragmatically, government leaders see PPPs as a way of bringing in the special technical expertise, funding, innovation, or management know-how from the private sector to address complex public policy problems. According to Forrer et al. (2010), with the increased trend of PPPs, the issue of public accountability has become one of the important of the policy questions raised.

The reasons advanced for the importance of accountability in PPPs include: keeping proper financial records, performance outcomes, program effectiveness, efficiency, and manifesting expectations (Acar, Chao & Kaifeng 2008; Jones & Stewart 2009). However, there are suggestions that PPPs can reduce accountability and undermine public control (Siddiquee 2011; Reeves 2011). To get the maximum value from PPPs to a developing country, there are three main needs that persuade the governments to encourage into PPPs for develop infrastructures, Those are, initially invite private capital investment, secondly increase efficiency and use available resources more effectively, thirdly reform sectors through a reallocation of roles, incentives, and accountability, employee morale, transfer of technology and training for the people (Perera, 2014).
Jones and Stewart (2009) argue that the tendency towards shared accountability in PPPs becomes joint irresponsibility in practice, with no-one ultimately being accountable. If public–private partnerships are to play an important role in the infrastructure development of Bangladesh and assist in realizing national and international developmental plans, the problems of accountability must be addressed. This section reviews PPPs within the context of developing economies, given that Bangladesh is a developing economy. The current study showed some comparative analysis of accountability perspectives in terms of PPPs in some developing countries. This is followed by an overview of accountability in PPPs in Bangladesh. This leads to a discussion of the techniques available for enhancing accountability in PPPs in Bangladesh. The Current and prospective PPP projects may contribute significantly for accelerated development in Bangladesh.

5.2 International Accountability Standards for PPPs

The current study found that International accountability standards in terms of PPPs are voluntary, predefined rules, procedures, and methods to systematically assess, measure, audit, and communicate the social and environmental behavior and performance of firms (Gilbert et al. 2011). These standards are relevant because PPPs operate within a corporate governance structure. The four major accountability standards are principle-based standards, certification standards, reporting standards, and process standards (Formad, 2013). The principle-based standards are sets of principles that attempt to shape corporate behaviors by providing a baseline of foundational values and principles that responsible companies can attempt to adhere to. Certification standards involve the certification, verification and monitoring of production facilities according to predefined criteria. Reporting standards such as the Global Reporting Initiative provides comprehensive and standardized frameworks for nonfinancial reporting on economic, social, and environmental issues. Process standards focus on how organizations can achieve corporate accountability though the provision of managerial guidance (Leipziger 2010). These different international standards are not legally binding obligations enforceable through courts of law, and they have been criticized as “credibility cover” that perpetuates business as usual and does not necessarily lead to significant improvements in social accountability (Formad, 2013).
5.3 Comparative Case Examples from Developing Countries

According to World Bank report of 2014, “the last 10 years have seen a rise of PPPs in developing economies as a means of crowding in investment and expertise from the private sector. Looking at the broader picture of private sector investments in developing countries, private capital has contributed between 15 and 20 percent of total investment in infrastructure during that period. PPPs have now spread across the globe: 134 developing countries implemented new PPP projects in infrastructure between 2002 and 2011. Developing a successful PPP program is a complex undertaking and involves a number of key challenges for developing countries. In order to establish an environment conducive to PPPs, governments are required to take a number of steps, briefly described below, all of which are important building blocks to the establishment of a credible PPP program”.

These huge flow of finance and invest demands robust accountability issues that need to be addressed by the developing countries.

The current study observed the accountability perspectives of some developing countries (South Africa, Malaysia) in terms of PPP. South Africa is the leading sub-Saharan country in PPPs, with robust legislation and policies. The country has completed some of the most successful PPPs, amongst which are the Gautrain state-of-the-art rapid rail network, toll roads, and other projects. However, according to Fombad (2013), “with the growing trends in international best practice for accountability noticeable loopholes and omissions have been observed in the existing legal framework for PPPs, resulting in accountability gaps”.

The current study also briefly looks at how accountability is demonstrated in Malaysian tolled highways sector by analyzing the financial affairs of the public sector as well as the manner in which the PPP financial arrangement between the public and private sector is reflected and presented in the financial statements of the public sector. It has been observed that transparency and openness in disclosure of information, which is an important attribute in accountability, is not present in the Malaysian case. This suggests that the accountability is not demonstrated. According to Alfan and Zakaria (2012), though accounting can help to address this issue in Malaysia, the current rate of
development of accounting treatment for public infrastructure and service concessions does not indicate that the matter will be resolved in the near future.

5.4 Reflecting Policy Perspective for Bangladesh

At the time of the current study, an enabling framework for PPP projects is in place in Bangladesh, anchored by the PPP Policy 2010 and the 3 PPP Guidelines 2010. The organogram and resources for the PPPO was gazetted in June 2011. Of late, the Bangladesh Public-Private Partnership Act, 2015 (“PPP Act”) was enacted and gazetted on 16 September, 2015 by the Government of People’s Republic of Bangladesh.

Since the first anchoring of PPP Policy and the 3 PPP Guidelines in 2010, the Bangladesh Public-Private Partnership Act, 2015 (“PPP Act”) was enacted and gazetted on 16 September, 2015. The Objectives of the PPP act is mentioned below:

**Box 10**

**Objectives of PPP Act 2015:**

“The PPP Act has been enacted with the objective of facilitating the development of core sector public infrastructure and services vital for the people of Bangladesh. The law prioritizes increased investment in infrastructure which is essential for sustainable economic growth. It further provides a robust legal framework to attract the interest of national and international private sector investors to join in partnership with the government in building and upgrading core infrastructure assets. The goal of the Government is to ensure a more rapid, inclusive growth trajectory, and to better meet the need for enhanced, high quality public services in a fiscally sustainable manner” (PPPO, 2015).

According to the PPP Office Bangladesh (2015), along with the main objective, there are some key features of this newly enacted act. These are stated in the next section:
The PPP Act has been structured over 7 (seven) chapters. After the initial chapter on preliminaries and definitions, Chapter 2 provides for the establishment of a Public Private Partnership Authority (“PPP Authority”). The PPP Authority shall be neutral and independent in relation to all financial, administrative matters and in carrying out its functions. The activities of the PPP Authority will be overseen by a Board of Governors, which will be chaired by the Honorable Prime Minister. A wide range of powers have been provided to the PPP Authority to ensure an efficient and comprehensive development of the PPP program. This includes development of policy, regulations and guidelines, development of standard documentation, appointment of consultants and advisors, providing consents and opinions in relation to PPP projects, etc.

Chapter 3 sets out the provisions for the identification and approval of PPP projects. The Cabinet Committee on Economic Affairs (“CCEA”) is mandated to provide the in-principal and final approval for PPP projects. Chapter 4 broadly covers the selection of a private partner to develop and execute PPP projects, with provision for the detailed process to be specified in subsequent regulations. Chapter 5 of the PPP Act emphasizes the importance of transparency in the implementation of the PPP program by setting out provisions to deal with issues of corruption and conflict of interest. Chapter 6 identifies some of the key issues that should be covered in a PPP contract. It also provides for land access rights and the right of the private partner to impose levy on users for accessing public services or purchasing public goods. Further, in order to enhance investor protection, it provides a clear dispute resolution process which includes amicable settlement, mediation and arbitration.

The final chapter sets out a number of miscellaneous measures covering issues such as grievance procedures, confidentiality, etc. The chapter also provides that the Policy and Strategy for PPP, 2010 (PPP Policy), is to be treated as repealed following the enactment of the PPP Act. However, it also provides exceptions in which cases the PPP Policy will continue to be applicable.”(PPPO, 2015)
5.4.1 Reflection on PPP ACT 2015

According to the PPP act 2015, the government will set up the Public Private Partnership (PPP) Authority. It will be governed by a Board of Governors. The Prime Minister will be the Chairman and the Finance Minister will be the vice Chairman of the Board of Governors. At least six meetings of the Board will be held in a year. The head office of the PPP Authority will be in Dhaka. The Authority will be able to set up branch offices anywhere in the country and abroad. Policies and guidelines of the body will be formulated by its authority. The PPP authority can take any project apart from the Annual Development Programmes and implement that project through PPP.

In terms of Identification and approval of PPP projects, the relevant government agency or the PPP Authority will take initiative for PPP Projects. The Cabinet Committee on Economic Affairs (CCEA) is mandated to provide the in-principal and final approval for PPP projects. Under the act, the government will be able to provide the following subsidy in any PPP Project: technical assistance financing, viability gap financing, financing against equity and loan, and financing against linked component. The PPP act sets out provisions for corruption and conflict of interest which are similar to Public Procurement Act 2006 and Public Procurement Rules 2008. After observing the PPP act 2015, the current study also found that all PPP Projects with be contracted with a separate Project Company other than the sponsors. The project company will be limited by shares and incorporated in Bangladesh. All liability should be borne by this Project Company. The concerning issue is that, in terms of selection of private partner to develop and execute PPP projects, the act does not provide detail guideline on selecting private partner for PPP Project. There will be subsequent regulations in this regard. Another concerning aspect is that the act does not provide much restriction or detail guideline about the project agreements including the governing law of the agreements. For dispute resolution, the act requires arbitration before going to the court.

The current government has put emphasis on developing the policy framework for the PPP. However, the PPP Office only received a fulltime CEO in January 2012 and about 80% of its full complement of staff in April 2012. At that time, the pipeline for PPP projects in sectors other than power and energy were limited. There were only few major
PPP projects that were in active construction stage like: the First Dhaka Elevated Expressway and the Hemodialysis Centre at Chittagong Medical College Hospital projects. Only the Mayor Hanif flyover project has completed the construction phase. None of these projects had been properly screened or developed as PPP projects and the procurement and contractual activities therefore had significant weaknesses.

Since the PPPO became operational in April 2012 it has visibly stepped up its role in PPP activities in Bangladesh. It acts as the nodal institution to review and screen project proposals to ensure that they are suitable to be procured and implemented as PPP projects. Approval processes for PPP are better defined and used than before. The PPPO has 47 PPP projects in the pipeline, out of which 13 have received in-principle approval from the either the CCEA or the respective Line Ministry. Eight of those projects are in the procurement phase, while 16 are in the process of engagement of consultants (feasibility studies and transaction advisers). Three of them are in the construction phase and 2 are in the award stage. PPPO has put in place a website where current activities and project related information are shared with the public. The PPPO’s website is the key medium for communication and information dissemination about the PPP program. Procurement notifications, notifications of forthcoming events, policy and briefing documents and draft documents (for consultative purposes) are provided on the website.

The political will to support PPP has been demonstrated through

(i) The Cabinet of Minister’s approval of the PPP Law in September, 2015;
(ii) The participation of the Prime Minister in the Global Investor Forum organized by PPPO; as well as
(iii) The large budgetary allocations for BIFFL, VGF and PPPTAF.

And the capacity at the PPPO remains a challenge, due to a combination of the following:

(i) approved positions not being filled;
(ii) The limited pool of people with PPP skills within Bangladesh to draw from; and
(iii) Insufficient number of fixed staff positions being allocated to the PPPO.
5.5 Conclusion

It is challenging to maintain public trust in government, and perhaps more challenging to uphold the public interest through multi-sector delivery of public services. By enacting the PPP law 2015, a wide range of powers have been provided to the PPP Authority to ensure an efficient and comprehensive development of the PPP program. This includes development of policy, regulations and guidelines, development of standard documentation, appointment of consultants and advisors, providing consents and opinions in relation to PPP projects, organizing seminars and training sessions, etc. However, notwithstanding the acceleration of work on PPP in Bangladesh, a significant amount of work remains to be done. As of now, few projects have gone through the whole process of identification, development, procurement and implementation on the basis of the structure developed by ADB. Investor confidence remains to be tested as projects have not yet reached tendering stage. The model documentation needs to be tested over the course of several PPP projects. Until a significant number of projects have been procured and implemented as PPP projects, work needs to continue to be done to strengthen the policy framework, institutional capacity in both the public and private sectors, and build greater awareness among not only potential investors at home and abroad but also among financing institutions. It can be stated from the observed data that, although the more complex networks involved in service delivery make the exercise of accountability in PPPs much more challenging than management of conventional contracts, the benefits of PPPs are often attractive because they can improve government services at less cost to the taxpayers. The next chapter concludes the current study and states some recommendation regarding research objectives of the current study and accountability perspectives in terms of PPP in Bangladesh.
Chapter 6
Conclusion

6.1 Summary of the Findings

The final chapter of the current study summarizes the findings from the primary and secondary sources in light of addressing the current research objective- that is to explore the accountability management aspects practiced, implemented and reflected in Dhaka-Chittagong Expressway PPP based development project of Bangladesh. This final chapter also addresses some of the policy recommendations in terms addressing accountability and policy issues in the perspective of PPP in Bangladesh. Then, key findings of the current study are being highlighted with concluding observation from the current study.

The first chapter presents the idea of the current study and its importance by finding literatures and research works on the issue of accountability management from public sector of Bangladesh which is very challenging. There is increasing urgency to make government more accountable in developing countries such as Bangladesh. Even though PPP is a very widely practiced alternative public service delivery options for different developed and developing nations, there are realistic concerns for developing country like Bangladesh where it has not been practiced for long time and has not been critically examined. The current study has not found any prior country (Bangladesh) specific accountability management scientific literature that focuses on the PPP perspective. From the reviewed literature it can be noted that, the current study would contribute into the academic discourse in terms of accountability and good governance aspect in the field of PPP based development project management of Bangladesh because the current study wants to examine accountability perspective of the PPP based development project management in Bangladesh towards the achievement of its economic emancipation.

