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Analytical techniques for Quality Investigations of Organized Crime: An Evaluation on CID performance

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Abstract: For ensuring quality investigation, Police mostly use and depend on 'Memorandum of Evidence' (M.E.) along with Chart of Evidence (CoE), which investigators submit to court officer during submission of final police report (Bhattacharyya, 2004); or, to supervising officers (Rahman M. 2006) at the ending phase of investigation. This M.E. is first and foremost essay-type or descriptive; even a CoE is not supported by any measurable tool for evaluating the quality of investigation. Police managers believe that they are smart enough to ensure quality investigation using this 1943-model tool, although modern management of both in private and public sectors converts quality into quantity for evaluating performance of organizations as well as of individuals. Since 1943, Police managers of this land hardly tried to develop any kind of contemporary tools for ensuring quality investigation.

Analytical charts have been found to ensure quality investigation and also to assist or guide investigators for going into depth of an occurrence. CID Bangladesh Police has been using analytical charts for ensuring quality Investigation; nonetheless, these are often used as tools for Criminal Intelligence in modern policing (and a number of suitable software are also available for this purpose). This paper will try to evaluate how far analytical charts ensure that investigators collected enough information of organized criminal gang to 'see' all or at least most part of 'the total elephant'. The author has used comparative method assessing the quality of investigation of organized crime using both traditional tool CoE and CID-operated analytical charts through a number of case studies of organized crime.

Keyword: Organized crime, Quality Investigation, Analytical charts, Criminal intelligence, Link Chart, Flow Chart, Money Flow, Activity Chart, Chart of evidence, gang leader identification, Success indicator, Evaluation, SOP, CID.

1. Introduction:

Of late in a tour to Philippine, an entourage comprises of high ranking Bangladesh Government officials observes (Moniruzzaman, M. 2014) that Philippine investigations hardly attempt to address the business-owners but field operatives of Traffickers' gang. Entourage agreed to their explanation that it was difficult to bring into book the stakeholders who were active behind the screen. The million dollar question is: Do Bangladesh Police have any dynamic initiatives to address the full sphere of an organized gang over and above field operatives?

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This paper will try to ascertain that the usage of analytical tools like Link analysis, Flow analysis of money, material or victim, Activity diagram, Event chart guide investigators to comprehend and witness the 'total elephant' of organized crime effectively. While Link analysis, Flow analysis, Activity diagram, Event chart are commonly familiar to analyze and to present criminal intelligence, (UNODC, 2011), this paper will focus on the usage of analytical charts for criminal investigation of organized crime, as it is expected into SOP on THB and other organized crime (IOM, 2011).

We will show how the usage of analytical tools guide investigators to produce quality investigators by comprehending and witnessing the 'total elephant' of organized crime effectively; nonetheless, the Article has following limitations:

Firstly, the paper is focused on organized crime only; though for other typical criminal cases, sometimes some of the charts may be found effective for ensuring quality investigation.

Secondly, we have to remain satisfied on investigation output that is not tested by the output of trial, as it takes years or sometimes decades to see the final verdict of an under trial case in this country.

Thirdly, both 2-dimensional and 3-dimensional chart of evidence have been discussed in this paper, although CID is yet to introduce the 3-dimensional chart of evidence.

Lastly – not necessarily to be the least, in spite of endorsement for quality investigation by the top boss, CID could not remain sincere enough to ensure the quality investigation due to its 'more focused sincerity' to reach its internal goal for completing 2000 cases in 2013 (and 3000 cases in 2014). Police is still very conventional to set its success-indicators. Hence, investigators or supervisors indubitably are to compromise with the quality to contribute in completing the target number of cases, while only number of accomplished cases (without regarding quality of investigation) has become the indicator of success. Nonetheless, the usage of analytical chart has been made mandatory for CID Organized crime wing through an official circular, amid the SOP (IOM, 2011) to use analytical chart for quality investigation of an organized crime, is still a suggestive measure rather than a mandatory one.

2. Organized crime and Quality Investigation:

Organized crime or criminal organizations are transnational, national, or local groupings of highly centralized enterprises run by criminals for the purpose of engaging in illegal activity, most commonly for monetary profit. The FBI defines organized crime as any group having some manner of a formalized structure and whose primary objective is to obtain money through illegal activities. Such groups maintain their position through the use of actual or threatened violence, corrupt public officials, graft, or extortion, and generally have a significant impact on the people in their locales, region, or the country as a whole. (Klaus von Lampe)

'Investigation' is 'collection of evidence', and criminal investigation, as articulated by the American Law and Legal Information (law.jrank.org) 'is the process of collecting information (or evidence) about a crime in order to: (1) determine if a crime has been committed; (2) identify the perpetrator; (3) apprehend the perpetrator; and (4) provide evidence to support a conviction in court. If the first three objectives are successfully attained, then the crime can be said to be solved. Several other outcomes such as recovering stolen property, deterring individuals from engaging in criminal behaviors, and satisfying crime victims have also been associated with the process.'

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Little research has been directed toward defining either quality management needs or quality criteria for investigations (Benner, 1975). A quality investigation is a thorough and comprehensive collection of favorable and unfavorable information from a variety of sources. (Director of Central Intelligence)

For Organized Crime perspective, Quality investigation should at least denote the identification of an organized gang including gang leader and other major entities. It must not hold down bringing charges against field operatives only. Identification of gang leader and major stakeholders along with collection of sufficient evidence against them should be the prime condition of quality investigation of organized crime, while 'Standard Operating Procedure on Trafficking in Human Beings and other organized crimes' (IOM 2011) describes that 'Few attempts are made to identify the root of organized crime; for example, where an FIR is made against an arrested drug retailer, investigation is concluded without identifying, arresting or bringing to book dealer, business owner, godfather, financer and major associates of the respective drug circle. There is no template or format of gang structure to comprehend the total structure of an under-investigation gang of an organized crime'. The same SOP also mentions that 'No monitoring tools exist to oversee whether investigation is concluded after collecting sufficient evidence against suspects' and also 'There is no standard grading to evaluate the quality of investigation, as a result, a hard-working and a typical investigating officer are treated indifferently, while the former is seldom recognized for his/her sincere job.'

Organized Crime needs to be addressed with a holistic approach rather than simply bringing field operatives to the book. To view an organized criminal group through a typical investigator's eye hardly can ensure that one has seen or collected all or most of the pieces of complete puzzle. CID Bangladesh Police, since mid-2013, has made it mandatory for its Organized Crime section to utilize analytical charts during the submission of Memorandum of Evidence. Meanwhile CID Organized Crime section investigated more than hundred cases of Organized Crimes including 62 Human Trafficking cases. Nonetheless, merely arresting field operatives like carrier, guide or 'broker' which hardly worry a business owner or a business-chief of the gang, is the common practice in typical investigation. A gang leader or a business-chief is hardly identified or brought to book in conventional investigation, which is a serious problem to address effectively any organized crime in this country. As 'collection of evidence' is 'investigation', and as 'to collect evidence against gang leader or business-chief of an organized crime' is the difficult most part for investigators; and as unlike field operatives they seldom directly deal with commodity (material or victim) but money; hence, the effective way to detect or to identify a gang leader or a business chief is to track crime proceeds or money, more specifically crime produced money. As the most useful way to curb down an organized crime is to bring business owners to book, the best way to bring 'big fishes' to book is to bring charges for laundering crime proceeds or crime produced money against them.

3. A quick survey

Say, one 'Latif' has been off-loaded by Airport Immigration Police for carrying photo-changed passport - usually known as 'PC-passport'. After completion of investigation, police submitted charge-sheet against 'Latif'. A survey conducted among 500 police investigators and supervisors shows that 85% participants consider that the quality of this investigation is to be awarded maximum 4 out of 10. Later we will show that even awarding a poorer score like 4 out of 10 does not reflect the dire characteristic of this investigation. Nonetheless, same evaluators propose to award 8 to 10 out of 10,

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when investigator submitted charge sheet against legal bearer Latif, illegal bearer Kamrul and broker Karim, after investigator got the actual name (Kamrul) of the illegal bearer of the photo changed passport and unearthed the identity of the broker of traffickers' group (Karim) that supplied Kamrul the photo-changed passport of Latif – the legal bearer of the disputed passport.

Just to get involved the reader into the topic, the author invites the reader with apology to join in the following evaluation.

Please evaluate the following investigations, before you proceed (Use pencil)	Your evaluation (Out of 10)
1. Immigration police off-loaded 4 passengers Latif, Kalam, Salam and Jamal for carrying photo-changed passport. After investigation, investigator submitted charge sheet against Latif, Kalam, Salam and Jamal.	
2. Immigration police off-loaded 4 passengers Latif, Kalam, Salam and Jamal. After investigation, investigator submitted charge sheet against legal bearers of passports Latif, Kalam, Salam and Jamal, illegal bearers Kamrul, Shamol, John and Ramlal, and also brokers Karim, Delwar, Joyonto and Michael.	

4. Traditional tool to assess quality investigation:

Police traditionally use B.P. form No. 41 to keep control on the quality of investigation, as it is revealed into Regulation No. 274 of Police Regulations, Bengal 1943. According to the regulations, an investigating officer shall prepare two copies of brief containing full particulars of the case and of evidence available for sending up the accused person. in B. P. Form No. 41, simultaneously with the submission of the charge-sheet and its annexure. The brief shall be, kept apart and shall not form part of the case diary during the pendency of the case. One copy of the brief shall be sent to the Court officer, and the other to the Superintendent, so as to reach them, if possible, at least seven days before the date fixed for trial. Should the Superintendent notice defects in the investigation, he shall at once draw the attention of the investigating officer to them so that further investigation may he undertaken if necessary and he shall send to the Court officer a copy of any orders he issues. The Regulation further recommends that any suggestions the Superintendent has to make regarding the conduct of the prosecution shall be communicated by him to the Court officer who shall take the necessary action for making the preparation of the case complete. He shall not wait, however, for such suggestions before remedying defects which become apparent to him. Please have a look into the format provided by B. P, Form no 41 and Bengal Form No. 5269 of P.R.B. Let us use information of Latif-Kamrul-Karim case into the following format.