The second chapter of the current study has discussed the relevant theories of accountability, comparative framework of accountability, types of accountability, accountability mechanisms, accountability in public–private partnerships, strategic aspects of accountability management, and strategies of accountability management. The
second chapter addresses that in the absence of prior specific theory or framework that would fit to examine the PPP based development project in the context of Bangladesh, hence an analytical framework has been designed from the existing topics, frameworks concepts and strategies of accountability discourse. Then the chapter explains about the three main dimensions of accountability- the *hierarchical perspective*, the *horizontal perspective*, and *accountability as a virtue*; which is useful for understanding accountability of PPPs based projects in practical terms. These three perspectives have been applied as the intermediaries of the dependent variable. Internal administrative accountability and external accountability towards stakeholders have been used to measure the level and variation among each independent variable which are compliance strategy, discretionary or flexible strategy, communication strategy, and information strategy (Kearns, 1994; Hwang, 2013). In the second chapter, the current study hypothesizes that the higher the practice of each strategy, the more accountable the PPP based project would be.

In the third chapter of the current study, the contextual background of the selected project is being presented to understand the importance of this study in the perspective of practicing functioning governance to foster economic growth and development. In the initial part, some progresses and challenges of Bangladesh has been addressed to show the strategic linkages of securing improvement in transport system to accelerate growth of achieving the desired vision 2021 of Bangladesh. Then, some concerning issues of the DCE project has been discussed. Then, the third chapter addresses some previous attempts from the DCE project like that includes-to recruit a concessionaire of the DCE project on a PPP basis failed mainly because a detailed route alignment design had not been agreed upon which creates uncertainty about the required land acquisition; an attractive legal framework and risk allocation between the partners was lacking which has been found be the current study. The following section of the third chapter highlights the pivotal accountability lessons from Mayor Hanif Flyover that was the first PPP based project in Bangladesh which completed the construction phase. The next chapter addresses the state of accountability of the Dhaka-Chittagong Expressway project based on the collected data and evidence.
In the fourth chapter, the current study addresses that accountability is being primarily practiced in a sporadic way rather than a cohesive and systematic manner in the Dhaka-Chittagong Expressway project. In terms of the dimensions of accountability, the project predominately practices the hierarchical dimension of accountability as it is evident from the analysis of the four strategic perspectives and their two indicators of practicing accountability. That practice of internal managerial accountability level is comparatively lower than the practice of external accountability towards stakeholders. Based on the data findings related to the independent variables (strategies) of the analytical framework of the current study, the fourth chapter highlights that the project which is in its design phase has comparatively lower compliance strategy to a certain degree because in terms of quality and efficiency, there are major areas to improve. It has also been observed that changing macroeconomic policy guidelines from the government can create significant impact in the particular project. From the stakeholders’ point of view, ADB has its own compliance mechanism for all the projects it finances which may not fully adaptable to the specific nature of a particular project. PIU team members sometimes feel less enthusiastic to work in the design phase of an infrastructure oriented PPP based project as it requires special knowledge and understandings to deal with complex issues.

In terms of practicing discretionary strategy, the project lacks capacity, understanding and comprehensive knowledge of managing emerging challenges of PPP based project. Another finding of this chapter was to address the significant role of transaction adviser in PPP based project. Due to the multi-stakeholder engagement like ADB, fulfilling issues like safeguard policy of stakeholder is need critical to implement the project. In terms of practicing communication strategy, the DCE project lacks adequate people to address all communication issues and in some cases the project management still follows one way communication which hampers objectives of the current study. In the fourth chapter, the current study addresses from the data findings that there is no specific information guideline about rules and regulations or charter of duties to manage the information strategic perspective of this project. In this aspect, sporadic practice is prevalent to evaluate the performance of project personnel with the stakeholders.
The fifth chapter addresses the challenging issues to maintain public trust in government, and to uphold the public interest through multi-sector delivery of public services. By enacting the PPP law 2015, a wide range of powers have been provided to the PPP Authority to ensure an efficient and comprehensive development of the PPP program. This includes development of policy, regulations and guidelines, development of standard documentation, appointment of consultants and advisors, providing consents and opinions in relation to PPP projects, organizing seminars and training sessions. However, notwithstanding the acceleration of work on PPP in Bangladesh, a significant amount of work remains to be done. As of now, few projects have gone through the whole process of identification, development, procurement and implementation on the basis of the structure developed by ADB. Investor confidence remains to be tested as projects have not yet reached tendering stage. The model documentation needs to be tested over the course of several PPP projects. Until a significant number of projects have been procured and implemented as PPP projects, work needs to continue to be done to strengthen the policy framework, institutional capacity in both the public and private sectors, and build greater awareness among not only potential investors at home and abroad but also among financing institutions. The fifth chapter also indicates the prospective challenges and benefits of practicing PPPs in Bangladesh. In the following section, some recommendations have been expressed for better practice of accountability in PPP works of Bangladesh.

6.2 Recommendations for Practicing Accountability in PPP works of Bangladesh

To take the momentum forward of properly managing the PPP based development projects, a coordinated and focused plan is essential for coordination of implementing newly enacted PPP law 2015 of Bangladesh- based on a realistic assessment of required human and financial resources. These aspects must be developed to ensure successful financial close is achieved on a targeted number of PPP projects in GOB priority sectors. The chapter ends with some concluding remarks. Based on the findings of examining the current state of PPP based project and accountability in PPP based Dhaka Chittagong Expressway development project of Bangladesh, some policy recommendations for ensuring accountability mechanism in PPP based works has been pointed out below:
Continuing Development of the Legal and Policy Framework

In a broader extent, GOB needs to make sure that there is a friendly investment climate in place to attract private sector investment. Reduction of the cost of doing business in Bangladesh by simplifying and consolidating regulatory requirements, removing duplication and contradictions in the statutory compliance requirements, reducing the time to obtain approvals, among other regulatory reform, will be essential to do so. GOB needs to consider putting in place fiscal incentives for investment in PPP projects in priority sectors. It is also recommended that as PPP projects are implemented with greater frequency, the model documentation be updated to address suitably the current needs of the market place and policy domain in PPP projects.

Organizational and Institutional Capacity

A major challenge in implementing PPP in Bangladesh is the lack of capacity in both the public and private sector. In the public sector, PPPO is now fully operational, but still lacks adequate numbers of professional staff trained in PPP. As its workload increases it will require senior management and highly skilled professional staff to perform the tasks assigned to it. PPP Cells should be created in each Line Ministry and Implementing Agency concerned in delivering PPP projects, with dedicated officers who undergo rigorous and ongoing orientation and training in PPP.

PPP Awareness, Promotion and Marketing; Stakeholder Engagement

PPP is a concept which is still less familiar to almost all stakeholders in Bangladesh, be it in the public or private sector, despite the many training sessions, workshops and conferences held over the last three years. Building awareness of PPP as a preferred model for procurement of public goods and services will be essential to keep up the momentum created by the institutional and policy development work carried out over the last four years. The private sector needs to be given a clear understanding of the concept and the modalities for participation. Awareness programs should place PPP in a global context, highlight its benefits for both the public sector and private sector partners as well as the ultimate consumers of the goods and services delivered through the projects,
highlight its differences from traditional public sector procurement, and direct the private sector towards information resources on the development and opportunities in PPP in Bangladesh. This can be achieved through targeted workshops, presentations and other participatory programs bringing the public and private sector stakeholders together.

**Development of Sources of Finance and Donor Contribution**

Private sector partners are responsible for obtaining the financing for implementation of PPP projects upon being awarded a project. Access to long term financing is essential as the terms of the concession agreements usually range from 10-25 years. However, the Bangladesh financial market does not have the capacity to provide such long term financing except in a few select cases, such as IDCOL and BIFFL. International financiers are concerned about country risk which raises the cost of finance. It is therefore necessary to reinforce the roles of IDCOL and BIFFL and explore other avenues of long term financing in conjunction with Bangladesh Bank, particularly with a view to removing regulatory constraints to such financing. The capital market is another source of financing which should be explored. Institutions providing political risk insurance products and foreign currency risk mitigation products may be engaged to facilitate the availability of such product for PPP projects in Bangladesh. GOB has been strongly supported by ADB in the area of PPP, particularly through support to IDCOL and Infrastructure Investment Facilitation Company (IIFC). PPPO should explore further cooperation with ADB, World Bank, and other multilateral and bilateral sources.

**6.3 PPP Project Specific Recommendations**

Apart from the above recommendations, the current study also recommends some specific aspects of PPP based development projects for Bangladesh.

**Project Identification and Development**

One of the major problems in developing PPP projects in Bangladesh has been the lack of expertise leading to projects being identified, developed and tendered out without appropriate screening, feasibility and other related background work being properly
carried out. This has been a recipe for pre-ordained failure like the first Dhaka Elevated Expressway PPP Project, which was awarded at the beginning of 2011 after a very cursory project development exercise. It is yet to achieve financial close. The Project Screening Manual, Project Development Manual and other guidance manuals and documents developed should be extensively and strictly used so that only credible, bankable and implementable projects are tendered for processed for procurement. Although the screening exercise is now being carried out by PPPO in accordance with the Project Screening Manual, the Line Ministries’ use of the Manual in screening projects prior to forwarding them to PPPO should be emphasized and strictly enforced.

Minimization of Processing Time

Delays in the process of development of PPP projects have a negative influence on attracting appropriate private sector investors. Emphasis need to be given so that the timing of the different steps in project identification, approval and procurement can be strictly met. For this, the development and acquisition of the relevant skills in all the public sector stakeholders must be addressed through hands-on support from skilled PPP practitioners in the context of project specific PPP work. The current standard of project development and procurement periods ranging typically between 6-12 months and 12-24 months needs to be shortened significantly through the use of standardized documentations and outside experts until in house expertise is developed. PPPO should take immediate steps to minimize the time required to appoint consultants and transaction advisers. It already has a panel of advisers in place, but this needs to be updated and expanded regularly to provide a wide and competitive selection of the expertise required, be it technical, financial, legal or transaction. If required, exemptions or amendment should be sought from the application of the Public Procurement Act and Rules to such appointments.

PPP Implementation Planning

The current activities relating to PPP in GOB and PPPO particularly demonstrate GOB’s ambition to implement PPP projects swiftly and in significant numbers. However, projects that are poorly prepared are less appealing to them private sector and imply a
significant risk of project failure. If the significantly shorter timeframes set for identification, appraisal and contracting of projects are to be met, proper planning will be required to complete each step in a timely manner.

Applying and adapting these recommendations will help to address the current impediments of ensuring Accountability mechanisms in PPP projects and accelerating the PPP works of Bangladesh.

6.4 Key Findings of the Current Study

• The state of accountability is not satisfactory in the Dhaka-Chittagong Expressway and there are notable aspects in terms of four strategies (compliance, discretionary, communication, and information) that need to be improved to ensure accountability.
• The Dhaka–Chittagong Expressway project predominately practices the hierarchical dimension of accountability which is not conducive for PPP based development projects.
• The practice of internal managerial accountability level is comparatively lower than the practice of external accountability towards stakeholders.
• The government, and concerned authority need to design, develop and implement an enabling culture that encourages the horizontal aspects of accountability instead of vertical accountability.
• Specially the Government and the concerned parties of PPP not only need to incorporate appropriate accountability mechanism to deal with the comparatively new PPP based developmental approach in Bangladesh but also need to develop a comprehensive culture of understanding, designing, implementing, monitoring, evaluating and achieving desired long term impacts from these kinds of development projects to provide and ensure quality public service.

6.5 Concluding Remarks

The current study tried to explore the accountability management aspects practiced, implemented and reflected in Dhaka-Chittagong Expressway PPP based development project of Bangladesh. In this context, it has been found out that the state of accountability in the Dhaka-Chittagong Expressway is not satisfactory as the DCE project
predominately practices the hierarchical dimension of accountability which is not conducive for PPP based projects. The project implementation unit needs to improve their accountability management practice in all four areas (compliance, discretionary, communication, and information) of strategy. The practice of internal managerial accountability level is comparatively lower than the practice of external accountability towards stakeholders which hampers the enabling working environment for practicing accountability. There are notable aspects like practicing horizontal perspective; assigning people who have high conscience and expertise to solve discretionary challenges; forming clearly defined communication and information strategies, etc. need to be improved to ensure accountability. The government of Bangladesh and concerned authorities need to design, develop, implement and promote an enabling culture that encourages the horizontal aspects of accountability instead of vertical accountability.

The study has also examined some accountability challenges in PPPs as the topic has been less examined in Bangladesh. Based on the findings, the current study has provided some perspectives on enhancing accountability. A key implication of this study is that if PPPs are to be used as a major innovative policy tool that will remedy the problem of inertia in traditional public service delivery in development projects and deal with it’s deeply rooted socioeconomic, political, fiscal and societal problems; then accountability in PPPs needs to be considered as critical. PPPs encompass integrated responsibilities along a number of long-term aspects with a private partner that is not easily severed, as in a short-term contractual relationship. Therefore, the major onus rests on government as the major role-player in PPPs to lend genuine legitimacy and credibility to the existing legislation through strong implementation. It should also apply effective external and internal checks to enhance the credibility of PPPs as a tool for improving service delivery. If the current momentum carries through with substantial emphasis on mutual accountability among stakeholders of PPP projects which will have added significant value and strength to the PPP program in Bangladesh. Accountability in PPPs will become effective, should appropriate accountability structures and anticorruption measures be put in place, and should effective mechanisms to assure stakeholder consultation, transparent procurement processes, open access to information, contract monitoring and appropriate risk transfer be activated. The ultimate attraction of PPPs is not satisfying the demand for public collaboration with the private sector, but
increasing efficiency and innovative service delivery, and ensuring value for money through good practices of public service delivery.

Therefore, the current study explored the current state of accountability in the Dhaka-Chittagong Expressway PPP based development project in Bangladesh. The study pointed out the deficiencies of practicing standard accountability mechanism which would help the concerned parties of the studied project; multi-stakeholders in PPP based development projects, interested academicians, policymakers, and Bangladesh government in general. If the government needs to fulfill its developmental aspirations of achieving vision 2021, there is an urgent need to instill the confidence and competitiveness amongst bidders to use PPPs as coherent and development-orientated best value tools to deliver services and infrastructures to taxpayers. Hence, this paper draws attention to some of the accountability challenges in the Dhaka-Chittagong Expressway in particular and PPP framework practice in Bangladesh.
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Annexure

Annex I
Interview Guide

Interview Guide for Project Management Personnel:

- Question: Do you have an accountability management mechanism for this project? How do you practice the mechanism in this project?
- Question: What is the time management scenario in this project? Is it following its initial phase wise project time frame or the project needed to adjust the time frame with later circumstances?
- Question: What is the budget management scenario in this project? Is it following its initial approved budget or the project needed to adjust the budget with later circumstances?
- Question: What is the mechanism of ensuring quality of this project? How do you measure it?
- Question: What is the guideline and practice of exercising the authority?
- Question: What is the practice of compliance of orders, compliance condition; would you give any practical cases of reward and punishment?
- Question: How do you practice professional judgment in any situational context which is not in the project document?
- Question: Is there any training for project management personnel for managing the project?
- Question: How frequently you have project coordination meeting or consultation?
- Question: Do you have project website to disclose the public document and information related to the project?
- Question: What is the internal feedback mechanism among the project management?
- Question: How do you follow the charter of duties; Rules and regulations of the project?
4.2 Interview Guide for Major Project Stakeholders:

- Question: According to your knowledge, is there an accountability management mechanism for this project? How it functions in the project?
- Question: According to your knowledge, what is the mechanism of ensuring quality in this project? In what context, the project personnel are ensuring the project quality management?
- Question: What role(s) who have as a stakeholder to maintain quality of the project?
- Question: How frequently the project personnel have meeting or situational dialogue with stakeholders?
- Question: What are the feedback mechanisms in this project? Would you give any practical example?
- Question: What are consultation mechanisms in this project with the stakeholders?
- Question: What is the guideline and practice of providing explanation/clarification to project stakeholders?
Annex II
Interview Format

Master in Public Policy and Governance Program
Department of PSS, North South University

Topic: The objective is to make use of the data for dissertation under Masters in Public Policy and Governance (MPPG) Program of North South University. Title of the thesis is “Managing Accountability in the Dhaka - Chittagong Expressway Development Project in Bangladesh”.

From: Towfique Ahmad Khan
Student of Masters in Public Policy and Governance (MPPG)
North South University, Dhaka, Bangladesh.

Target Group: For the purpose of the study, in the case of in depth interviews, the selected respondents will divided into two categories; (1) Project management personnel (2) stakeholders of project management.

Basic Information about Respondent:

Name: M□ / F□
Current Institution (Academic/Professional):
Profession: (1) Project management personnel □ / (2) Stakeholders of project management □
Other □ (please specify)…………………………

Instructions: The following written interview format contains questions of a research on “Managing Accountability in the Development Project Management: Dhaka - Chittagong Access Controlled Expressway Project”. The findings gathered from this written type of interview will be incorporated into an academic research paper. Any information provided here will be kept confidential and used only for academic purpose. You are encouraged to provide honest answers. Thank you for your cooperation.

Accountability Management
Question: Do you have an accountability management mechanism for this project? How do you practice the mechanism in this project?
Answer:
Internal Administrative Accountability

Question: what is the time management scenario in this project? Is it following its initial phase wise project time frame or the project needed to adjust the time frame with later circumstances?
Answer:

Question: what is the budget management scenario in this project? Is it following its initial approved budget or the project needed to adjust the budget with later circumstances?
Answer:

Question: What is the mechanism of ensuring quality of this project? How do you measure it?
Answer:

Question: What is the guideline and practice of exercising the authority?
Answer:

Question: What is the practice of compliance of orders, compliance condition; would you give any practical cases of reward and punishment?
Answer:

Question: How do you practice professional judgment in any situational context which is not in the project document?
Answer:
Question: Is there any training for project management personnel for managing the project?
Answer:

Question: How frequently you have project coordination meeting or consultation?
Answer:

Question: Do you have project website to disclose the public document and information related to the project?
Answer:

Question: What is the internal feedback mechanism among the project management?
Answer:

Question: How do you follow the charter of duties; Rules and regulations of the project?
Answer:

This academic study is conducted by Mr. Towfique Ahmad Khan, under the supervision of Dr. M. Emdadul Haq, Professor of Political Science, North South University. Researcher’s Email: towfique17bd@gmail.com, Supervisor’ Email: mehaq57@gmail.com. Thanks again for your cooperation.
Annex III
Interview Format

Master in Public Policy and Governance Program
Department of PSS, North South University

Topic: The objective is to make use of the data for dissertation under Masters in Public Policy and Governance (MPPG) Program of North South University. Title of the thesis is “Managing Accountability in the Dhaka - Chittagong Expressway Development Project in Bangladesh”.

From: Towfique Ahmad Khan
Student of Masters in Public Policy and Governance (MPPG)
North South University, Dhaka, Bangladesh.

Target Group: For the purpose of the study, in the case of in depth interviews, the selected respondents will divided into two categories; (1) Project management personnel (2) stakeholders of project management.

Basic Information about Respondent:

Name: M□ / F□
Current Institution (Academic/Professional):__________________________
Profession: (1) Project management personnel □ / (2) Stakeholders of project management □
Other □ (please specify)……………………………………

Instructions: The following written interview format contains questions of a research on “Managing Accountability in the Development Project Management: Dhaka - Chittagong Access Controlled Expressway Project”. The findings gathered from this written type of interview will be incorporated into an academic research paper. Any information provided here will be kept confidential and used only for academic purpose. You are encouraged to provide honest answers. Thank you for your cooperation.

Accountability Management

Question: According to your knowledge, is there an accountability management mechanism for this project? How it functions in the project?
Answer:
External Informal Accountability towards Stakeholders

Question: According to your knowledge, what is the mechanism of ensuring quality in this project? In what context, the project personnel are ensuring the project quality management?
Answer:

Question: what role(s) who have as a stakeholder to maintain quality of the project?
Answer:

Question: How frequently the project personnel have meeting or situational dialogue with stakeholders?
Answer:

Question: What are the feedback mechanisms in this project? Would you give any practical example?
Answer:

Question: What are consultation mechanisms in this project with the stakeholders?
Answer:

Question: What is the guideline and practice of providing explanation/clarification to project stakeholders?
Answer:

This academic study is conducted by Mr. Towfique Ahmad Khan, under the supervision of Dr. M. Emdadul Haq, Professor of Political Science, North South University. Researcher’s Email: towfique17bd@gmail.com, Supervisor’ Email: mehaq57@gmail.com. Thanks again for your cooperation
Annex IV
Annex V
Minutes of the First Meeting of the PPP Steering Committee

Government of the People’s Republic of Bangladesh
Prime Minister’s Office
Teghun, Dhaka

Minutes of the meeting of the PPP Steering Committee:

The first meeting of the Steering Committee of Public Private Partnership Program (PPP) was held on 18-August-2011 at the Prime Minister’s Office, chaired by the Principal Secretary Mr. Md. Abdul Karim, Prime Minister’s Office. The following members/representatives were present in the meeting:

1. Mr. Anwar Khan, Additional Secretary-2, Economic Relations Division.
2. Mr. Md. Abdul Aziz, CEO, PPP Office and Project Director, PPP Program Operation and Maintenance Project, Prime Minister’s Office.
3. Mr. A. M. Nazrul Islam, Joint Secretary, Finance Division, Ministry of Finance.
4. Mr. Mustafa Began, Director General, Industry and Energy Sector, BMIE.
5. Mr. M. Shamsul Hadi, Joint Chief, Health Wing, Planning Commission.
7. Mr. Md. Zafar Ahmed, TA Team Leader, PPP Program Operation and Maintenance Project.

1. Discussion and Decisions:

After a thorough discussion, the program of the TA Project and TA Team Leader’s presentation on TA strategy and deliverables, the following decisions have been taken:

1.1 Several seminars/workshops will be organized under the TA and PPP project.
1.2 Various deliverables under the TA should be prepared and submitted on time.
1.3 All the reports including the draft PPP law, to be provided by the consultant, will be examined by a review committee. The review committee will comprise of the following members/representatives:
   a. Mr. Md. Abul Kalam Azad, Advisor to the Prime Minister’s Office (Convener)
   b. Mr. Md. Fakrul Islam, Deputy Secretary, PPP Cell, Finance Division (Member)
   c. Mr. Maksudul Haque, Member (Finance), BDBZA (Member)
   d. Mr. Sayem Nurul Islam, Deputy Manager, PPP Office (Member)
   e. Mr. Ummul Khan Kormak (Deputy Manager, PPP Office (Member)

2.4 The review committee will suggest or make necessary comments on the deliverables.

2.5 The committee will submit a report by seven working days to the Principal Secretary on the legal, regulatory and policy report already delivered by TA consultant.

2.6 The consultants’ report on PPP Office should be prepared.

2.7 The project also decided to co-opt Mr. Maksudul Haque, member of BDBZA in this Steering Committee.

2.8 The revised schedule of work of the consultants is approved.

No other issue was discussed and the meeting was concluded with thanks.

(Md. Abdul Karim)
Principal Secretary
Chairman, Project Steering Committee
বাংলাদেশ জাতীয় সংসদ
ডিচয়ে, ০১ আগস্ট, ১৪২২/১৬ সেপ্টেম্বর, ২০১৫

সংসদ কর্তৃক প্রণীত নিয়মিত আইনটি ০৩ আগস্ট, ১৪২২ মাসাব্দে ১৬ সেপ্টেম্বর, ২০১৫ তারিখে রাষ্ট্রপতির সংবিধানী কর্তৃক প্রত্যয়ে এবং একত্রে এই আইনটি সর্বনাশীয় অনুষ্ঠানের জন্য প্রকাশ করা সমাপ্ত হয়েছে।

২০১৫ সালের ১৮ নং আইন

বাংলাদেশের জনপ্রিয়তা পূর্ণ ও তাহার জীবন-মান উন্নয়নের ব্যাপারে আর্থ-সামাজিক উন্নয়নের দৃষ্টিকোণ থেকে অর্থনৈতিক আইনসভায় প্রকাশিত করা এবং রাজনৈতিক প্রতিনিধি সংসদের অন্তর্ভুক্ত বিষয়ের নিষ্ঠাকে সংরক্ষণ পালন পালন করার জন্য সরকারের প্রাক্তন পালনপালন সম্পর্কিত অন্তব্যোগ এবং বিদ্যা অনুষ্ঠানের বৈচিত্রে অনুরূপ করা সমাপ্ত করার জন্য সংরক্ষণ প্রকাশ রাষ্ট্রপতির সম্পর্কে অন্তর্ভুক্ত করে সরকারের অন্তর্ভূক্ত প্রাক্তন পালনপালন সম্পর্কিত অন্তর্ভুক্ত জনপ্রিয়তা অনুষ্ঠানে এবং একটি আহ্বানী কর্তৃপক্ষ সৃষ্টির উদ্দেশ্য এবং তদ্স্থলী বিষয়ে জনপ্রিয়তা প্রতিনিধি সমূহ ও গণজাতীয়;

প্রত্যক্ষ ভাবে জনপ্রিয়তা পূর্ণ ও তাহার জীবন-মান উন্নয়নের ব্যাপারে আর্থ-সামাজিক উন্নয়নের দৃষ্টিকোণ থেকে অর্থনৈতিক আইনসভায় প্রকাশিত করা এবং রাজনৈতিক প্রতিনিধি সংসদের অন্তর্ভুক্ত বিষয়ের নিষ্ঠাকে সংরক্ষণ পালন পালন করার জন্য সরকারের প্রাক্তন পালনপালন সম্পর্কিত অন্তব্যোগ এবং বিদ্যা অনুষ্ঠানের বৈচিত্রে অনুরূপ করা সমাপ্ত করার জন্য সংরক্ষণ প্রকাশ রাষ্ট্রপতির সম্পর্কে অন্তর্ভূক্ত করে সরকারের অন্তর্ভূক্ত প্রাক্তন পালনপালন সম্পর্কিত অন্তর্ভূক্ত জনপ্রিয়তা অনুষ্ঠানে এবং একটি আহ্বানী কর্তৃপক্ষ সৃষ্টির উদ্দেশ্য এবং তদ্স্থলী বিষয়ে জনপ্রিয়তা প্রতিনিধি সমূহ ও গণজাতীয়;

Annex VI
PPP Law
সেহেরু একদমের নির্দেশ আইনের কথা হইলঃ

প্রথম অধ্যায়

প্রারম্ভিক

১। সাফল্য নির্যাতন ও প্রক্রিয়া—(১) এই আইন বাংলাদেশ সরকার-ফেরকারী অনুশীলনের আইন, ২০১৫ নামে অপসারিত হইবে ।
(২) এই আইন অপসারিত কর্পোরেশন হইলে ।