Brief of Case

- Police station: Airport PS, DMP, Dhaka
- Number and date of First information Report: No. 3 dated 12th January 2012
- Section of law: ...
- Number and date of charge-sheet: 36 dated 23rd June 2012
- Name of complainant: SI Babul, Immigration officer, Hazrat Shahjalal (R) Airport.

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- Name of accused sent up: 1) Kamrul (28), S/O Lutu Miah Vill. Nalla, P.O. Bajitpur PS Barura, Dist. Barishal
- Previous conviction, it any: Nil.
- Whether identified or not and, if not, whether finger prints were taken: Identified
- Name and addresses of absconders: 2) Latif (32), S/O. Kala Miah, Vill. Baksimail, P.O. Potyat, PS. & Dist. Feni; 3) Karim (42), S/O. Babrul Kayes, Vill. Nishipur, P.O.Kashiani, PS. Fenchuganj Dist. Sylhet
- Name and addresses of person reasonably suspected: N/A
- Name of investigating officer: SI C, Airport Police Station, DMP, Dhaka.
- Date Fixed For trail: Will be fixed by the trial court

History of Case

Kamrul, who was carrying illegaly a passport of accused Latif, confessed before me that he was caught by immigration officer, while he was trying to travel to Malaysia with Latif's passport. He also disclosed that one broker Karim handed over Latif's passport just on the day of his travel 3 hours before was at immigration desk for clearance. Accused Kamrul declined to confess before the Magistrate, Both accuseds Latif and Karim are absconding.

Points to be proved	Evidence to prove each points
That Kamrul was travelling with Latif's passport	Complainant.
That Latif's passport was revocered from Kamrul, while he introduced himslef as Latif at Immigration desk.	Complainant. Constable Pradip Shaha, Airport Immigration
That the identity and addresses of Karim, Kamrul and Latif were verified.	ASI Jamshed, Fenchuganj PS ASI Ramlal, Barura PS ASI Sumoti Barua, Feni PS
That the orginial application of the disputed passport bears the photograph of Latif (not Kamrul)	ASI Jalal, Feni PS

Dated the ..... Officer-in-charge of police station

Comments by Court Officer

- The statement of passport issuing officer Ms. Rina Chattaerjee, Assistant Director, Feni RPO was not recorded. Without her evidence, the identity of the legal passport bearer cannot be satisfactorily proved.
- No valid evidence is there against broker Karim to prove that he handed over Latif's passport to Kamrul.

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- The siezure lists has been received with the charge-sheet but ought to have been sent immediately after it has been prepared.

Police order 1 of 1982 as published into 6th October 1982 issue of Bangladesh Police Gazette also gives a sample of Chart of Evidence. We can also prepare a chart pf as per guidance given into the said order.

Chart of Evidence

(As instructed by Police Order 1 of 1982)

Name of accused	Issue to be proved	Name of witness that will prove	Remarks
1. Kamrul	1) That Kamrul was travelling with Latif's passport 2) That Latif's passport was revocered from Kamrul, while he introduced himslef as Latif at Immigration desk.	Informant … Jamil Ahmed (seizure-list witness); a Civil Aviation employee Abdul Momin, (seizure-list witness); a passenger ASI Ramlal, Barura PS	
	3) That the orginial application of the disputed passport bears the photograph of Latif (not Kamrul)	5. ASI Jalal, Feni PS	
2. Latif	1) That the orginial application of the disputed passport bears the photograph of Latif (not Kamrul)	1. Witness No. 5	

One will probably be convinced that praiseworthy efforts were taken to produce quality investigation along with probable best output during the trial of a case. But the question is whether and if yes, how far such format is sufficient not to miss in bringing a probable crucial entity to book in case of an organized crime to ensure quality investigation.

Memorandum of Evidence along with Chart of Evidence and Brief of a case is considered as a tool for evaluation of an investigated case, as it has been suggested by PRB (PRB 1943). M.E. is an essay-type report comprising of following items with some variations in practice. a. Synopsis of FIR, Description of Place of Occurrence, c. Previous Crime history, d. Asset recovery and collection of physical evidence, e. Detail of Arrest, f. Investigation, g. Supervision, h. Instruction to I.O by the supervising officers, i. Findings, j. Recommendations.

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Police managers typically believe that they are smart enough to ensure quality of investigation using this 1943-model tool, against which there are two observations:

a. Firstly, typical M.E. is descriptive, fails to express the quality of investigation quantitatively; also it is not supported by any kind of visual tool other than Chart of Evidence;

b. Secondly, typical M.E. is submitted at the ending phase of investigation. Managers do not have any standard means or tools during investigation to ensure that investigation goes on the right track. Practice of writing/ submitting a Case Diary (CD) could be an excellent way for monitoring under-investigation cases, but it simply fails to ensure quality-investigation, whatever, the definition of 'quality' is. Some of major causes are: investigators does not write or submit CD timely; also respective managers (Circle ASP or Zonal AC) are too busy to go through CD and/or issue O.B. (Order Book meaning issue query or give directions based on submitted CD). This can be a subject of study how many quality-directions are provided through O.B. other than raising concern for delay- or bundle-submission of CD. Hence, failure of taking a timely initiative e.g. failure of collection of CDR in time, most likely jeopardizes quality investigation.

Nonetheless, the SOP on investigations of organized crime that was developed by Ministry of Home Affairs through an IOM-supported project in 2011 (IOM 2011), insists on using analytical charts. CID Organized Crime section investigated around hundred cases of Organized Crimes including 62 Human Trafficking cases, while the usage of analytical charts has been made mandatory for CID Organized Crime since mid-2013.

5. Alternate of 1943-model for Quality Investigation:

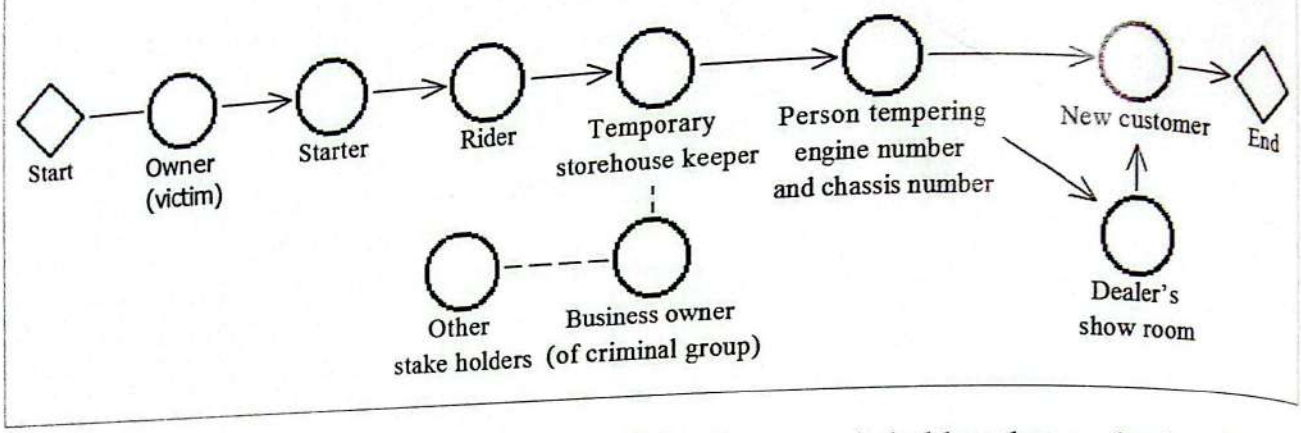
UNODC explains (UNODC, 2011) explains various charting techniques that may be used to display the information, which are: Link charting, Event charting, Commodity flow charting, Activity charting, Financial profiling, Frequency charting and Data correlation. We will however, consider the following analytical charts for the purpose of criminal investigation with respect to organized crime. They are: a) Flow analysis (of money, material or victim), b) Link analysis, c) Activity diagram, d) Event chart and e) Chart of evidence. The last one is modified form of Chart of Evidence that has referred into SOP on organized crime (IOM, 2011). While the first four is criminal intelligence-focused, the last one is more concerned with criminal investigation.

5.1. Introducing Analytical charts: Flow chart

Flow analysis of material or victim display how a victim or a material like heroin, stolen motor cycle, fake currency, smuggled goods etc. move from source to its apparent final destination. For example, a Flow analysis of stolen motorcycle may show how a stolen motor cycle moves from victim to other various entities including its apparent final destination:

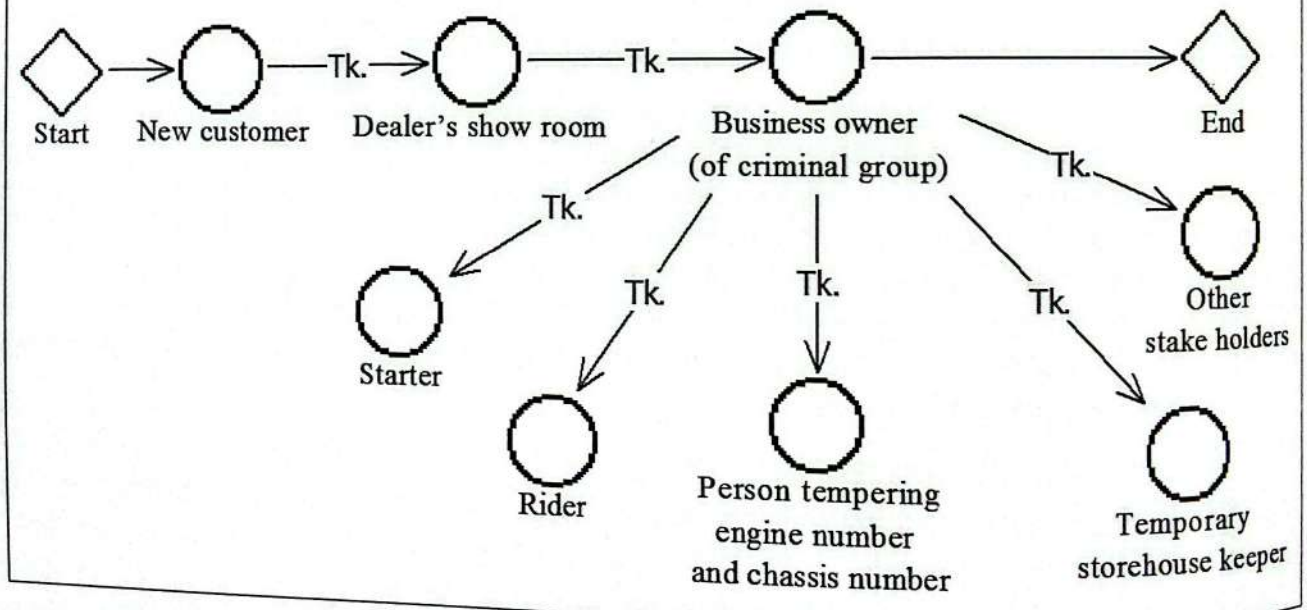
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5.1.1. Flow analysis of stolen motorcycle



A simple Flow analysis suffices to identify most of the relevant stakeholders that need to be addressed to detect the total gang. A Money Flow analysis on this crime may also be viewed, which often is seen apparently opposite to Commodity Flow chart:

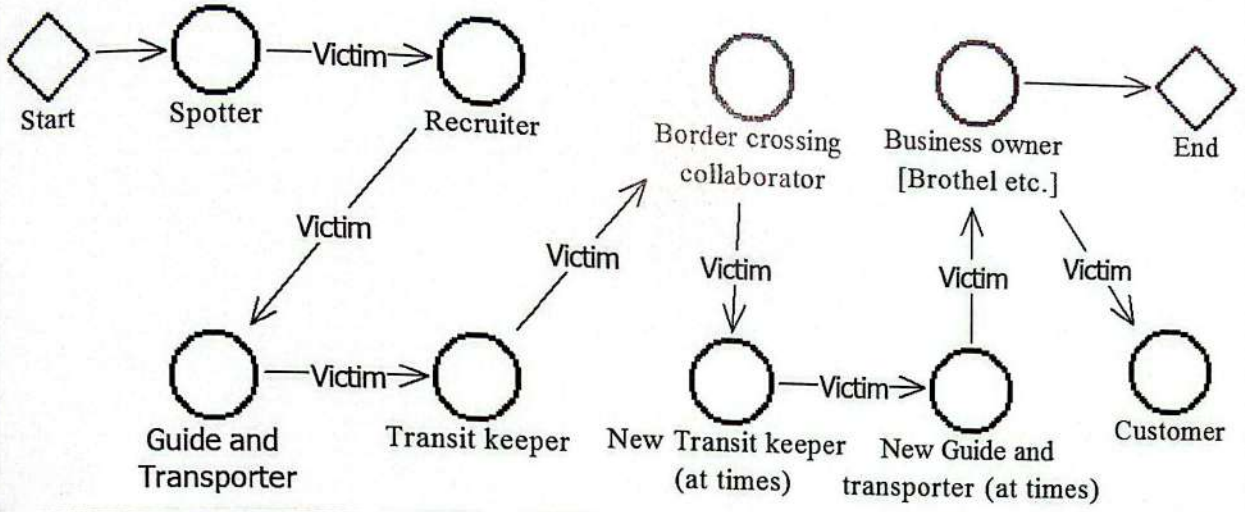
5.1.2. Money Flow Chart of a stolen motor cycle



A Victim Flow analysis of Human Trafficking case may be formed as follow:

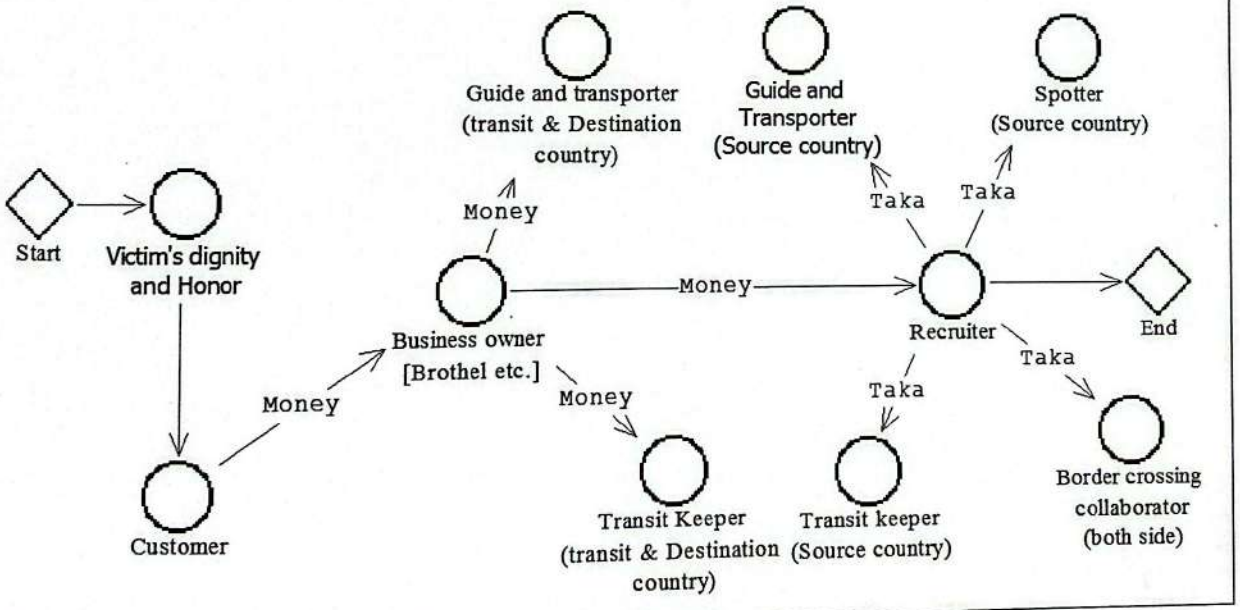
Start→Spotter→Recruiter→Guide and Transporter→Transit keeper→Border crossing collaborator→ →End.

5.1.3. Victim Flow analysis of THB



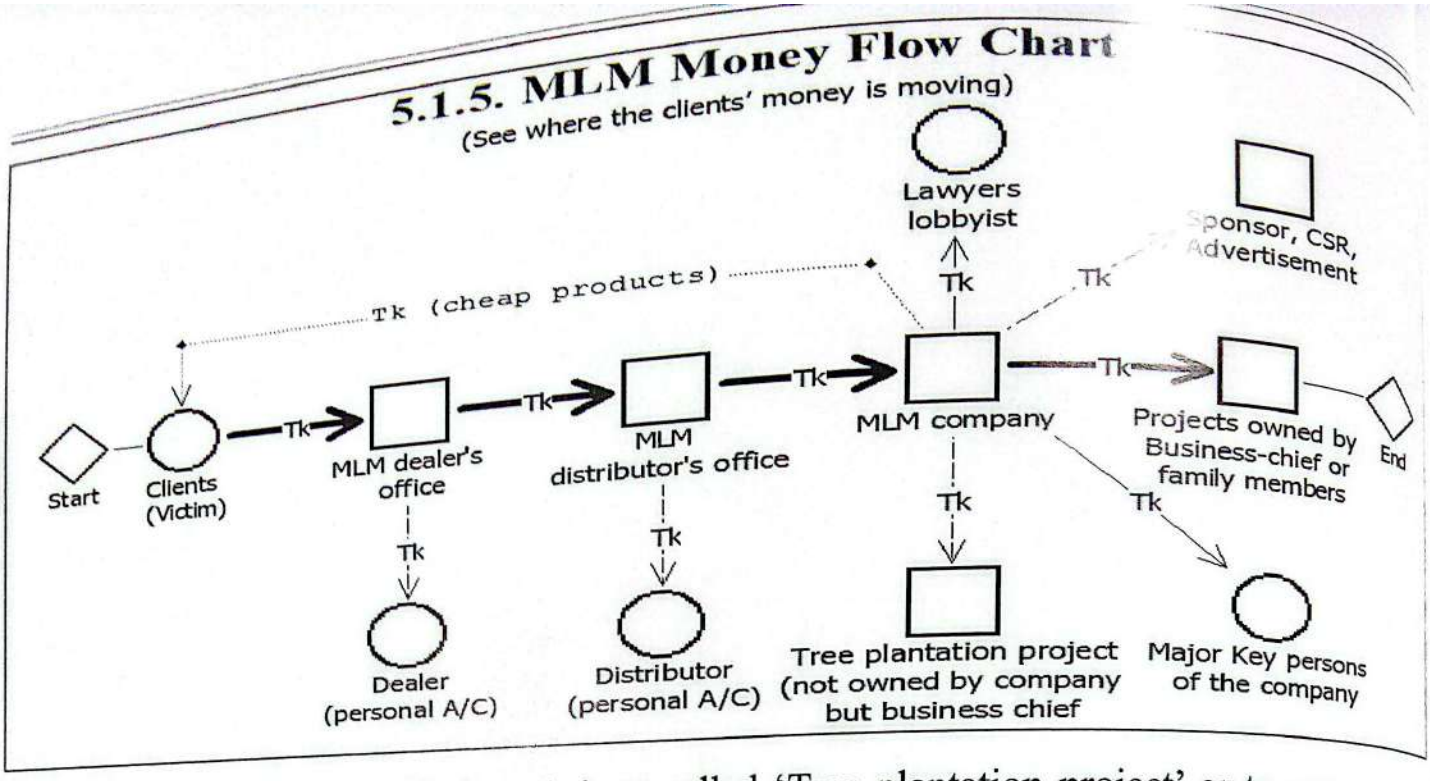
We may again develop THB Money Flow analysis from this victim flow chart:

5.1.4. Money Flow Chart of THB



While some of MLM Company had kept 160 million of us into dark for more than 12 years, a coarse Money Flow analysis could well-explain that 'a fraud is a fraud'. Just look into its money flow chart, and see where the clients' money is moving.