২। সংবােদঃ—বিবাহ বা প্রশাসনের পরিপদে কেন্দ্র করিয়া বা থাকিয়া, এই আইনে—

(১) "অবকাঠামো" অর্থাৎ রাষ্ট্রীয় ধরনের এমন কোন নুতন বা বিদ্যমান জীবক্ত বা অ-জীবক্ত পরিকল্পনায় বা অবকাঠামো যাত্রীর ঘটকে, পল্পনা বা পল্পনা বা উভয়কে ভূমি হইয়া বা করা হয়;
(২) "অনুমানে চর্চা" বা "প্রশাসনে চর্চা" অর্থাৎ এই আইনের ধরনের ২৩ এর অধীন সরকারি-ফেরকারী অনুমানের পরিকল্পনায় সম্পূর্ণকরণ এবং প্রক্রিয়া 
কোম্পানির মধ্যে মামলাধারী কোন চর্চা;
(৩) "পল্পনা" অর্থাৎ এমন কোন ধরনের যাবতীয় সরকারাধারণের জন্য রাষ্ট্রীয় ধরনের অবকাঠামো হইতে প্রতাক বা পরামর্শাদে উপস্থাপিত বা উপস্থারিত বা ভূমি হইয়া বা করা হয়;
(৪) "পল্পনা" অর্থাৎ এমন কোন সরকারাধারণের জন্য রাষ্ট্রীয় অবকাঠামো হইতে 
প্রতাক বা পরামর্শাদে উপস্থাপিত বা উপস্থারিত বা ভূমি হইয়া বা করা হয়;
(৫) "চীয়ারপারসন" অর্থাৎ যদি অব অন্যদিনের এর চীয়ারপারসন;
(৬) "ব্যক্তিকর্মকর্তা কর্মকর্তা" অর্থাৎ—
(ক) কোন মানুষ বা বিভাগ বা তদন্ত কোন নোটিশ বা অনুমান বা পরিকল্পনার বা 
কর্মরত কর্মকর্তা বা সাফটিভতের সাহায্য, স্থানীয় সরকার, বাংলাদেশ কোম্পানি বা কোন ধরনের কোম্পানি
(ব) পিপল কর্মকর্তা, যেমন, পিপল প্রক্রিয়া এর প্রথক হইতে তৃতীয় চীয়ার ধারক 
পরিচিত কর্মকর্তা সম্পূর্ণ চেকিং পিপল কর্মকর্তা উপস্থাপিত অনুমান হয়;
(৭) "অস্তিত্ব" অর্থাৎ এই আইনের ধরনের ৩০ এ উল্লিখিত পিপল কর্মকর্তার অস্তিত্ব;
(৮) "মিসরকারি" অর্থাৎ প্রতিবন্ধ বা আইন ধরনে নির্দিষ্ট;
(৯) "নেটওয়ার্কিং (negotiation)" অর্থাৎ ধরনে ২১ এ বর্তমান নেটওয়ার্কিং;
(১০) “পিপিপিনি কর্তৃক” অর্থ এই আইনের ধর্মা ৪ এর অধীন একটি কর্মকারী পাইপল কার্টনপ্যাক কর্তৃক;

(১১) “পিপিপিনি প্রক্রিয়া” অর্থ ক্রেতারা কোন এক প্রক্রিয়া যা সরকারি কেন্দ্র অথবা বাংলাদেশ সরকারের জন্য প্রয়োজন;

(১২) “প্রবাহ” অর্থ এমন কোন কর্মকারী বা কর্মকর্তা বা তাঁর সমস্ত যা যে যা মাধ্যমে নির্দেশ পরিকল্পনা বা চিহ্ন সহ করা হয়, যথাঃ—

(৩) মূল কোন অবকাঠামো নির্মাণ বা পরিচালনা বা উভয় কর্মকারী পরিকল্পনা;

(৪) বিতরণ মূল কোন অবকাঠামো বিনিময় কর্মকারী পরিকল্পনা;

(৫) দণ্ড (৩) ও (৪) এর বিরুদ্ধে উভয় কর্মকারী কর্মকারী পরিকল্পনা;

(৬) কোন অবকাঠামোর সুবিধা প্রস্তুত সমূহ এমন সকল পণ্য বা সেবা সরবরাহ;

(১৩) “প্রকার কাপানি” অর্থ ধরা ২২ এর অধীন অধিক কোন কাপানি, এবং উক্ত অর্থে কেন্দ্রীয় সরকার অথবা অন্য কোন কাপানি;

(১৪) “প্রশাসন” অর্থ পিপিপিনি প্রক্রিয়া কেন্দ্রীয় সরকার বিনিময় কর্মকারী বাংলাদেশ সরকারের জন্য সমর্পণ, সম্পর্কে হাসপাতাল এবং বা অন্য কোন সাধারণ বা বিশেষ সুবিধানে বা কর্তৃক, এবং উক্ত অর্থে কৃতি ও নির্দিষ্ট সুবিধার অজ্ঞত্ব হইবে;

(১৫) “প্রশাসন নিয়মের কর্তৃক” অর্থ পিপিপিনি কর্তৃক প্রশাসন নিয়মের কর্তৃক;

(১৬) “ফোরিয়া” অর্থ এই আইনের অধীন প্রথিত কোন ফোরিয়া;

(১৭) “ফোরিয়ান আইন” অর্থ পিপিপিনি প্রক্রিয়া বাংলাদেশ, পরিচালনার এবং রক্ষণাবেক্ষন;

(১৮) “ফোরিয়া” অর্থ এই আইনের অধীন প্রথিত ফোরিয়া;

(১৯) “ফোরিয়ান আইন” অর্থ পিপিপিনি প্রক্রিয়া বাংলাদেশ, পরিচালনার এবং রক্ষণাবেক্ষন;

(২০) “ফোরিয়ান কর্তৃক” অর্থ অন্তর্বত্তির কৃতি অথবা পিপিপিনি প্রক্রিয়া বাংলাদেশের জন্য কর্তৃক অধীনীয় ফোরিয়া অর্থে;

(২১) “ফোরিয়ান” অর্থ প্রক্রিয়া বাংলাদেশ এবং উক্ত অর্থে ফোরিয়ান অথবা উক্ত ইন্টারন্যাশনাল কর্তৃক অধীনীয় ফোরিয়া অর্থে।
(২২) “বেসরকারি প্রতিষ্ঠান” অর্থাৎ কোন বাণিজ্যিক কার্য বা যে কোন দেশি বা বিদেশি কোম্পানি, সমিতি, আইনগত কর্তা, ব্যক্তিগত কর্মী, কারেন্সিয়াম (কারেন্সিয়ালস) ফাউন্ডেশন বা ট্রাস্ট;

(২৩) “বোর্ড অব গভর্নরস” অর্থাৎ পিপিপি কর্পোরেশনের বোর্ড অব গভর্নরস;

(২৪) “ডায়টম্যান ইন চেয়ারম্যানসন” অর্থাৎ বোর্ড অব গভর্নরস এর ডায়টম্যান ইন চেয়ারম্যানসন;

(২৫) “মিশন ফর ব্যাংকিং” অর্থাৎ Rules of Business, 1996 এর rule 18 এর অধীন পরিষদ Cabinet Committee on Economic Affairs;

(২৬) “সনায়ী” অর্থাৎ বোর্ড অব গভর্নরস এর হিসেব সনায়ী; এবং

(২৭) “সরকারি-বেসরকারি অন্দীনীয়তা” বা “অন্দীনীয়তা” বা “পিপিপি” অর্থাৎ চূড়ান্তকরণ কর্তৃক এবং কোন সরকারি অন্দীনীরের মধ্যে পিপিপি চূড়ান্ত ব্যবস্থা যায়।

(২) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থা সম্পাদনের ব্যবস্থা বিষয়ক বোর্ড অব গভর্নরস প্রতিষ্ঠানের গভর্নরসের প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৩) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৪) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৫) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৬) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৭) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৮) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(৯) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(১০) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(১১) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

(১২) সরকারি বোর্ড অব গভর্নরস এর ব্যবস্থার প্রদত্ত নির্দেশনার মূল্যায়ন ও প্রধান অধীনস্থ।

৩। আইনের প্রাথমিক—আপাততঃ কলকাতা অন্য কোন আইনের ভিত্তিতে যাইতে কিনা কিবা একুশক মা কেনা, এই আইনের বিবল্লালি প্রাথমিক পারিবে।

বিত্তীয় অধিব্যাঘ্য
পিপিপি কর্পোরেশন প্রতিষ্ঠা

৪। পার্লিমেন্ট গ্রেটারটারাইটি পার্লিমেন্ট কর্পোরেশন কর্পোরেশন প্রতিষ্ঠা।—(১) এই আইন কার্যকর হইবার সমস্ত সময়, পার্লিমেন্ট গ্রেটারটারাইটি পার্লিমেন্ট কর্পোরেশন কর্পোরেশন নামে একটি কর্পোরেশন প্রতিষ্ঠিত হইবে। যাহা পিপিপি কর্পোরেশন কর্পোরেশন নামে অভিহিত হইবে।
(২) পিপিটি কর্তৃক একটি সাধারণ সংস্থা হইবে এবং ইহার সাথী ধর্মাভিনব ও একটি সাধারণ সন্ন্যাসীর মাধ্যমে এবং ইহার স্বাধীন ও অস্বাভাবিক উভয় ধর্ম সমর্পিত অধিন কর্তৃক, অফিসিয়াল প্রতিষ্ঠিত এবং বিষয়বস্তুর ক্ষমতা বিশিষ্ট এবং ইহার নিজ নামে মামলা দায়ের করিয়া পারিতে এবং ইহার বিচক্ষণ মামলা দায়ের করা যাইবে।

(৩) আর্থিক ও প্রশাসনিক ক্ষমতা প্রদান, ও কার্যকরী সম্পাদনের ক্ষেত্রে পিপিটির কর্তৃপক্ষ নির্দেশনা ও নিয়মাবলি হইবে।

৫। পিপিটির কর্তৃপক্ষের কার্যক্ষেত্র, ইত্যাদি—(১) পিপিটির কর্তৃপক্ষের ধর্মনিদর্শন চালায় থাকিবে।

(২) পিপিটির কর্তৃপক্ষ, উহার কর্তৃক সৃষ্টি ভাবে পরিচালিত হইবে, বাংলাদেশের যে কোন স্থানে বা বিদেশে উহার স্বাধীন অভিলাষে স্বল্পন করিতে পারিবে।

৬। পরিচালনা ও প্রশাসন—পিপিটির কর্তৃপক্ষের সাধারণ পরিচালনা ও প্রশাসন বোর্ড অব গভর্নরস এর উপরিস্তু নগরীর পদানতি এবং উহার সকল ক্ষমতা ও কার্যকরী নেতৃত্ব অব গভর্নরস এর প্রদান ও সম্পাদন করিতে পারিবে।

৭। বোর্ড অব গভর্নরস—(১) পরিধানমূলক নেতৃত্বে পিপিটির কর্তৃপক্ষের একটি বোর্ড অব গভর্নরস প্রতিষ্ঠা এবং ইহার সমর্পিত সদস্য সমগ্র পরিত হইবে, যথা—

(৩) পরিধানমূলক, যিনি উহার চেয়ারপাবসনও হইবে;

(৫) মাছী, অর্থ মন্ত্রালয়, যিনি উহার ইয়াইস-চেয়ারপাবসনও হইবে;

(৭) পরিধানমূলক কর্তৃক মূলনীতির একজন মাছী সমালোচনা;

(৮) প্রক্ষি স্থানীয় মন্ত্রণালয়ের মাছী বা প্রতিষ্ঠান;

(৯) পরিধানমূলকের পৃথিবীসনি ও চেয়ারম্যান, পিপিটির কর্তৃপক্ষ

৬। পিপিটির কর্তৃপক্ষ, প্রধানমন্ত্রীর নেতৃত্বে, বোর্ড অব গভর্নরস এর চেয়ারপাবসন এর পূর্ববৃত্তান্ত ভোগে, প্রক্ষি স্থানীয় নেতৃত্ব একজন কোন মাছী বা স্থানীয় বিষয়ে অভিজ্ঞ যে কোন বাধিকে দায়ের স্বদেশ বাংলাদেশ জানাইতে পারিবে।

৮। বোর্ড অব গভর্নরস এর সভা, ইত্যাদি—(১) এই ধরার অনুমান বিধানমূলক স্বায়ত্ত, বোর্ড অব গভর্নরস উহার সভার কর্তৃপক্ষ নির্দেশনা করিতে পারিবে।

(২) বোর্ড অব গভর্নরস এর সভা চীনস্বরূপ যে উহার পরিচালনা অর্পনপ্রতিষ্ঠিত ভাবে, চীনস্বরূপ প্রধানমন্ত্রীর নেতৃত্ব ভিত্তি হইবে এবং কর্তৃক অন্যতম ৬ টি সভা অন্তর্ভুক্ত হইবে; তবে প্রক্রিয়ার জরুরী বিষয়ের সমগ্রীতে অন্যমূলক স্বায়ত্ত মাধ্যমে এক বা একাধিক সত্তা অন্তর্ভুক্ত ও পিপিটির সত্ত্বা যে কোন সিদ্ধান্ত গ্রহণ করা যাইবে।
(১) চেয়ারপারসেন্টে বোর্ড অফ গভর্নরস এর কার্যদাওয়ার সম্পর্কে সংগঠিত কর্ত্তব্য এবং, তাদের অনুপস্থিতিতে বা সম্মুখিতে আইস -চেয়ারপারসেন্টে উক্ত সহযোগিতা সম্পর্কে কর্ত্তব্য।

(২) বোর্ড অফ গভর্নরস এর কার্যকার্য বা কার্যদাওয়ার কেরল উক্ত বোর্ড অফ গভর্নরস এর কার্যদাওয়ার সদস্য পদে শুনাত্তা বা বোর্ড অফ গভর্নরস গঠনের প্রথম দিকের কার্যকার্যে অংশগ্রহণ হবে না এবং, তাদের পর্যায়ক্রমে কোন প্রশ্ন উত্থাপন করা মাত্র না।