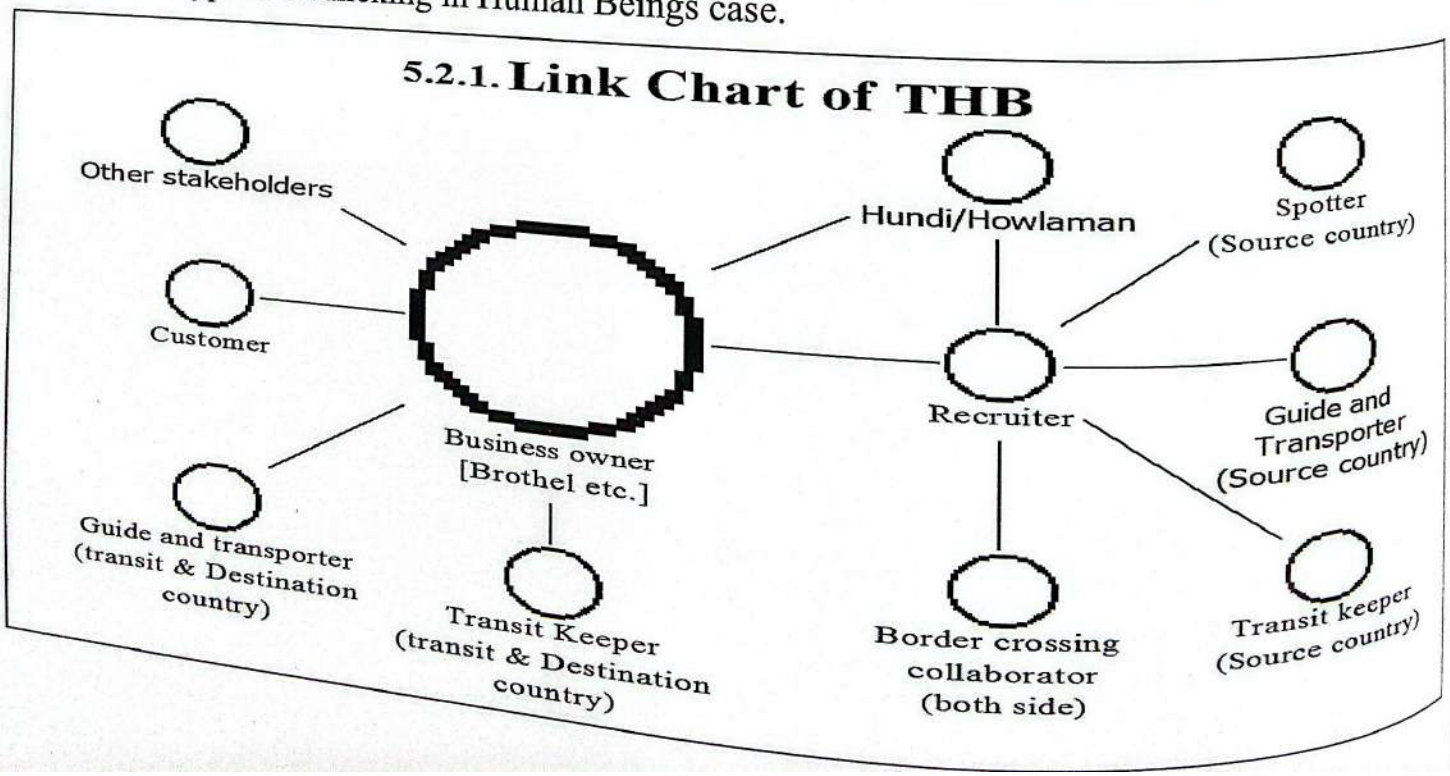
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Where the money is moving? Is it to their so-called 'Tree plantation project' or to very personal account of the core business owner?

5.2. Introducing Link chart

Removing direction sign from Flow analysis (of money or commodity) may facilitate to develop a Link analysis, however, a Link analysis shall have primary focus on business chief or gang leader along with other relevant stakeholder (see bigger size of icon in the following chart). A Link analysis, as Wikipedia [http://en.wikipedia.org/wiki/Link_analysis] describes is 'a data-analysis technique used to evaluate relationships (connections) between entities. Relationships may be identified among various types of entities, including organizations, people and transactions. Link analysis has been used for investigation of criminal activity (fraud detection, counterterrorism, and intelligence), computer security analysis, search engine optimization, market research and medical research'. Here is the Link analysis of a typical Trafficking in Human Beings case.



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Link analysis, as 'Link Analysis Workbench, Air Force Research Laboratory Information Directorate, Rome Research Site, Rome, New York, September 2004' (Air Force Research Laboratory Information Directorate, 2004) describes, may be used for 3 primary purposes: a) Find matches in data for known patterns of interest; b) Find anomalies where known patterns are violated; c) Discover new patterns of interest'.

5.3. Introducing Activity chart:

An Activity diagram is the working format or template for operating an organized crime. As businessdictionary [Ref.:http://www.businessdictionary.com/definition/activity-network-diagram.html] reveals, Activity diagram 'charts the flow of activity between separate tasks. It graphically displays interdependent relationships between groups, steps, and tasks'. The list of Activities for a motor cycle lifting, for example, is shown below:

5.3.1. Activity chart of motor cycle lifting

1. Watch the owner who leaves a motor cycle unattended.
2. Deploy a person who has skill to start a motor cycle without owner's key
3. Deploy a rider to drive the cycle to a temporary store house
4. Deploy a person with necessary skill is for tempering engine number and chassis number
5. Prepare new fake documents for the stolen cycle
6. Contact with a show room dealer who is ready to receive stolen cycles with fake papers
7. New customer to buy the stolen motor cycle from show room or from a broker (possessing a stolen motor cycle).

The practice of developing or keeping Activity diagram by field investigators helps police to go into depth of a problem. It also helps police to develop and maintain institutional memory. While a suspect is arrested with fake currency, developing an Activity diagram inspire or compel investigator to collect information about production, distribution, marketing and internal management technique of fake note gang. Investigator will not remain satisfied submitting charge-sheet simply against the one possessing fake note. This will also help policy level personnel to work with more informative ambiance.

If we think about an theft of electric transformer, this is after developing an Activity diagram, probably you will not miss that this include some queer entities, which someone may not think in case of an ordinary theft. A crude Activity diagram of transformer lifting is, for example:

5.3.2. Activity chart of transformer-theft

1. Engage a person who has skill to disconnect a Transformer from active electric line
2. Arrange a probable customer ready to buy a stolen transformer
3. Arrange an appropriate vehicle to carry the transformer from crime scene to temporary store house
4. Manage some relevant stakeholders (at times)

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5. Disconnect transformer from electricity and lift it to carry up to temporary sto[illegible]use

6. Carry it from store house to client

7. Client to sell/use copper materials of transformer.

5.4. Introducing Event chart:

An Event Chart is similar to Activity chart or diagram, although the former is case-specific and appears with date, names and other relevant information of a particular occurrence.

5.4.1. Event chart: People smuggling case

a. On … (date) …Suspect .. .. opened an office with/without license.

b. On .. (date)…. Suspect.. .. recruited agent… to collect clients/travel documents.

c. On .. (date)…. Suspect.. .. recruit victim….. and collected Taka …….

d. On .. (date)…. Suspect.. .. engaged suspect.. to change photograph .. and so on.

It is to be noted that activity chart does not refer case specific entities' names or dates. Hence, investigators need not worry about collecting specific or detail information of a suspect during development of an activity chart; Nonetheless, an event chart must cover all the case specific activities, in case of failure in collecting necessary information or evidence, investigator will mention the entity or date as 'unknown'. For example 'On 1 December 2014, Suspect Rider Kajal drove the stolen cycle to a temporary store house located at an unknown place in Narayanganj'. Just have a look above and you will see a superficial investigation will hinder in developing the **Event Chart.** Event Chart will actually inspire investigator to collect all necessary information about the particular case maneuvered by the respective gang.

A lazy investigator will not have enough information to prepare an event chart. For example, if he does not arrest or interview the legal bearer of tempered passport, the I.O. will be unable to collect information why his passport is not with him and how it moves and to whom. Again, if investigator fails to confiscate cash account register and other relevant documents from the office of the concerned agency, then I.O. will be unable to explain from where the agency received the disputed passport.

To sum up, Link chart is 'to show relationships among entities featuring in the investigation'; whereas Commodity flow chart is 'to explore the movement of money, narcotics, stolen goods or other commodities'. Again, Activity diagram is 'to identify activities involved in a criminal operation'; whereas Event chart is 'to show chronological relationships among entities or sequences of events' (UNODC, 2011). Chart of Evidence will be explained subsequently.

6. Analytical charts with the hypothetical case study:

Let us discuss the various kinds of analytical charts with people smuggling case of Latif-Kamrul-Karim cited at paragraph 3 and 4. We will see how these charts are used to ensure in-depth exploration of any under-investigation organized crime.

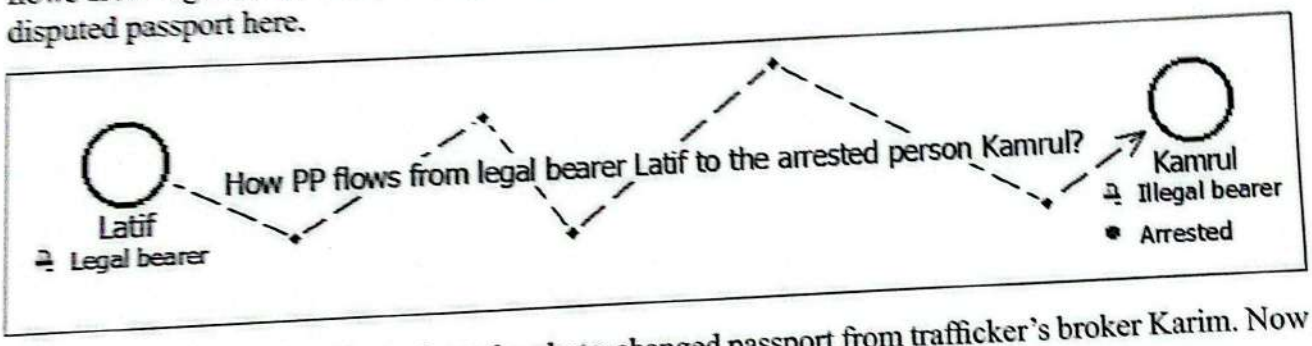
Remember, our case in point where Latif was off-loaded by Airport Immigration Police for carrying photo-changed passport. After completion of investigation, while police submitted charge-sheet against Latif, most of the supervising or investigating officers offer 0 to 4 (out of 10) considering it

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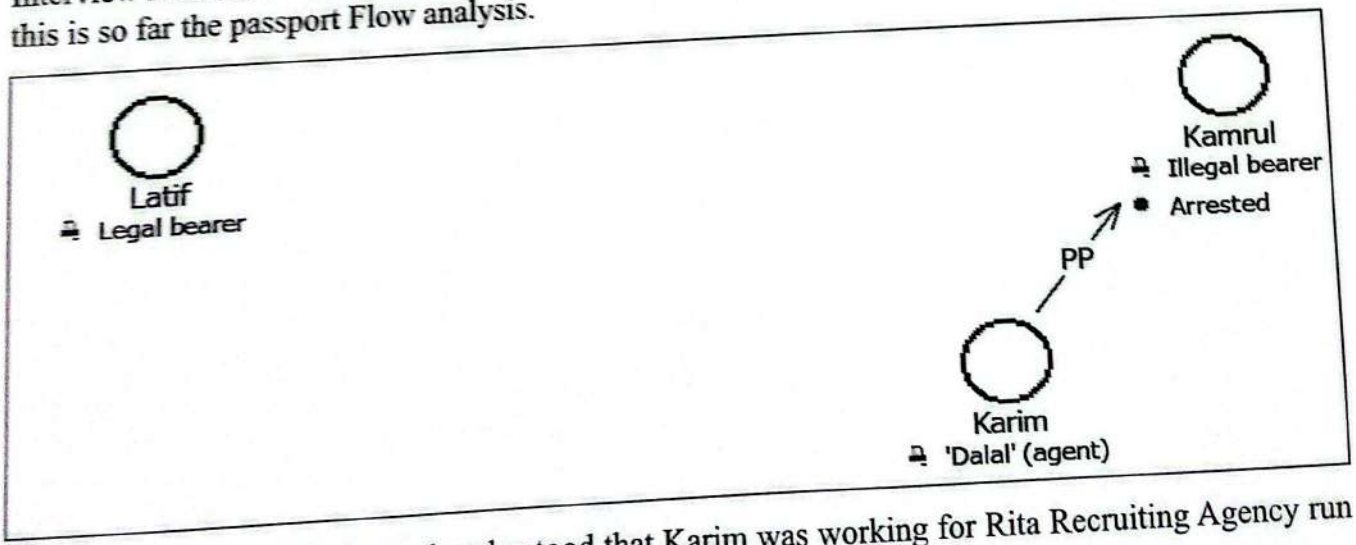
as a poor quality investigation. When investigator unearthed the actual name (Kamrul) of the illegal bearer of the photo changed passport and also identified broker of Karim that supplied the photo-changed passport to Kamrul, most of the supervising or investigating officers other than very few smarter ones offer 8 to 10 (out of 10) considering the outcome of the case as a 'good' or 'very good' quality of the investigation. There are some smarter ones, who observe lacking in investigation as some or many stakeholders of the organized group are yet to be unearthed. But, by and large, it remains unclear what should be the preconditions to award 10 out of 10 including the vagueness to give detail of missing entities that need to be brought to book.

Study shows that (and what you have observed in the above example), our typical descriptive 'M.E.' is not suitable for opining on the quality of an investigation. Any layman view will award 10 out of 10 for Latif-Kamrul-Karim case, until (s)he used various analytical tools like flow chart, activity chart etc. that are being explained in the following charts.

Photo-changed passport was recovered from illegal bearer. Since 'Latif' is the legal bearer, the name of illegal bearer in no way is 'Latif'. Investigator interviews and gets his actual name (Kamrul). What I suggest to proffer the investigator now, 'I will give you 10 out of 10. Just tell me, how the passport flows from legal bearer Latif to illegal bearer Kamrul. We are talking of drawing a Flow analysis of disputed passport here.

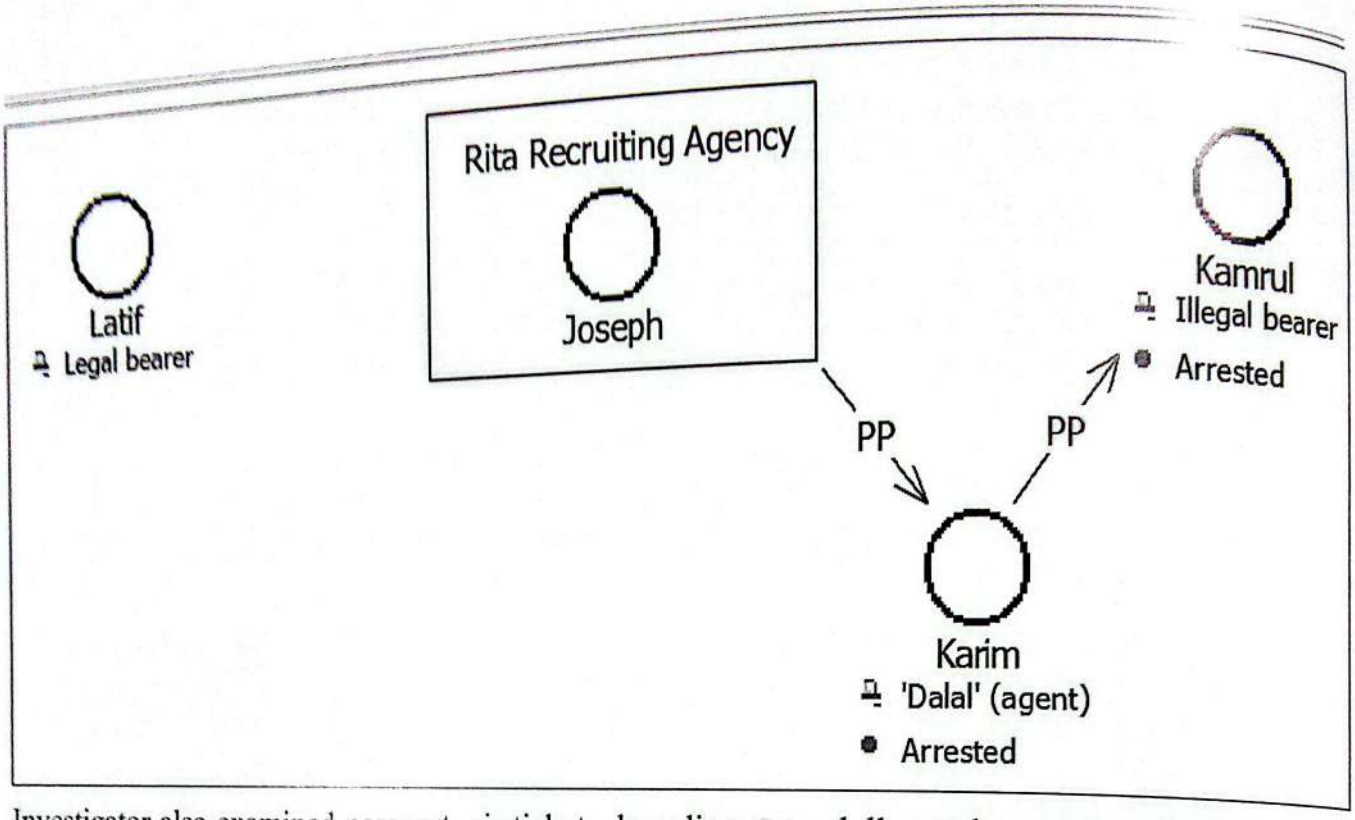


Interview flourishes that Kamrul got the photo-changed passport from trafficker's broker Karim. Now this is so far the passport Flow analysis.