(৩) প্রচেষ্টা নিবৃত্তি কর্মকারী, বোর্ড অফ গভর্নরস এর প্রতিক সভায়, বোর্ড অফ গভর্নরসকে পিপিপি সম্প্রতি বিষয় সহ অন্যান্য সহযোগী দেওয়ার জন্য সভায় উত্থাপিত থাকিবেন।

১। পিপিপি কর্তৃপক্ষের ক্ষমতা ও কার্যতার ১। পিপিপি কর্তৃপক্ষের ক্ষমতা ও কার্যতার
হইবে নিয়মিত, যথা:

(২) পিপিপি সম্পর্কিত নীতিমালা, প্রথিত, প্রদর্শন, প্রাইমারি প্রাপ্ত, অনুমোদন, গ্রেজুয়েট প্রদান ও জাহিদ প্রস্তাব;

(৩) পিপিপি সম্পর্কে সরকারি নিয়ন্ত্রণ অংশগ্রহণ ও প্রশিক্ষণ বিষয়ে নিপতিত প্রদান;

(৪) হৃতিকরী কর্তৃপক্ষের সচেষ্টাহীন দিক-নিজেভিত্ত প্রদান;

(৫) পিপিপি সম্পর্কে বাস্তবায়নের সৌধাকরণ বা জটিলতা নিষেধাজন;

(৬) পিপিপি সম্পর্কে সরকারি সচেষ্টাহীন প্রদান;

(৭) কার্যকর এবং উত্তোলন সমাধান (best practices), প্রাথমিক জোর ও সম্প্রদান প্রলিনে প্রদান;

(৮) অংশগ্রহিতা হৃতিকরী নীতির সম্প্রদান ও নিশ্চিত (vetting) প্রস্তাব;

(৯) পিপিপি সম্পর্কে সচেষ্টাহীন প্রদান;

(১০) জেনেরেল অংশগ্রহণ প্রক্রিয়া নিষেধাজন;

(১১) পিপিপি সম্পর্কে সচেষ্টাহীন প্রদান অনুমোদন;

(১২) প্রশিক্ষণ প্রদান, পিপিপি হৃতিকরী সমাধান অনুমোদন;

(১৩) পিপিপি সম্পর্কে সচেষ্টাহীন প্রদান;

(১৪) পিপিপি সম্পর্কে সচেষ্টাহীন প্রদান;

(১৫) পিপিপি কর্তৃপক্ষের অধীনে নাজ প্রক্রিয়া, সম্প্রদান এবং সম্প্রদান ও সাধারণ।
(১) কর্মকর্তা ও কর্মচারীদের সাংঘটিক কাঠামো নির্ধারণ ও অনুমোদন;
(২) কর্মকর্তা ও কর্মচারীদের পৃথক বেতনকাঠামো অনুমোদন ও গ্রহণ;
(৩) পরামর্শ বা বিশেষভাবে উভয়ের কার্যপরিচয় ও নিয়মের পর্যায় নির্ধারণ ও নিরোধ এবং যে নির্দেশ;
(৪) নির্দিষ্ট বিষয়ের লেখা বিদেশে নিয়ন্ত্রক সাধন, গ্রামসাধন, সমিতি, ইত্যাদি আয়োজন ও অনুমোদন;
(৫) নির্দিষ্ট সংজ্ঞায়িত বিষয়-বিষয়ক নির্দেশনা বাংলাদেশ নির্দেশককর্তা;
(৬) নির্দিষ্ট কর্মচারী সংবেদনাচার ও পরিবেশ;
(৭) নির্দিষ্ট প্রক্রিয়ার অন্তর্গত তত্ত্বাবধান ও সমর্থন সাধন;
(৮) সংসদের অন্তর্গত নির্ধারিত প্রক্রিয়া পরিচালনা ও পরিবেশ;
(৯) নির্দিষ্ট কর্মচারী জন্য পরামর্শ বা বিশেষভাবে উভয়ের জন্য প্রতি প্রমাণ প্রদান করা এবং নির্দেশিত পর্যায়ের উপর প্রতি প্রমাণ বা বিশেষভাবে উপর নির্দেশনা প্রদানের প্রতিক্রিয়ার করা এবং
(১০) নির্দিষ্ট সংস্থার যে কোনো কার্য সম্পাদন।
(১১) সরকার কর্তৃক অনুমোদিত নির্দিষ্ট অন্যান্য কাজ।

১০। মোকামাতে ও প্রধান নির্বাচন কর্মকর্তা —(১) প্রধানমন্ত্রীর মূখ্যস্থান পদাধিকার বলে নির্দিষ্ট কর্মপ্রচারক মোকামাতে হইবেন।
(২) নির্দিষ্ট কর্মপ্রচারক মোকামাতে এর দায়িত্ব হইবে—
(৩) বোর্ড অব গভর্নর্স এর মোকামাতে এর সাহিত আলোচনা করতে হইবে।
(৪) বোর্ড অব গভর্নর্স এর মোকামাতে এর সাহিত প্রারম্ভিক, বোর্ড অব গভর্নর্স এর উপর আদালতের সংস্থাপন চালনা করা এবং
(৫) বোর্ড অব গভর্নর্স এর সাহিতে মোকামাতে সম্পাদন করা।
(৬) নির্দিষ্ট কর্মপ্রচারক মোকামাতে, বোর্ড অব গভর্নর্স এর সাহিত মোকামাতে অন্যান্য দায়িত্ব সম্পাদনের জন্য কর্মকর্তা কর্তৃক নির্দেশিত হয়ে সমাপ্তি ও ভূমি হইবেন।
(৪) পিপিপি কর্তৃকের একান্ত প্রধান নির্বাহী কর্মকার্য কার্যক্রমে—

(া) ত্রিমূর্তি বোর্ড অব গভর্নরস কর্তৃক নিযুক্ত হইবেন;

(৫) তাহার চারখানার শরীরে বোর্ড অব গভর্নরস কর্তৃক নিযুক্ত হইবে এবং

(৬) তিনি প্রেজেন্ট-১ পদব্র্যান্ডের অধিকারী হইবেন।

(৫) প্রধান নির্বাহী কর্মকার্য পিপিপি কর্তৃকের সাংবিধানিক স্থান নির্বাহী কর্মকার্য কর্তৃক হইবেন এবং

এই আইনের ব্যাখ্যা নির্দেশিত পিপিপি কর্তৃকের কমিশন, বোর্ড অব গভর্নরস এর অনুমোদনসহকরে, 

তাহার কর্তৃক গ্রুপে হইবে।

(৬) প্রধান নির্বাহী কর্মকার্য, পিপিপি কর্তৃকের কর্মীর স্থঃ ভারস্যা সাংবিধানিক অবস্থান ও অন্যান্য সংবিধান প্রয়োজনে বোর্ড অব গভর্নরস এর চয়া্যাংসন, ভাইস-চয়া্যাংসন ও কর্তৃকের চয়া্যাংসনকে প্রফিক্স করিতে পারিবেন।

(৭) পিপিপি কর্তৃকের চয়া্যাংসন সরাসরি বোর্ড অব গভর্নরস এর নিকট এবং প্রধান নির্বাহী 

কর্মকার্য চয়া্যাংসন এর মাধ্যমে বোর্ড অব গভর্নরস এর নিকট সকল কর্মকার্যের জন্য যাইবেন।

(৮) প্রধান নির্বাহী কর্মকার্যের পদ শুরু হইলে কিংবা অনুপস্থিতি, অনুপস্থিত বা অন্য কোন কারণে

প্রধান নির্বাহী কর্মকার্য ভারস্যা দায়িত্ব পালনে অসমর্থ হইলে, উত্তর পদে নব নিযুক্ত প্রধান নির্বাহী 

কর্মকার্য কর্তৃক প্রাপ্ত হইবেন না হইলে অত্যন্ত প্রয়োজনীয় কর্মী প্রয়োজনের কর্তৃক নির্বাহী 

কর্মকার্যকার্যের সমক্ষে দায়িত্ব পালন করিবেন।

১১। পিপিপি কর্তৃকের কর্মকার্য ও কর্মচারী।—পিপিপি কর্তৃকের উদ্দেশ্য কর্তৃকের সাংবিধানিক ধৃত্রাষ্টাবিক দায়িত্ব পালনের উদ্দেশে বোর্ড অব গভর্নরস কর্তৃক অনুমোদিত সাংবিধানিক কাঠামো অনুসারে প্রয়োজনীয় 

স্থায় কর্মকার্য ও কর্মচারী নিযুক্ত করিতে পারবে এবং তাহাদের বোর্ড অব গভর্নরস চয়া্যাংসন দ্বারা 

নির্বাহী করিতে হইবে।

১২। পিপিপি কর্তৃকের সমক্ষে ও সাহায্যাত্মক কার্য।—চুক্তিকারী কর্তৃক নিযুক্ত হইয়া 

পিপিপি কর্তৃকের মাধ্যমে ও সাহায্যাত্মক কার্যক্রমে, যথা—

(ক) নীতিগত অনুমোদনের জন্য মহিলা কমিটি উপাধি প্রদানে পিপিপি প্রক্রিয়া;

(প) পিপিপি সংক্রান্ত দপ্তর সম্পর্কে অনুমোদন;

(৫) নেটওয়ার্কিং কর্মকার্যের;

(ম) যুদ্ধাষ্ট্র অনুমোদনের জন্য উপাধি প্রদানে অনুমোদন;

(আ) সম্পর্কের পর আলোচনার যুদ্ধাষ্ট্র সংরক্ষণের প্রক্রিয়া; এবং

(চ) এই আইনের উদ্দেশ্য পূরনক্ষেপে হয় কেন বিষয় বা প্রক্রিয়া।
১০। পিপিপিশি প্রক্রিয়া এগানে—(১) চুক্তিকারী কর্তৃপক্ষ, কোম্পানি, পিপিপিশি কর্তৃপক্ষ বার্ষিক উদ্যোগ কর্মসূচীর যে কোন প্রক্রিয়া অথবা বার্ষিক উদ্যোগ কর্মসূচীর বাইরে যে কোন প্রক্রিয়া চিহ্নিতকরণের উদ্দেশ্যে পিপিপিশি মাধ্যমে বাড়ানোর জন্য পিপিপিশি প্রক্রিয়া এগানে পরিচালিত হবে।

(২) বোর্ড অফ পরিচালনা, প্রধানমন্ত্রীর ক্ষেত্রে, বার্ষিক উদ্যোগ কর্মসূচীর যে কোন প্রক্রিয়া অথবা বার্ষিক উদ্যোগ কর্মসূচীর বাইরে যে কোন প্রক্রিয়া চিহ্নিতকরণের জন্য চুক্তিকারী
কর্তৃপক্ষকে সংবাদ দিতে পারবে।

১৪। পিপিপিশি প্রক্রিয়া অনুমোদন—পিপিপিশি প্রক্রিয়ার নীতিতে ও চূড়ান্ত অনুমোদন মহিলাসহ কমিটি কর্তৃপক্ষ সম্পাদিত হবে।

১৫। জাতীয় আর্থিক আইনকার প্রক্রিয়া—(১) দেশের আর্থ-সামাজিক উদ্যোগ কর্তৃপক্ষ বা জনসাধারণের বেদ ধরনের কোন দুর্গন্ধ প্রক্রিয়া নিশ্চিত প্রকাশের ভূমিকার কর্তৃক, পিপিপিশি কর্তৃপক্ষ, মহিলাসহ অনুমোদন সংগ্রহ, প্রকাশের প্রক্রিয়াকে জাতীয় আর্থিক আইনকার প্রক্রিয়ার যোগ্যতা করিতে পারবে।

(২) এই আইনের প্রমাণে যদি কোনও কৃতি কর্তৃপক্ষ, কোম্পানি, পিপিপিশি কর্তৃপক্ষ, মহিলাসহ অনুমোদন সংগ্রহ, জাতীয় আর্থিক আইনকার প্রক্রিয়ার অনুমোদন, মহিলাসহ অনুমোদন সংগ্রহ, প্রকাশের প্রক্রিয়াকে জাতীয় আর্থিক আইনকার প্রক্রিয়ার যোগ্যতা করিতে পারবে।

২০। পিপিপিশি প্রক্রিয়ামুক্ত কর্মসূচির পরিচয়, কর্ম পরিচিতি ও সুবিধার জন্য আর্থিক আইনকার প্রক্রিয়ার অনুমোদন, মহিলাসহ অনুমোদন সংগ্রহ, প্রকাশের প্রক্রিয়ার বিভাগ বিভক্ত কর্তৃপক্ষের কর্তৃপক্ষকে নিয়ন্ত্রিত করিবে।

২১। পিপিপিশি প্রক্রিয়া সরকারের আইনিক অধিকার অনুমোদন—সরকারের পিপিপিশি প্রক্রিয়া অনুযায়ী কর্মসূচির নির্দেশনাএ অন্তর্ভূক্তির জন্য প্রকৃতি অনুমোদন পরিচালিত হবে, যথা—

(ক) কর্মসূচির সাথায় বিধিতে অধিধীন (Technical Assistance Financing);

(খ) আর্থিক সাহায্য ঘটিত বিধিতে অধিধীন (Viability Gap Financing);

(গ) প্রকাশের লক্ষণের প্রক্রিয়া বিধিতে অধিধীন (Financing against Equity and Loan);

(ঘ) পিপিপিশি প্রক্রিয়ার সাহায্যে মহিলাসহ কর্মসূচীর বিধিতে অধিধীন (Financing against Linked Component);