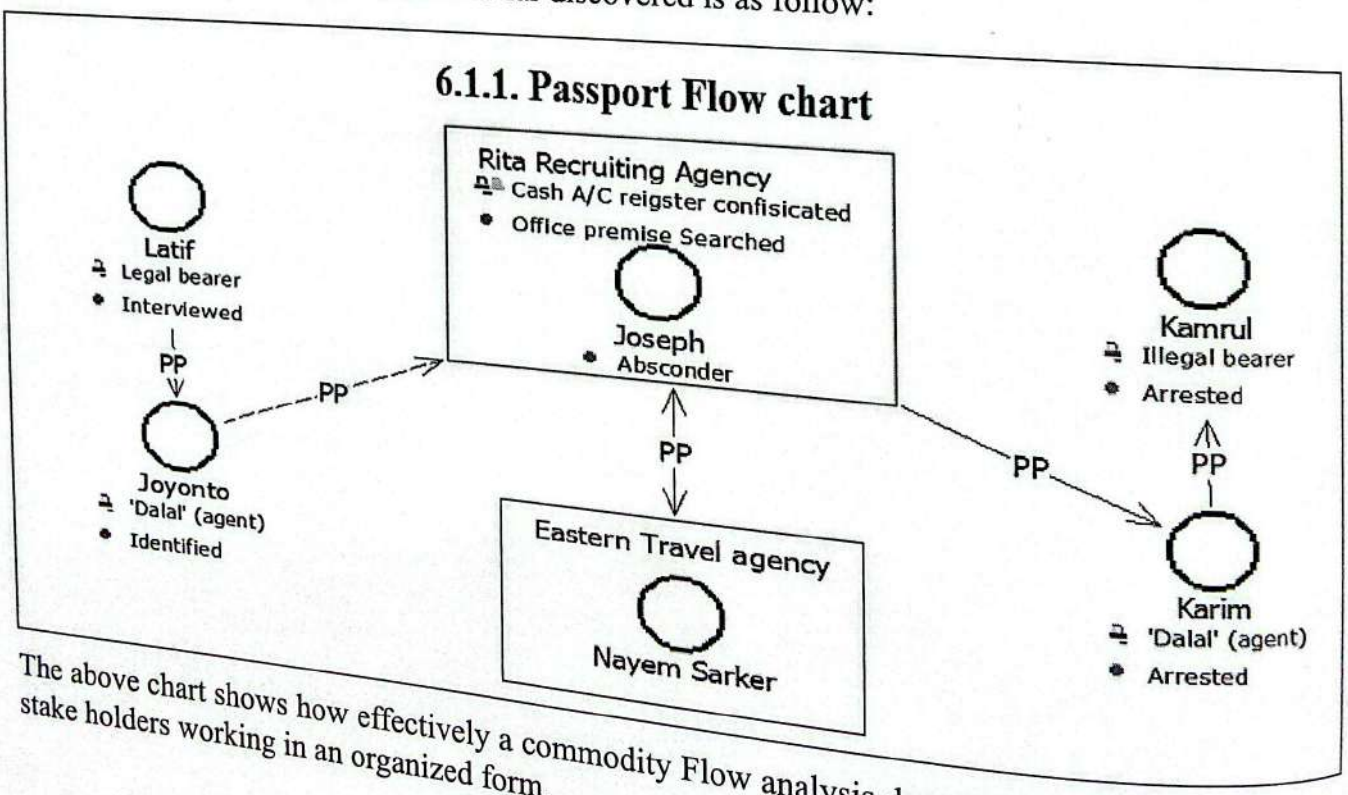
Investigator arrested Karim and understood that Karim was working for Rita Recruiting Agency run by one Joseph.

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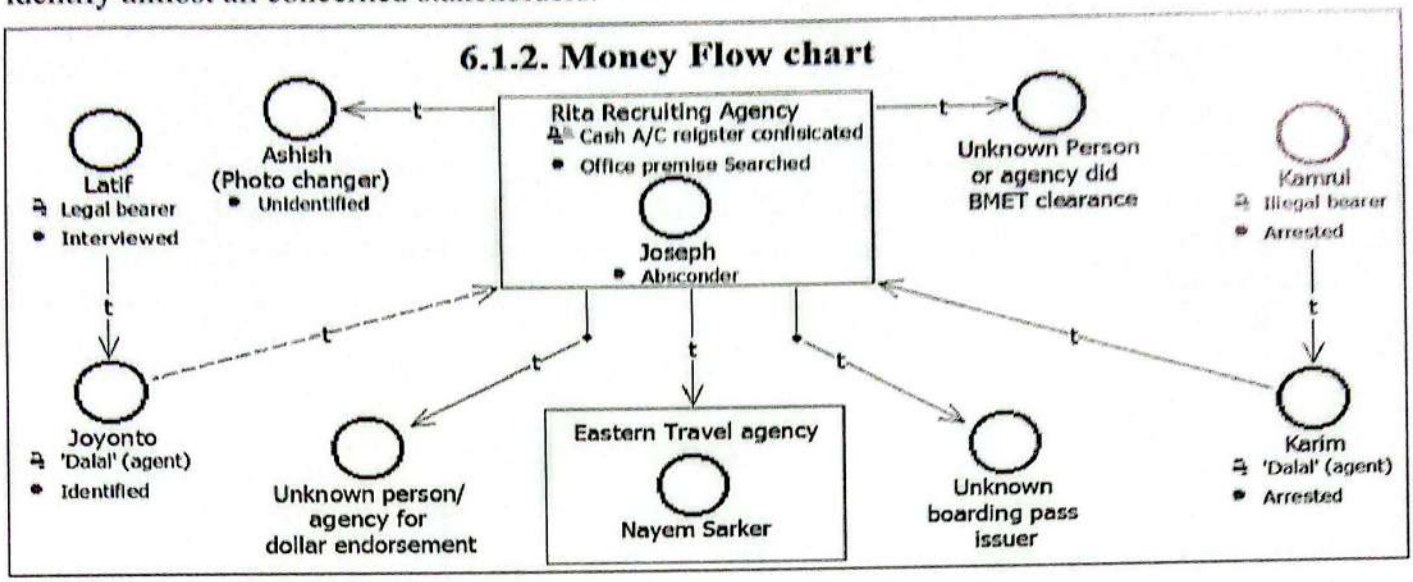
Investigator also examined passport, air-tickets, boarding pass, dollar endorsement and other travel documents and found that Eastern Travels run by Nayem Sarker issued air-tickets in favor of this forged PC-passport. Investigators interviewed legal bearer Latif and learnt that he was waiting to travel to Malaysia after he had given his passport to a local broker Joyonto working for a Dhaka-based unknown recruiting agency. According to Latif, he also provided Taka 250,000 to Joyonto. So, the passport Flow analysis, what we have so far discovered is as follow:

6.1.1. Passport Flow chart



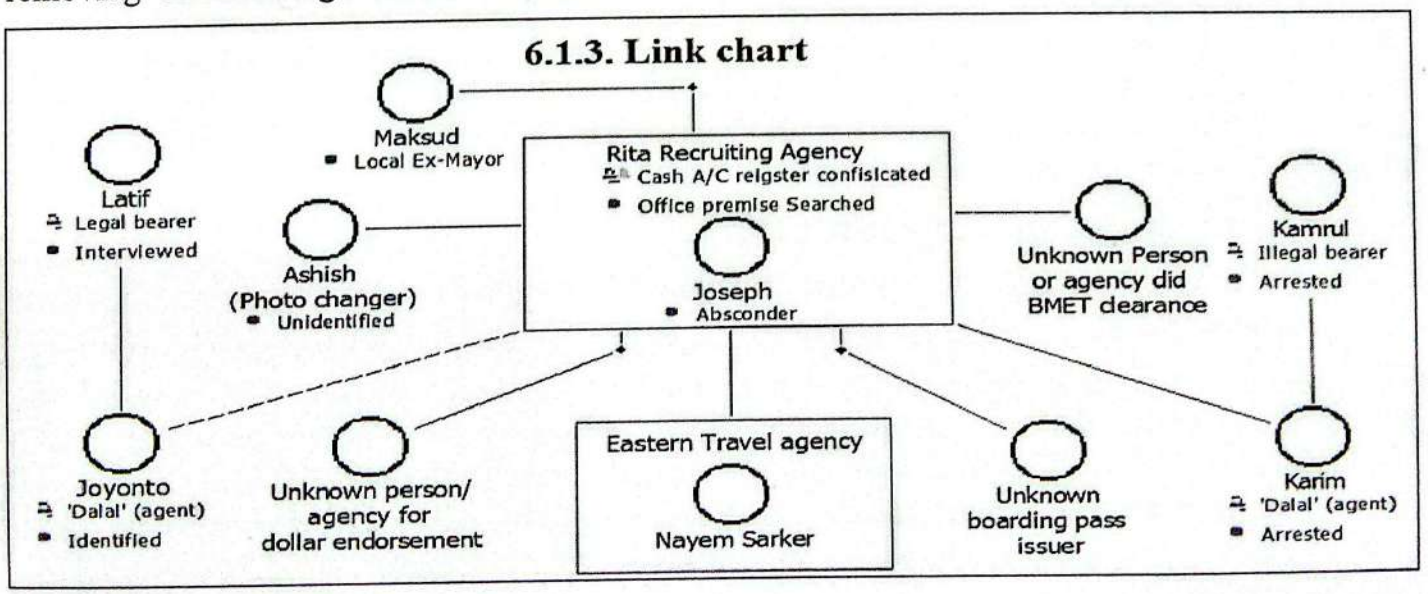
The above chart shows how effectively a commodity Flow analysis demonstrates the role of various stake holders working in an organized form.

We can also draw a Money Flow analysis taking into account the same stakeholders. Since 'Money' is attraction of any Organized Crime, drawing money Flow analysis effectively help investigator to identify almost all concerned stakeholders.



Using the Passport Flow Chart and Money Flow Chart, you can quickly understand that legal bearer Latif, who gave money and passport to his local 'broker' Joyonto, is a not at all a suspect rather a victim. Just think about scoring 4 or 10 to an investigator who simply failed to differentiate between a suspect and a victim (in a working atmosphere with typical M.E). However, it is not the misjudgment of an individual investigator or a supervisor. The lesson learnt is: it is not possible to evaluate an investigation output from such a descriptive M.E., on the contrary an M.E. supported by analytical tools like Link analysis, Flow analysis, Activity diagram, Event Chart and Chart of Evidence effectively helps an assessing officer – both investigator and supervisor, to evaluate well the depth of investigation of an organized crime.

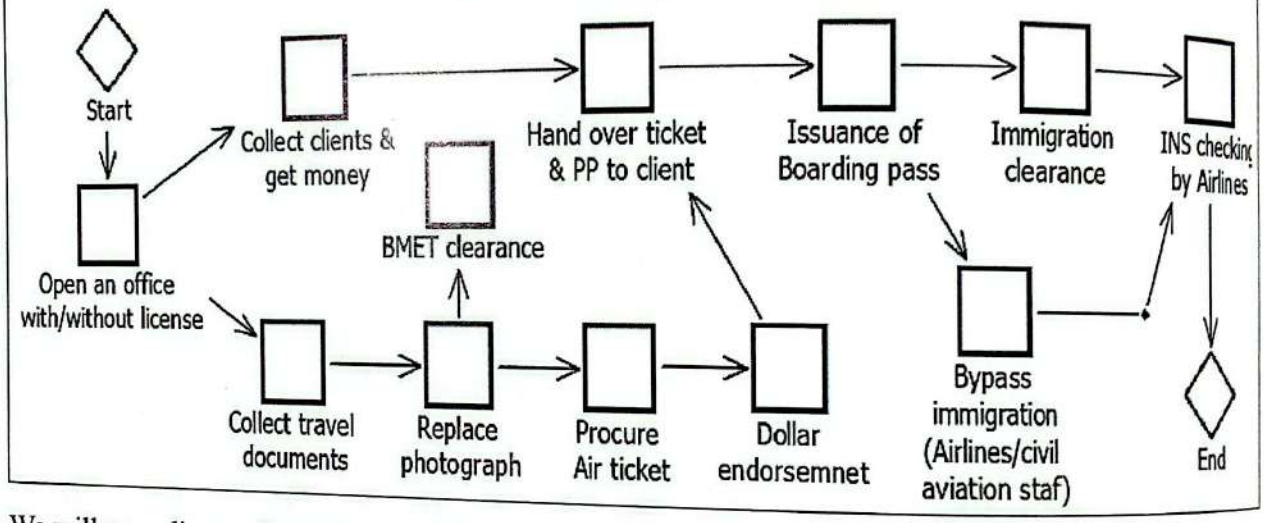
Let us look into how other charts are to be developed. We now develop a Link analysis simply by removing 'direction sign' from money flow.



However, you can still add an entity that is not really linked to the gang [illegible]oney or commodity. For example, one Mr. Maksud, a local ex-Mayor has been added into cha[illegible]hown above. A Link analysis is primarily to focus on the 'heart' of the gang. Sometimes a co[illegible]nation-Chart dealing both 'Link' and 'flow' can serve the purpose, which has been shown later. Now, how to develop an Activity diagram? An Activity diagram is a working-format that a gang follows to run a crime. More specifically, if you think, you will start this 'business' what the steps are that you will have to follow.

In our present case, what is the first activity to do a 'business with forged passport'? The first activity is to open an office with or without license. Of course, the criminals hardly bother for possessing a license! 2nd activity is to collect or manage clients and travel documents. What next? 3rd Activity is to process a travel document including changing photograph if and when necessary. We can draw a complete Activity diagram as shown below:

6.1.4. Activity chart



We will now discuss Event Chart. While Activity diagram is the format or template of an organized Crime, Event Chart is the list of activities related to a particular occurrence. Event Chart will actually inspire investigator to collect all necessary information about the particular case maneuvered by the respective gang. Just have a look and you will see a hardworking job will help investigator to go into depth of the gang; on the contrary, a superficial investigation will hinder investigator in developing an Event Chart. Please look into the following paragraph.

6.1.5. Event List - A people smuggling case

(To prepare an event chart)

a. On 1/3/2008, Suspect Joseph opened a Recruiting cum Travel agency (Rita Travels) without any legal license; he has simply a trade license from municipality office. [During search into office premise, police recovered 563 passports, each of the legal bearers apparently paid to Joseph from Taka 70,000 to Taka 280,000; none of them has been sent abroad with job and thus became victim of people smuggling. Police also recovered 12 tempered passports, where the personalization pages or photos are tempered. Police also recovered 53 fake visa stickers

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of various countries and a separate case has been lodged in this connection]

b. Approximately, on August 2008, broker Karim and on July 2009, broker Joyonto start working for Joseph. Cash Account Register shows that there are more 56 brokers are working for Joseph around the country.

c. On 21-12-2011, an employment visa is issued for Latif with the personal initiative of his relative working abroad. Broker Joyonto promised to process his travel document through 'Rita Travels'. He took Taka 27,000 from him. Same broker is reportedly cheated more than 15 male and female job seekers in the locality, from whom he collected money promising job abroad.

d. On 23-12-2011, Joyonto called Josheph and informed him about Latif's visa processing.

e. On 27-12-2011, Josheph's employee Badal did manpower clearance of Latif from concerned office.

f. On 29-12-2011, broker Karim collected Taka 295,000 from Kamrul for a job abroad. A local broker Shamlal introduced Karim with Kamrul.

g. On 30-12-2011, broker Karim informed Joseph about his new client Kamrul, who already paid Taka 295,000 for a job abroad.

h. On 31-12-2011, Josheph's employee Badal met photo changer Kathilal Das for replacing Latif's photograph with Kamrul's one.

i. .. and so on - chronologically covering procurement of air-ticket, dollar endorsement, handing over passport to new client Kamrul at the last moment etc.

You can see, investigator is 'compelled' to collect all necessary information, while he tries to develop a chronological event chart based on 'Activity diagram' of the respective organized crime.

7. Chart of Evidence – in modified form

Bangladesh Police traditionally use Chart of Evidence, a simpler form of a 2-dimensioal Evidence Matrix, where the leading column-header contains 'Name of Witness' and the subsequent column-headers contain suspects' names. We will however, focus on the new format of chart of evidence, which has been suggested through the SOP on Organized Crime (IOM, 2011).

A typical Chart of Evidence is prepared and produced by Investigating Officer (I.O.) to the supervising officer with a view to convincing the later that enough evidence has been collected against every suspect before police submit charge sheet against an individual suspect. The link, flow, activity and event charts are mainly intelligence or information focused, where Chart of Evidence is evidence focused. This is to oversee whether sufficient evidence has been collected against each suspect/ stakeholders. Table 7.1 shows a typical format of Chart of Evidence.

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Table 7.1: Chart of Evidence in typical format

Name of Suspect→	Suspect X	Suspect Y	Suspect Z
Name of Witness			√
Witness A	√	√	
Witness B		√	
Witness C	√		√
Witness D	√		√

Considering Investigation is nothing but collection of Evidence, Chart of Evidence has the opportunity to play a crucial role in controlling the quality of investigation. But we can see, not all types of evidence have been considered in preparing the typical form of Chart of Evidence. We can see, this typical form is actually a chart of witness, though it is named as 'Chart of Evidence'. Also, typical Chart of Evidence is submitted at the ending phase of investigation - during submission of Memorandum of Evidence (M.E.) with a view to get approval of proposed final police report from Supervising Officer; hence, sometimes it becomes too late for I.O. to make the investigation defect-free by collecting necessary evidence, in case of adequate or any crucial evidence is missing.

A slight but vital modification has been made in the SOP on Organized Crime (Table 7.2), where all but the leading column represent 'Suspects' names; as the later corresponds to 'List of Evidence'.

	Name of Suspects		
List of Evidence	Suspect X	Suspect Y	Suspect Z
Statement of eye-Witness A recorded u/s 161 of CrPC	√	√	√
Statement of eye-Witness B recorded u/s 161 of CrPC		√	
Statement of hearsay Witness C recorded u/s 161 of CrPC	√		√
Statement of eye-Witness D recorded u/s 161 of CrPC	√	√	
Statement of Suspect Y recorded u/s 164 of CrPC		√	√
Finger Print of Suspect Y u/s … of Evidence Act		√	
Video clip of Suspect X u/s … of Evidence Act	√		
Alamat (Physical Evidence) recovered from Suspect X u/s 27 of Evidence Act	√		

What are the changes? Evidence like a suspect's statement taken under section 164 of CrPC 1898, a stolen recovery under section 27 of Evidence Act 1892, and physical evidence like finger print impression collected from crime scene has no room into typical form of Chart of Evidence (CoE); where the new format successfully withstands as synopsis of Investigation by displaying full set of evidence collected throughout investigation. Nevertheless, the new format demands more

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modifications. Instead of putting simply '√' (tick mark), you have to set a score '1' for each evidence. Score will be however '0' (zero) for which has no evidential value. Some examples of zero-graded evidence are: i) statement of a hearsay or imperceptible witness - carries no evidential value; ii) a statement of an eye-witness where the role of suspect is not mentioned clearly carries little value against the particular suspect. iii) A seizure list where the possession is vaguely mentioned - carries little value against the particular suspect.

However, score '2' will be provided for the extra-ordinary evidence like a chance witness or an impartial witness. Score will also be '2' for the statement of a suspect's associate, where a statement of suspect has been recorded under section 164 CrPC. However, the statement of a suspect recorded under section 164 CrPC against himself will carry '3'. Conclusive-like evidence like finger print impression, a video clip etc. will also carry '3'. Maximum total score calculated for each suspect will not exceed 5; hence, more than 5 will automatically trim down to 5. This kind of quantitative evaluation will show whether investigation ensures collecting enough evidence against a particular suspect.

	Name of Suspects		
	Suspect X	**Suspect Y**	**Suspect Z**
List of Evidence			
Statement of eye-Witness A recorded u/s 161 of CrPC	1	1	0
Statement of victim B recorded u/s 161 of CrPC		2	
Statement of hearsay Witness C recorded u/s 161 of CrPC	0		0
Statement of eye-Witness D recorded u/s 161 of CrPC	1	1	
Statement of Suspect Y recorded u/s 164 of CrPC		3	2
Finger Print of Suspect Y u/s … of Evidence Act		3	
Video clip of Suspect X u/s … of Evidence Act	3		
Alamat (Physical Evidence) recovered from Suspect X u/s 27 of Evidence Act	3		
Total (maximum 5)	**5**	**5**	**2**

Quantitative evaluation thus facilitates Investigating as well as supervising officer to assess the quality of evidence that has been collected from beginning to end of investigation, where as typically weaker evidence or evidence with little value hardly can be detected through typical evaluation process. Also, it is simply a reference matrix linking between witness and suspect, ignoring many other types of evidence including physical evidence. Even the confessional statement of a suspect is not presented here.