(ঙ) পিপিপিশি কর্তৃক কর্তৃক নির্দেশিত অন্য কোন কর্মসূচীর বিধিতে অধিধীন।
১৭। শেসরকারি অনুমোদন সামর্থ্যের ক্ষেত্রে—পিসিপি প্রকল্পে সেসরকারি বিনিয়োগ উত্তীর্ণ করেন। খনা সামর্থ্য, বোর্ড অফ গভর্নরস এর সূচিতকের জিনিতে, সরকারি গোষ্ঠী সামর্থ্য বা বিবেদন আদেশ দ্বারা, শেস্ত্রনামা গ্রহণ করিতে পারিবে।

১৮। চূড়ান্ত কর্তৃপক্ষের ক্ষেত্রে ও কার্যক্রম—(১) এই আইন ও তদীন্দ্রিয় সরকারিত্ব ও প্রতিষ্ঠানের বিবেদন সামর্থ্যে, চূড়ান্ত কর্তৃপক্ষ পিসিপি প্রকল্পে স্থানীয় খাতের জন্য অনুমোদনের জন্য এর নিকট পিসিপি প্রকল্পের সামর্থ্যে বিবেদন ও প্রতিষ্ঠান অনুমোদন দিতে পারে। তথ্য সরকারি প্রতিষ্ঠানের জন্য শেসরকারি অনুমোদনের সরকারি শুধুমাত্র লক্ষ্য হবার জন্য চূড়ান্ত কর্তৃপক্ষ পিসিপি প্রকল্পের সামর্থ্যে বিবেদন নেন।

(২) পিসিপি প্রকল্পের সুপারিশ বিবেদন নিশ্চিতকরে চূড়ান্ত কর্তৃপক্ষ যে কোন বার্তা বা প্রতিষ্ঠানের দায়িত্ব পালন করিতে পারিবে।

(৩) প্রকল্পের আগেই বা কর্তৃপক্ষ বিবেদনের ক্ষেত্রে চূড়ান্ত কর্তৃপক্ষ, সিদ্ধান্ত পদ্ধতি ও সময় অনুসারে, পিসিপি কর্তৃপক্ষের নিকট প্রতিষ্ঠান নিশ্চিত করিবে।

(৪) উপ-খাতা (৩) এ যাদু দিকে যাত্রা না করে সেসরকারি কর্তৃপক্ষের নিকট যে কোন প্রতিষ্ঠান বা তথ্য্যমূল দায়ে পালিত পালিত হবে এবং চূড়ান্ত কর্তৃপক্ষের প্রায়োজনীয় বিবেদন প্রদান করিতে পারিবে।

চূড়ান্ত অধ্যায়

পিসিপি প্রকল্পের নিষেধাজ্ঞা

১৯। চূড়ান্ত অনুমোদন প্রকল্পের নির্দেশ—(১) নির্দেশ অনুমোদন প্রিন্টিং, যে পিসিপি প্রকল্পের সামর্থ্য সরকারি অনুমোদন প্রিন্টিং প্রদান করেন না।

(২) চূড়ান্ত প্রকল্পের প্রকল্প, বোর্ডের, পিসিপি প্রকল্প, বোর্ড অফ গভর্নরস কর্তৃক অনুমোদিত প্রায়োজনীয় সরকারি পিসিপি প্রকল্পের নিষেধাজ্ঞ পালিত করিবে।

২০। অনুযোগ প্রদান (Unsolicited Proposal) ——(১) যে কোন সরকারি প্রতিষ্ঠান বা প্রকল্পের বিবেদন সরকারি প্রতিষ্ঠান, বোর্ড অফ গভর্নরস কর্তৃক অনুমোদিত প্রকল্পের সামর্থ্য দায়ে প্রতিষ্ঠানের নিষেধাজ্ঞ প্রদান করিতে পারেন।

(২) বোর্ড অফ গভর্নরস কর্তৃক অনুমোদিত প্রকল্পের সামর্থ্যে প্রতিষ্ঠানের দায়িত্ব পালন করিতে পারে, অনুযোগ প্রদান (Unsolicited Proposal) সম্পাদন করিতে হইবে।

ব্যাখ্যা: এই ধারায় উল্লেখ পুনরাবৃত্তি, “অনুযোগ প্রদান (Unsolicited Proposal)” অর্থ কোন সরকারি বাবর্ণ বা প্রতিষ্ঠান কর্তৃক প্রকল্পের সামর্থ্যে প্রকল্পের নিষেধাজ্ঞ প্রদান করিতে পারে, যাহা সরকারির কোন অনুমোদন প্রাপ্ত প্রকল্পের মধ্যে প্রকল্প নয়।

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২১। ব্যোগালিকেশন—অন্যন্যান্যান্য চুক্তিবদ্ধ যে সকল শাখা ব্যোগালিকেশনের জন্য উদ্দেশ্যে না সেই সকল শাখা ব্যাখ্যাত বলেন ব্যোগালিকেশনের উদ্দেশ্যে ব্যোগালিকেশন করা যাইবে।

২২। একুশৎ কোম্পানী গঠন—(১) বসারা অন্যন্যান্য চুক্তিবদ্ধ হিসাবর পর, পিপলসি চুক্তি সম্পত্তির জন্য যা পর, কোম্পানী গঠন সংশ্লেষ বিশ্বাসন আইনের বিধান অনুযায়ী শেষ পর্যন্তকারী কোম্পানী গঠন করবে।

(২) পিপলসি চুক্তির ব্যাখ্যা করবার পর, বসারা অন্যন্যান্য সকল দায়-সারিগত ও অতিরিক্ত একুশৎ কোম্পানীর উপর অর্থি হবে।

(৩) একুশৎ কোম্পানীর সংশ্লিষ্ট, সংশ্লিষ্ট ও উপ-আইন বা উহার নির্দেশিত সংস্থানে কোন তথ্যপূর্ণ পরিবর্তন করবার প্রয়োজন হলে, বসারা অন্যন্যান্য উক্তরূপ পরিবর্তন সাবধানের জন্য চুক্তির কর্তৃপক্ষের অনুমোদন প্রাপ্ত করতে হবে।

২৩। পিপলসি চুক্তি সম্পন্ন।—চুক্তিবদ্ধ বসারা অন্যন্যান্য সমষ্টি সমষ্টি শুরুর উপর ভিত্তি করিয়া চুক্তিবদ্ধ কর্তৃপক্ষ পিপলসি চুক্তি সম্পন্ন করবে।

পদ্ধতি অনুযায়ী

মূল্যিত্বক অপরাধ ও খাতের সূচিত

২৪। মূল্যিত্বক অপরাধের মামলা।—(১) বসারা অন্যন্যান্য নির্দেশনা প্রকল্প ও পিপলসি একুশৎ ব্যাপারের সহিত চুক্তিবদ্ধ কোম্পানী কল্পনা, একুশৎ বা পরিবর্তনে, উক্ত প্রকল্পের অর্থনৈতিক বা উক্ত প্রকল্পের অর্থনৈতিক কল্পনা মূল্যিত্বক কর্তাক, মূল্যিত্বক কর্তা বা অবর্তনসম্মত কার্বারে লিপ্ত যা, তা হলে উক্ত কর্তা মূল্যিত্বক যা, কমিটি, অবর্তনসম্মত বা উক্তরূপের অন্য দায়ে ইন্টারনেট মামলাসহ মামলাসহ মামলা সাধারণ প্রকল্প বিধি অনুযায়ী বিভিন্ন মামলাসহ সাধারণ করা যাইবে।

(২) উক্ত প্রকল্প (১) এ উদ্দেশ্যে মূল্যিত্বক কর্তা, মূল্যিত্বক কর্তা, মূল্যিত্বক কর্তা বা অবর্তনসম্মত কর্তা সাধারণ কর্তা প্রকল্পের চুক্তিবদ্ধ থাকিলে প্রতিষ্ঠিত একত্রিত ব্যাপক সম্পত্তি কর্তা যা সামরিকনিয়েট ও সংখ্যাশবাস, কমিটি, উক্ত প্রকল্প-প্রকল্প, দরকার বা পিপলসি চুক্তির সংশ্লেষ করতে হবে।

ব্যাপার: এই ধারার উদ্ভাবন পূর্ববর্তী, “মূল্যিত্বক কার্য,” “মূল্যিত্বক কার্য,” “মূল্যিত্বক কার্য” ও “মূল্যিত্বক কার্য” অভিজ্ঞদায়ক পাবলিক প্রকিউটরস্ট আইন, ২০০৬ (২০১৬ সালের ০৩ নং আইন) এর অনুসারী পাবলিক প্রকিউটরস্ট বিদ্যমান, ২০০৮ এর বিধি ১২৭ এ সংশ্লেষিত অর্থে ব্যবহৃত হইবে।
২৫। ব্যাপারের সম্বন্ধে—সরকারি অন্তর্দিক নির্ধারিত প্রক্রিয়ায় দলপত্ত মূল্যায়নের সহিত জড়িত কোন ব্যক্তির নিকট যদি প্রতীক্ষামন হয় যে, কোন প্রক্রিয়া বা সরকারি প্রক্রিয়ার সহিত জড়িত কোন প্রতীক্ষায় বা ব্যক্তির সহিত তাহার, প্রতীক্ষা বা পদ্ধতি, ব্যাপারের সম্বন্ধে দরিদ্র্য হইলে, তাহা হইলে তিনি উক্তপ্রক্রিয়া প্রতীক্ষায় হইবার সময় সহ উক্ত প্রতীক্ষা হইতে নিজেকে প্রত্যাহার করিয়া দিতেন, এবং যদি তিনি ইচ্ছাকৃতভাবে নিজেকে প্রত্যাহার করা কর্তব্য, তাহা হইলে উহা ধারা ২৪ এ সংজ্ঞায়িত অর্থে 'ব্যক্তিবৃত্তি কর্ম' বলির এত হইবে।

যাবাবদ্ধ এই ধারায় উক্তপ্রক্রিয়া পূর্ববর্তী, 'ব্যাপারের সম্বন্ধে' বলিয়া তোমার ব্যক্তি বা তাহার ব্যবহার স্থূলত্ব বা প্রতীক্ষা বা পরিকল্পনা, কোন প্রক্রিয়া বা সরকারি সম্পর্ক বা কোন প্রতীক্ষায় বা ব্যবসায় সহিত এমন কোন প্রক্রিয়া বা পদ্ধতি যদি ব্যবহার স্থূলত্ব বা প্রতীক্ষায় ব্যবসায় সম্পর্ক বা সরকারি রূপকাঠিন্য, যাহার ব্যাপারে উক্ত ব্যক্তি কর্তৃক সরকারি অন্তর্দিক নির্ধারিত প্রক্রিয়ায় দলপত্ত মূল্যায়নে গ্রহণ নিজেকে প্রতীক্ষিত হইতে পারে বা হইবার সম্মতি থাকে।

ষষ্ঠ অধ্যায়
অন্তর্দিক চূড়িত শর্তবাদ

২৬। অন্তর্দিক চূড়িত শর্তবাদ ১। (১) এই আইন, তদনুযায়ী নিয়মিত প্রতরিবাদ ও সম্পত্তি চূড়িতকারি অন্তর্দিক চূড়িত প্রত্যাহার করিবে।

(২) চূড়িকারি চূড়িতকারি বা ব্যবসায়িক ও ব্যবসায়িক চূড়িকারি অন্তর্দিকের আইনগত সম্পর্ক, চূড়িকারির কার্যক্রম ও উহাদের অধিকার নাস্তি-নারক অন্তর্দিক চূড়িত শর্তবাদ ধরা নির্ধারিত হইবে।

(৩) উন্ন-ধারা (১) ও (২) এর পরিবর্তে সীমাবদ্ধ বা সররায়, সম্পত্তি চূড়িতকারি চূড়িতকারি বা কোন বা সম্পত্তি চূড়িত প্রতরিবাদ গ্রহণের প্রতি অনুমতি করিবে, যথাঃ—

(১) প্রতরিবাদের ধরন;

(২) প্রতরিবাদ দণ্ড;

(৩) প্রতরিবাদের প্রতরিবাদ দণ্ড;

(৪) প্রতরিবাদ দণ্ড বা প্রতরিবাদ দণ্ডের প্রতি অনুমতি;

(৫) ব্যবসায়িক সম্পাদন সম্বন্ধে সম্পর্ক;

(৬) সম্পত্তি চূড়িতকারি বা নিয়মের অধীনে নিয়মের অধীন;

(৭) নির্দিষ্ট কার্য বা নিয়মের অধীনে নিয়মের অধীন;

(৮) সম্পত্তি নিয়মের অধীনে নিয়মের অধীন;

(৯) দীর্ঘ;
(€) যৌক্তিক পরীক্ষা (Acceptance test) ও পরীক্ষা;

(€) বিনিময় চুক্তির পরম্পরা অধিকার ও দায়িত্ব, চুক্তি যবন;

(€) সরকারের আর্থিক অপর্যাপ্ততার ধরন ও পরিমাণ;

(€) বিনিময় চুক্তি সমাপ্তি সম্পন্ন হয়েছে (যদি থাকে);

(€) হাতাতের পরবর্তী নির্দেশনা এবং পদ্ধতি;

(€) প্রতিষ্ঠান দাবিদ;

(€) চুক্তিকারী কর্তৃপক্ষের তত্ত্বাবধান দোষধার;

(€) সম্পদের মানদন:

(€) প্রকৃতিকর বিপর্যয়কালীন তত্ত্বাবধান পক্ষপাত;

(€) নিয়ন্ত্রক আইন (Governing Law);

(€) সাধারণ বর্তমান;

(€) একক এলাকার উপর অধিকার; এবং

(€) নিয়ন্ত্রণ পর্যায়।

(€) আগমন কাল অনুযায়ী কেন আইন বা আইনের মর্যাদাসম্পন্ন মাধ্যমে নিয়ন্ত্রণ করা কী বিচার জানতে না করেন, অংশীদারদের চুক্তি প্রক্রিয়া সম্পর্কে জানাতে প্রস্তাব করা যাইবে।

২৭। নিয়ন্ত্রক আইন (Governing Law) — অংশীদারদের চুক্তিতে নিয়ন্ত্রণ কী উন্নতি না থাকায়, বাংলাদেশের বিনিময় আইন হিসেবে অংশীদারদের চুক্তির নিয়ন্ত্রক আইন (Governing Law)।

২৮। প্রদর্শনীবার — (১) এই আইনের উদ্দেশ্য পূরণকাজ, একসঙ্গে কর্তৃক, চুক্তিকারী কর্তৃপক্ষ কর্তৃক একসঙ্গে কর্তৃক কর্তৃক কর্তৃক আইনের ভাষা অর্থকরায় কর্তৃক কর্তৃক ও অর্থকরায় কর্তৃক নিয়ন্ত্রিত বে কেন কর্তৃক প্রায়োগিক ভাষা প্রায়োগিক প্রায়োগিক হয় যা কার্য হয়:

(€) একক এলাকায় সে কোন কৃতিত্ব প্রেরণ, বৈধতা অর্থনীতি বে কেন রঙ পরিবর্তন এবং পরিবর্তনি যে কেন কর্তৃপক্ষ বা যত্নসাহ সহায়, যাচাই ও পরিলক্ষিত করা; এবং

(€) একক এলাকায় ও তালিবিত্ত কৃতিত্বের অনুসরণ, নমুনা সংগ্রহ, জরিপ নিয়ম ও কর্মচার গ্রন্থার্থে বে কোন কার্য সম্পাদন করা।

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(২) উপ-ধারা (১) এর অধীন প্রেক্ষাপটিকার প্রশাসন কর্তব্যের ক্ষেত্রে তাদের মালিক বা নিযুক্তকরণের অনুমোদন ও পর্যালোচনা নিয়ন্ত্রণ প্রদান করিতে হইবে।

(৩) উপ-ধারা (১) এর অধীন কৃত কোন কারণের জন্য কোন কৃত্তিক নিয়ন্ত্রণ করিত হইলে, এক্ষণে কোম্পানিকে উহার জন্য, পর্যালোচনার সম্পর্কিত নিয়তে, কর্তিযূপূর্ণ প্রদান করিতে হইবে।

২৯। লেখা নির্দেশ, আরোপ ও সম্মার্থন —(১) আপনার বলবান আমন্ত্রণ করিবেন আইন বা আইনের মাধ্যমে লক্ষিত যাহা দ্বিতীয় তালিকা কেন, গণনা বা গণনা সরবরাহ করিবার বিনিয়োগে অনুপ্রাণিত চুক্তি অনুরূপী লেখা আরোপ করিবার অধিকারের বেসরকারি আদিত্য বা প্রকৃত কোম্পানির যাবতীয় অনুমোদন বা সম্মৃত লেখার অনুমোদন।

(২) নিয়মিত চুক্তিতে লেখা নির্দেশ এবং সম্মৃতের পদ্ধতি ও সূচি লিখিত যাবতীয় হইবে।

ব্যাখ্যা: এই ধারায় লেখা প্রকল্পকে, "লেখা" অর্থ গণনা বা গণনা সরবরাহ করিবার বিনিয়োগে অনুপ্রাণিত চুক্তি অনুরূপী লেখা প্রকৃত কোম্পানি কর্তৃক প্রণীত অন্তর্ভুক্ত এবং ট্যাংকিং, টেলিক, ফটো, বা চালু ও উহার অন্যতম হইবে।

৩০। বিলোপ নিয়ন্ত্রণ —(১) নিয়মিত চুক্তিতে লেখা প্রকল্প বা ব্যাখ্যা বা উক্ত লেখাকে কোন বিলোপ উক্তিতে, প্রক্রিয়াকলাপ নিয়মিত চুক্তির অধীন সম্মৃত নিয়ন্ত্রিত প্রাপ্ত মূল্য হইবে নিয়ন্ত্রিত করিবে, যাহা—

(৩) চুক্তির পক্ষবিনিমিতের মূল্য পারস্পরিক সম্বন্ধের মাধ্যমে; বা নিয়ন্ত্রিত প্রাপ্ত মূল্য হইবে নিয়ন্ত্রিত করিবে, যাহা—

(৫) বিলোপ নিয়ন্ত্রণ—(২) নিয়মিত চুক্তিতে লেখা প্রকল্পে ব্যাখ্যা বা উক্ত লেখাকে কোন বিলোপ উক্তিতে প্রক্রিয়াকলাপ নিয়ন্ত্রিত প্রাপ্ত মূল্য হইবে নিয়ন্ত্রিত করিবে, যাহা—

(৬) বিলোপ নিয়ন্ত্রণ—(৩) এর অধীন বিলোপের মূল্য হইবে নিয়ন্ত্রিত প্রাপ্ত মূল্য হইবে নিয়ন্ত্রিত করিবে, যাহা—

(৭) বিলোপ নিয়ন্ত্রণ—(৪) এর অধীন বিলোপের মূল্য হইবে নিয়ন্ত্রিত প্রাপ্ত মূল্য হইবে নিয়ন্ত্রিত করিবে, যাহা—

(৮) আপনার সংবল বা আইনের মাধ্যমে লক্ষিত যাহা দ্বিতীয় তালিকা কেন, উপ-ধারা (১) এ উক্তিতে উক্ত বিলোপ নিয়ন্ত্রিত প্রাপ্ত মূল্য নিয়মিত চুক্তির মাধ্যমে আকৃতি বা আকৃতিতের বিসন্‌চ্ছেদ এর কারণ হইতে এবং নিয়মিত চুক্তির চালু হইবে। তবে নিয়মিত চুক্তির পক্ষবিনিমিতের মাধ্যমে আকৃতি বা উক্ত লেখাকে পরিবর্তন করিতে হইবে।

(৯) আপনার সংবল বা আইনের মাধ্যমে লক্ষিত যাহা দ্বিতীয় তালিকা কেন, নিয়মিত চুক্তির বিলোপের মূল্যের চেয়ে উক্তিতে উক্ত বিলোপ উপ-ধারা (১) এর অধীন নিয়ন্ত্রিত প্রাপ্ত মূল্য হইতে এবং নিয়মিত চুক্তির দ্বারা চালু হইবে। তবে নিয়মিত চুক্তির পক্ষবিনিমিতের মাধ্যমে আকৃতি বা আকৃতিতের বিসন্‌চ্ছেদ এর কারণ হইতে এবং নিয়মিত চুক্তির পরিবর্তন করিতে হইবে।

(১০) এই ধারায় অধীনে সালিল্লা ব্যবহার নিয়ন্ত্রিত চুক্তির হইবে।
৩১। সামাজিক বিবাহ বিষয় ।—অংশীদারিত্বে চুক্তিতে এমন কোন শর্তের সাহায্য করা যাইবে না যাহা প্রাক্তনের মজুরির মান ও সাক্ষর জনগোষ্ঠীর সামাজিক সূচনা-সংবিধা, যাবার ও নির্দেশ এবং নিযুক্ত নির্দেশকে গড়ে তোলা কোন নির্দেশের সাহায্য অসাধ্যিতপূর্ণ হয়।

সকল অধ্যায়

বিবদ

৩২। অন্তর্ভুক্ত, পুনরুদ্ধার ও অপসারণ পদ্ধতি—(১) কোন ব্যক্তি বা কেউকের অন্তর্ভুক্ত, নাপাল্লায় বা নির্দেশিত নাপাল্লায় মূল চুক্তিকারী কর্তৃক বা উদ্ধার কোন কর্মকর্তা কর্তৃক এমন কোন আদেশ বা নিযুক্ত করা যায়, তাহা হইলে উক্ত ব্যক্তি বা প্রতিষ্ঠা বা নাপাল্লায় বা নির্দেশিত নাপাল্লায়, নির্দেশিত সময় ও পদ্ধতিতে, উত্তর অন্তর্ভুক্তকারী কর্তৃক বা কর্মকর্তার নিকটে, সাক্ষর আদেশ বা নিযুক্ত পুনরুদ্ধারের জন্য আবেদন করিয়ে পারিবেন।

(২) উপ-ধারা (১) এর অধীন একজন পুনরুদ্ধারের নির্দেশে কোন ব্যক্তি পুনরুদ্ধারের আবেদন গ্রহিত ৩০ (তিন) দিনের মধ্যে সাক্ষরীয় কর্তৃক বা কর্মকর্তা কোন নির্দেশ দেওয়ার করিতে বাধ্য হইলে, সাক্ষর ব্যক্তি বা প্রতিষ্ঠা বা নাপাল্লায় বা নির্দেশিত নাপাল্লায়, নির্দেশিত সময় ও পদ্ধতিতে, নির্দেশিত নির্দেশিত কর্তৃক বা কর্মকর্তার নিকটে অপসারণ দায়ের করিতে পারিবেন।

(৩) আপিল কর্তৃক বা কর্মকর্তা বা নির্দেশিত কর্তৃক, পদ্ধতিতে সম্মত ও প্রমুখ, অপসারণ নিযুক্ত করিবে, এবং উত্তর অন্তর্ভুক্ত প্রতি বিচার যাত্রা করিবে।

(৪) এই ধারার অধীনে সম্মত প্রতিবেদনকে কোনো ব্যক্তি কোনো আদালতে দেওয়ায় প্রতিষ্ঠাতের জন্য মামলা দায়ের করিতে পারিবে না।

৩৩। নির্দেশিত ও নির্দেশিত নির্দেশিত নির্দেশিত—অংশীদারিত্বে চুক্তির মাধ্যমে যে কোন সময়, একজন চুক্তিকারী কর্তৃক গণপ্রজা সরবরাহ বা গণনায় প্রান্তন কর্তৃক এমন উদ্ধার ব্যাপারাত্মকতার দিকে বা অন্তর্ভুক্তকর্তার নিয়মের পদ্ধতিতে, লোকজাতীয় নির্দেশিত পদ্ধতিতে প্রথম প্রচলিত হলে, চুক্তিকারী কর্তৃক একজন নির্দেশিত প্রাচ্য দায়ের করিতে পারিবে।

৩৪। পোশনীয়তা—(১) এই আইন বা তথ্য অধিকার আইন, ২০০৯ (২০০৯ সালের ২০ নং আইন) এর অধীনে কোনো বিচারপতি, চুক্তিকারী কর্তৃক বা নির্দেশিত কর্তৃক প্রাঙ্গণের পক্ষে নোটিস প্রদান করেন, তখন নোটিস প্রদানের পর সম্পূর্ণ কাজকর্মের বিচার চল্লিশ।

(২) আদালতের আদেশ বা পক্ষদের সম্বন্ধে বিচারিত্ব করেন বাধ্যবদ্ধ বা অবিধিত তথ্য কৃত্তিয়ে কোনো পক্ষের নিকটে প্রস্তাব করা যাইবে না।

১০৭
৩৬। মূল্য, বরক্তি এবং ফি অনুযায়ী—কেনা বার্তা বা একাকী ক্যারিয়ার নিকট কোন পাওয়া, কোনার—মূল্য, বরক্তি এবং ফি অনুযায়ী অর্থ অনুমোদনের কোনো প্রক্রিয়া চুক্তিকৃত করণো উভয়। Public Demands Recovery Act, 1913 (No. III of 1913) এর বিভাগে অনুমোদন সমূহের প্রতি দামী হিসাবে আদায় করিতে পারিবে।

৩৭। অন্যদিকে দৃষ্টিকোণে পিপিসি কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক—এই আইনের বা তদনীন্তন দৃষ্টিকোণে চুক্তিকৃত কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক এই আইনের অন্যান্য বিধিনিষেধের সাহায্যে সমূহে রাখা, সংকলন গোষ্ঠী এবং সহায়ক সংস্থার প্রতি দামী প্রতিবেদন উভয় বিষয়ে কর্তৃক সমগ্র পরিচালনা জাতীয় করিতে পারিবে।

৩৭। তথ্য, ইত্যাদি—(১) পিপিসি কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক—

(২) সংকলনের কর্তৃক প্রদত্ত অনুমোদন;

(৩) অর্থনৈতিক কর্তৃক এবং অন্যান্য সংস্থায় প্রতিষ্ঠিত কর্তৃক প্রদত্ত অনুমোদন;

(৪) অজ্ঞাত্রী সংকলন হইতে উৎপন্ন খাত;

(৫) সংস্থায় সংকলন, সংস্থা বা আর্থনৈতিক সংস্থা হইতে প্রাপ্ত অনুমোদন ও ফি;

(৬) কর্তৃক প্রতিষ্ঠিত হইতে প্রাপ্ত সংকলন হর্জ ও সবচেয়ে ফি (success fee); এবং

(৭) ক্রীড়া পান কর্তৃক প্রদত্ত অর্থ উচ্চ হইতে প্রাপ্ত অর্থ।

(২) তথ্যের অর্থ বোঝার পর সংকলনের অনুমোদন সমূহে কেনা মূল্যের মূল্য কর্তৃক জন্ম রাখিতে হইবে।

(৩) বোঝার অর্থ সম্পর্কে কর্তৃক নিঃসন্দেহ পরিচালনা করিতে হইবে।

(৪) এই আইনের অধীন সম্পর্কে কেনা কর্তৃক সাহায্য প্রদান অর্থনৈতিক সংকলন বা অফিস অফিস হইতে অনুমোদন দান বা দান করিতে হইবে।

ব্যাপ্তি: এই গ্রাহক উপস্থাপনী পূর্বপর্যন্ত, 'তৎসমপি মূল্যে অর্থ Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972) এর প্রতি সম্ভাব্য সমূহে বিতর্কিত।

৩৮। জন হর্জ এবং বিনিময়—(১) পিপিসি কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক—

ব্যাপ্তি: এই গ্রাহক উপস্থাপনী পূর্বপর্যন্ত, 'তৎসমপি মূল্যে অর্থ Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972) এর প্রতি সম্ভাব্য সমূহে বিতর্কিত।

৩৮। জন হর্জ এবং বিনিময়—(১) পিপিসি কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক—

ব্যাপ্তি: এই গ্রাহক উপস্থাপনী পূর্বপর্যন্ত, 'তৎসমপি মূল্যে অর্থ Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972) এর প্রতি সম্ভাব্য সমূহে বিতর্কিত।

৩৮। জন হর্জ এবং বিনিময়—(১) পিপিসি কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক কর্তৃক—

ব্যাপ্তি: এই গ্রাহক উপস্থাপনী পূর্বপর্যন্ত, 'তৎসমপি মূল্যে অর্থ Bangladesh Bank Order, 1972 (P.O. No. 127 of 1972) এর প্রতি সম্ভাব্য সমূহে বিতর্কিত।
(২) তথ্যদারের অর্থ সরকারের কর্তৃক অনুমোদিত ধাতে এবং বোঝা অব গবেষণার এর অনুমোদনের শর্ত নিয়ন্ত্রণ করা যাবে।

৩৯। রাষ্ট্রীয় বাংলাট বিবর্তনী—পিপিলি কর্তৃক প্রতিবেদন সরকারের কর্তৃক নির্দিষ্ট সময়ের মধ্যে পরবর্তী অর্থ বস্ত্রের রাষ্ট্রীয় বাংলাট বিবর্তনী সরকারের নিকট শপে করিবে এবং উক্ত অর্থ বস্ত্রের সরকারের কর্তৃক পরিমাণ অর্থের গ্রহণ হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক প্রতিবেদনের কিংবা পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত উক্তিকে যা লিখিতে নিয়ন্ত্রণের কর্তৃক পরিমাণ অর্থের প্রয়োজন হইবে উক্ত 

৪০। হিসাব রক্ষা ও নিরাপত্তা—(১) পিপিলি কর্তৃক নির্দিষ্ট মধ্যায়ে উক্ত হিসাব রক্ষা করিবে এবং হিসাবের রাষ্ট্রীয় বিবর্তনী প্রদত্ত করিবে।

(২) বোঝা অর্থ বস্ত্রের শপে হইবার পরবর্তী তিন মাসের মধ্যে প্রথম নিবন্ধী কর্মকর্তা পিপিলি কর্তৃক নির্দিষ্টর অনুপ্রবৃত্তি নিরিখী রিপোর্ট বোঝা অর্থ গবেষণার এর সময়ে লিখিতে শপে করিবেন।

(৩) বাংলাদেশের মধ্যে হিসাব-নিরিখীক্রম ও নিরিখীক্রম অনুপ্রবৃত্তি হিসাব-নিরিখীক্রম ও নিরিখীক্রম বিধিনিষেধ উদ্ধৃতির প্রতি প্রস্তাবর নিদিষ্ট পিপিলি কর্তৃক নির্দিষ্টর হিসাব নিরাপত্তা করিবে এবং নিরাপত্তা রিপোর্টের একটি অনুপ্রবৃত্তি সরকারের বিধিনিষেধ নিয়ন্ত্রণ শপে করিবেন।

(৪) উপ-প্রধান (৩) মোতাবেক হিসাব নিরিখীক্রম উদ্ধৃতির মধ্যে হিসাব-নিরিখীক্রম ও নিরিখীক্রম কর্তৃক তাহার নিদিষ্ট প্রয়োজন হইতে এরূপ উদ্ধৃতি কর্তৃক করা হইবে উক্ত কর্তৃক প্রেক্ষাপটের প্রথম রিপোর্ট, পলিস-সরাসরী প্রশিক্ষণ ও ব্যাপারের প্রথম অনুমোদন, তথ্যকরণ বিধিনিষেধ শপে করিতে যাবেন এবং কর্তৃক প্রক্ষাপটের করা সমস্ত প্রাধান্য নির্ধারিত কর্মজীবন এবং পিপিলি কর্তৃক অনুমোদন নির্ধারিত কর্মজীবন শপে করিতে পারিবেন।

৪১। সরকারী কর্মজীবন—এই অনুমোদন বিধিনিষেধ বা উক্তৰ অধীনে প্রথম কর্তৃক বিধিনিষেধ প্রথম প্রিন্ট প্রতিজ্ঞগণ কর্মচারী কর্মজীবন, প্রশিক্ষণ, কর্মজীবন এবং প্রতিজ্ঞগণ Penal Code, 1860 (Act XLV of 1860) এর অনুমোদন ধাতে শপে করিতে পারিবেন।

৪২। কর্মজীবন উপরে—(১) বোঝা অর্থ গবেষণার, শপে বাংলাট চাষাবাদে আদেশ ধারা, নির্দিষ্ট রিপোর্টের, প্রথম নির্দিষ্ট কর্মজীবন, সমস্ত কার্যকর বাংলাট কর্মজীবন শপে করিতে পারিবেন।

(২) প্রথম নির্দিষ্ট কর্মজীবন এর অর্থের উপর প্রথম নির্দিষ্ট কর্মজীবন শপে কর্মজীবন শপে করিতে পারিবেন।
৪৩। বাংলা প্রতিরক্ষা, ইত্যাদি—পিপিসি কর্তৃক প্রতি অর্থ ব্যবহার উদ্দেশ্যে সম্পাদিত কার্যকলাপের বিষয়ে সম্পর্কিত একটি বাংলা প্রতিরক্ষা পরবর্তী অর্থ ব্যবস্থার ৩১ জানুয়ারি তারিখের মধ্যে রাষ্ট্রপতির নিকট এবং উহার অন্য একটি কপি জাতীয় সরাসরি নামিয়ে করিবে।

৪৪। বিষয় প্রদানের ক্ষমতা ।—(১) এই আইনের উদ্দেশ্য পূরণপূর্বে, সরকার, সরকারি গোষ্ঠী প্রাধান্য দ্বারা, বিষয় প্রদান করিতে পারিবে।

(২) উপ-ধরা (১) এর অধীন বিষয় প্রদান না হওয়া পর্যন্ত, পিপিসি অফিস, প্রাধান্য, সাধারণ বা বিশেষ আদেশ দিয়া, এই আইনের সহিত সমান্তরাল হওয়া সাপেক্ষে, যে কোন কর্তৃক একাধিক ও সম্পাদনা সম্পর্কে এর জীবনান্তর সরাসরি প্রাধান্য প্রদান করিতে পারিবে।

৪৫। বিষয় প্রদানের ক্ষমতা ।—(১) এই আইনের উদ্দেশ্য পূরণপূর্বে, পিপিসি কর্তৃক, সরকারি গোষ্ঠী প্রাধান্য দ্বারা, বিষয় প্রদান করিতে পারিবে।

(২) বিশেষ করিয়া এবং উপরিতত্ত্ব কমিটির সামরিকভাবে যুদ্ধ না করিয়া নিম্নরূপ বিষয় সমর্পন করা যাইতে পারে: 

(ক) স্বীকৃত অর্থ প্রদানের এর জন্য, ইত্যাদির কর্তৃপক্ষের নিবন্ধন;

(খ) পিপিসি কর্তৃপক্ষের প্রয়োজন এর সম্পূর্ণ ও অংশ নিবন্ধন;

(গ) প্রাধান্য নিয়ন্ত্রণ কর্তৃক চালু বিষয় নিবন্ধন;

(ঘ) পিপিসি কর্তৃপক্ষের কর্তৃত্বের ও কর্তৃক ব্যবহার চালু বিষয় নিবন্ধন;

(ঙ) নির্দেশ বা নির্দেশনা নিবন্ধন;

(চ) প্রাধান্য নিয়ন্ত্রণ বিভাগ নিবন্ধন;

(ছ) অভিযোগ, পুনর্নিয়োগ অথবা ভারতীয় নিবন্ধন;

(জ) কর্তৃপক্ষের তালিকা পরিচালনা নিবন্ধন;

(ঝ) জমি অর্থ সংক্রান্ত বিষয় নিবন্ধন।

৪৬। পিপিসি নীতিমালা প্রণয়নে পিপিসি কর্তৃপক্ষের ক্ষমতা ।—এই আইন সরকারি গোষ্ঠী প্রকাশিত প্রতিষ্ঠান প্রাধান্য প্রদান, পিপিসি কর্তৃপক্ষ, সরকারি গোষ্ঠী প্রকাশিত প্রাধান্য দ্বারা সরকারি-সরকারি অনুমোদিত বিষয়ে জাতীয় পিপিসি নীতিমালা প্রণয়ন করিতে পারিবে।
৪৭। বিসিএম নীতিমালা রাষ্টকরণ ও হস্তক্ষেপ — (১) এই আইন ব্যবস্থার হওয়ার সময় 
সেদ, বিসিএম Policy and Strategy for Public Private Partnership (PPP), ২০১০, 
অনুযায়ী রাষ্টি নীতিমালা ব্যবস্থা উন্নয়ন, রাষ্টি ইনান।

(২) উপ-ধারা (১) এর অধীনে রাষ্টি হওয়া সম্ভব,—

(৩) রাষ্টি নীতিমালা অধীন কোন অর্থোনাপক্ষ চুক্তি সম্প্রদায় হওয়া পাকিলে উক 
চুক্তিতে উন্নয়ন অর্থমাত্র পার্থ উত্তম ধারণে।

(৪) রাষ্টি নীতিমালার বাস্তব কৃতি সকল কাজকর্ম বা গৃহীত ব্যবস্থা এই আইনের অধীন 
কৃতি বা গৃহীত হওয়া সম্ভব বলিয়া গণ্য হইবে; এবং

(৫) রাষ্টি নীতিমালার বাস্তব গৃহীত কৃতি অন্য সকল সর্বনাম অনিষ্ক্রিয় ধারণে উত্তম 
এমনকৈ সম্প্রায় ধারণে রাষ্টি হওয়া নাই।

৪৮। বিসিএম প্রকল্পিত অফিসের পারিসম্পন্ন, ইত্যাদির 
হস্তক্ষেপ — (১) এই আইন ব্যবস্থার হওয়ার সময় সেদ, বিসিএম প্রকল্পিত অফিসের 
(পিপিলি) অফিসের—

(১) সকল স্থানীয় ও অন্যান্য সম্পর্ক এবং সদস্য ও বাংলাদেশ গঠনিত অর্থ পিপিলি কর্তৃপক্ষের 
নিয়ম হৃদরস্তিক শাখা হইবে; 

(২) সকল শাট, দান-দানকারী, উদ্যোগ এরকম, যদি থাকে, পিপিলি কর্তৃপক্ষের শাখা, দান- 
দাতির এবং এরকম বলিয়া গণ্য হইবে; 

(৩) সকল অধিকার, অধিকার, কর্তৃক, পিপিলি, তৃতীয়, বলিয়া, পিপিলি কর্তৃপক্ষের 
অধিকার, অধিকার, কর্তৃক, পিপিলি, তৃতীয়, বলিয়া, পিপিলি কর্তৃপক্ষের 
অধিকার, অধিকার, কর্তৃক, পিপিলি, তৃতীয়, বলিয়া, গণ্য হইবে; এবং

(৪) সকল প্রস্তুতি, সদস্য ও অন্যান্য পিপিলি কর্তৃপক্ষের প্রস্তুতি, সদস্য ও অন্যান্য 
বলিয়া গণ্য হইবে; এবং

(৫) সকল অপরিচিত ও অপরিচিতে পিপিলি কর্তৃপক্ষের অপরিচিতে সকল 
আইনের অনুযায়ী ব্যবস্থা পিপিলি কর্তৃপক্ষের অপরিচিত ও অপরিচিত হইবে এবং 
তাদের সর্বনাম প্রতিবেদন এই আইনের প্রতিবেদন অনুযায়ী নির্দেশিত দাওয়া 
প্রস্তুত এই প্রস্তুতি পিপিলি কর্তৃপক্ষের ব্যবহারে নির্দেশিত ধারণাকে।
৪৯। ইংরেজিতে অনুবিধি পাঠ প্রকাশিত — (১) এই আইন বা তদৰীয় প্রণীত বিষয় বা প্রবিধান মালা সরকারি সেবাটে একাধিক হিসেবে পর, নিয়মিত কর্ত্তব্য, সরকারি সেবা প্রকাশনা দ্বারা, এই আইন বা তদৰীয় প্রণীত হয় কোনো বিষয় বা প্রবিধান মালার ইংরেজিতে অনুবিধি নির্দেশনার পাঠ (Authentic English Text) প্রকাশ করিতে পারিবে।

(২) বাংলা পাঠ ও ইংরেজি পাঠের মধ্যে বিচারকের ক্ষেত্রে বাংলা পাঠ প্রাধান্য পাইবে।

মো. আহসান মাহেদ, উপপ্রধানকর্মী (শাস্তিরক্ষক), বাংলাদেশ সরকারি সেবামালা, কোচবিহার, ঢাকা কর্তৃক প্রকাশিত।
মো. আহসান মাহেদ, উপপ্রধানকর্মী (শাস্তিরক্ষক), বাংলাদেশ সরকারি সেবামালা প্রকাশনা অফিস,
কোচবিহার, ঢাকা কর্তৃক প্রকাশিত। website: www.bgpress.gov.bd