Table 7.3 shows effectively that investigator failed to collect enough evidence against suspect Z, where the typical format (Table 7.2) fails to reveal such kind of quantitative or qualitative recommendations. In typical format, the low quality evidences has been suppressed by three (✓) tick marks, whereas the new format effectively shows that Suspect Z has only one valid evidence – the confessional statement

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of his associate, which alone is however, insufficient for submitting charge sheet. Furthermore, the new format made it clear that the hearsay statement by witness C and the ineffectually recorded statement by witness A carry little value. Now the investigator has the scope to collect more or stronger evidence against the suspect. Thus the Table 7.3 effectively shows that investigator needs to collect more evidence against Suspect Z, whereas Table 7.2 was likely to convince a Supervising (or Investigating) officer, 'Oh, it's not bad'.

Table 7.3 is the 2-dimensional format for Chart of Evidence, where as a 3-Dimensional format also be suggested to evaluate taking into account the role of suspect in a gang. The 2-dimesional evidence matrix deals in the quality of investigation of an ordinary crime. You may see, quality of investigation can be measured here quantifiably. This can be used during preparing 'Brief of a case' and after submission charge-sheet and before framing charge in the court. This can be used an indicator for individual investigator as well as by counting in aggregate form, we can also count the quality of a unit's performance. An official order may make it mandatory for the supervising officer to point out into 'Performance Evaluation report', where the average Grade Point of an Investigating Officer will be mentioned in the pen-picture.

A well-recorded FIR that contains exhaustive information of the gang may carry bonus mark, where as an average FIR may not. Detection of a non-FIR named suspect will add more value to investigator. To identify non-FIR-named suspect may be considered as stronger investigation and to submit charge-sheet only against FIR-named accused may be considered weaker investigation in case of organized crime. To submit charge sheet against an absconder may be considered as lack of seriousness of investigator; whereas submitting charge sheet against arrested suspect shows his/her sincerity.

Should arresting a field operative or a gang-leader carry same weight? A business-chief or a gang leader, whose immediate replacement is quite impossible, may carry 3; where a mid-manager whose absence substantially interrupts business-activities, is to carry 2 and the field operative is to carry 1.

Police can submit charge sheet for in-absential trial against someone who is fugitive. However, arresting a genuine suspect has the following potentialities:

a. This can lead investigator to go further depth of the case;

b. This can facilitate investigator to get suspect's statement along with his or her stand; hence, sometimes it is helpful for protecting an innocent subject, who may primarily be appeared as a suspect. Please consider the case of Latif, who was about to be charge-sheeted until Police interviewed him and later found that he is rather a victim waiting for overseas job after paying a handsome amount of money to a local broker.

Thus arresting (or interviewing) a suspect must carry more weight than merely submitting charge sheet without arresting and interviewing a relevant entity. So arrest of a suspect may carry 2, whereas submitting charge-sheet against suspect on bail is 1 and submitting charge-sheet against absconding/ wanted suspect is 0.

The 3-dimesional evidence matrix is to deal in the quality of investigation of organized crime, with a number of added rows. Here is an example of modified form of Chart of Evidence for Organized Crime:

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Table 7.4: 3-dimesional Chart of Evidence

	Name of Suspect s			
List of evidence	Suspect X	Suspect Y	Suspect Z	Suspect Q
Score considering Type of Suspect [Score between 1 and 5 depends on role/form of suspect in an Organized Criminal group starting from 1 for field operatives, who is easily replaceable and up to 5 for key-player or Godfather who is not easily replaceable and arrest of whom causes crucial damage to the gang]	**Field Operative (1)**	Dealer (3)	God-father (5)	**Line-man (2)**
FIR named?-> (For 'Yes' 1, for 'No' 2)	Yes (1)	No (2)	No(2)	Yes (1)
Wanted status (Arrested 2, On bail 1, Absconder 0)	Arrested (2)	Arrested (2)	Absconder (0)	On bail (1)
A. Importance of suspect role: Total (Maximum 5)	**4**	**5**	**5**	**4**
B. Bonus: The lum-sum bonus point of maximum 25 to minimize error arisen from atypical form of cases including speedy disposal of cases, submitting Final Report as false and other non-formatted factors as decided by the authority]				
List of Evidence	(Score between 0 and 5 depends on quality of evidence against the particular suspect)			
Statement of Witness A u/s CrPC 161	2	0	1	
Statement of Witness B u/s CrPC 161	1	1	1	1
Statement of Suspect X u/s CrPC 164	3			1
Recovery of drugs from Suspect Q u/s 27 of Evidence Act				3
C. Total (maximum 5)	**5**	**1**	**2**	**5**
D. Total (maximum 25)	**20**	**5**	**10**	**20**
Grand total ΣD= ΣA*C +B	**(20+5+10+20)+20=75**			

A 3-dimesional evidence matrix compel an Investigator to go into the depth of investigation; i.e. to identify dealers, financers, key-players instead of submitting charge-sheet against field operatives only. However, a 3-dimentional evidence matrix primarily may be found complicated both to supervising as well as investigating officers; hopefully introduction of appropriate software may ease such evaluation.

The major differences between the new format and the typical Chart format of Evidence are:

a. Typical format is submitted only at the end of investigation; whereas the new format is to be submitted during submission of each CD or Progress Report (PR) to show the bona fide

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progress of 'investigation' – stands for collection of evidence. This will exactly demonstrate how much evidence are really collected irrespective of the size of case docket.

b. It facilitates to differentiate quantitatively between investigations just address field operatives and that addresses more influential players like gang-leader or business-owner.

c. Unlike typical format, new format facilitates both investigator and supervising officer to address or intervene in time ensuring collection of sufficient evidence for quality investigation.

d. Supervising officer can appropriately attend to inactiveness or unnecessary delay caused by a lazy investigating officer, in case of investigation continues with no further collection of evidence for long.

Investigator will prepare an 'Investigation Plan'; alternatively a supervising officer will prepare a set of 'instructions for I.O.' based on his/her understanding about a particular occurrence of organized crime. Here is a sample 'Investigation Plan' or 'Instructions for I.O.' to be included into the 'Supervision Note'.

Table7.5. Investigation Plan

1. To get actual name, address and contact number of illegal bearer along with same of next to kin;
2. To get the name, address and contact numbers of broker and dealing agency that supplied the passport to illegal bearer;
3. To get the amount and dealing date of money transaction – if any;
4. To identify the persons or agency that deal for issuance of air-ticket, boarding pass, manpower clearance and dollar endorsement and also to fix their responsibilities – if any;
5. To interview the legal bearer and to know how and to whom his/her passport was handed over;
6. To arrest (if applicable) and interrogate the brokers that deal with legal bearer and illegal bearer with completing the passport flow chart and money flow chart; fix up their responsibilities along with that of concerned agencies and other related persons; and arrest then if and when applicable;
7. To get the identity and detail address of person who change the photograph and arrest him/her according to law;
8. To get the assistance of Lawful Interception Cell (LIC), if and when it is necessary;
9. To identify any foreign suspect or a Bangladeshi suspect staying abroad, get the assistance of Interpol, respective own embassy abroad or respective foreign embassy in Bangladesh, if and when it is necessary;
10. To send proposal to Ministry of Home affairs through Police Headquarters, for enlisting respective foreigners' name not to allow him to enter into Bangladesh as per section 3(4)b of Foreigners" Order 1951 and respective Bangladeshi's name for restricting him from issuing/ bearing passport as per section 6(1)d of Bangladesh Passport Order 1973.
11. To send proposal to concerned ministry through Police Headquarters and Ministry of Home

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affairs, for cancelling licence of concerned local or foreign agencies, if and when applicable;

12. To collect bank account information of concerned persons or agencies and to collect evidence against them on money laundering, if and when applicable;
13. To use Crime Data Management System run by Bangladesh Police to get Previous Crime and Punishment Reference of all concerned suspects and also to prepare forwarding, Memorandum of Evidence, Supervision Note and final Police Report etc.
14. To submit Memorandum of Evidence with passport Flow analysis, money Flow analysis, Link analysis, Activity diagram, event chart and chart of evidence in modified format for organized crime.

Investigators have a clear understanding when they use various kinds of analytical charts like Flow analysis, Link analysis, Activity diagram, event chart along with chart of evidence. Furthermore, stakeholders like Prosecutors or Judges will get a brief but accurate idea why and how a particular suspect has been subject to police charge sheet. A prosecutor will have an unambiguous idea which evidence will be used against whom to move towards a desired ending. Any kind of omission will also be effectively monitored by the concerned stakeholders, if and when prosecution fails to present witness or evidence against a particular suspect.

8. Evaluation through analytical charts: a few cases of Organized Crime:

In organized crime, you cannot improve situation by arresting field operatives; on the contrary, you can't see business owner until investigation is carried out with a holistic approach with a view to 'see' the person behind the screen; and gang leaders or business owners are perceptible only after investigators locate them by tracking crime proceeds or crime produced money; in addition, victims rarely have due knowledge on gang leader or core business owner but a few field operatives; and so, victim or informant hardly found to report unequivocally against a gang leader or a business owner. Business owner remain constantly behind the screen, that's why it is the job of investigator to unearth 'the big fish' in course of investigation. So, never mind when you find most of such First Information Reports are primarily field operatives-focused. We will discuss several cases and we will utilize analytical tools to 'comprehend' the respective organized group. However, we preferred to avoid showing all relevant charts but the core and distinct ones.

8.1. Iran based Trafficking in Human Being for ransom money

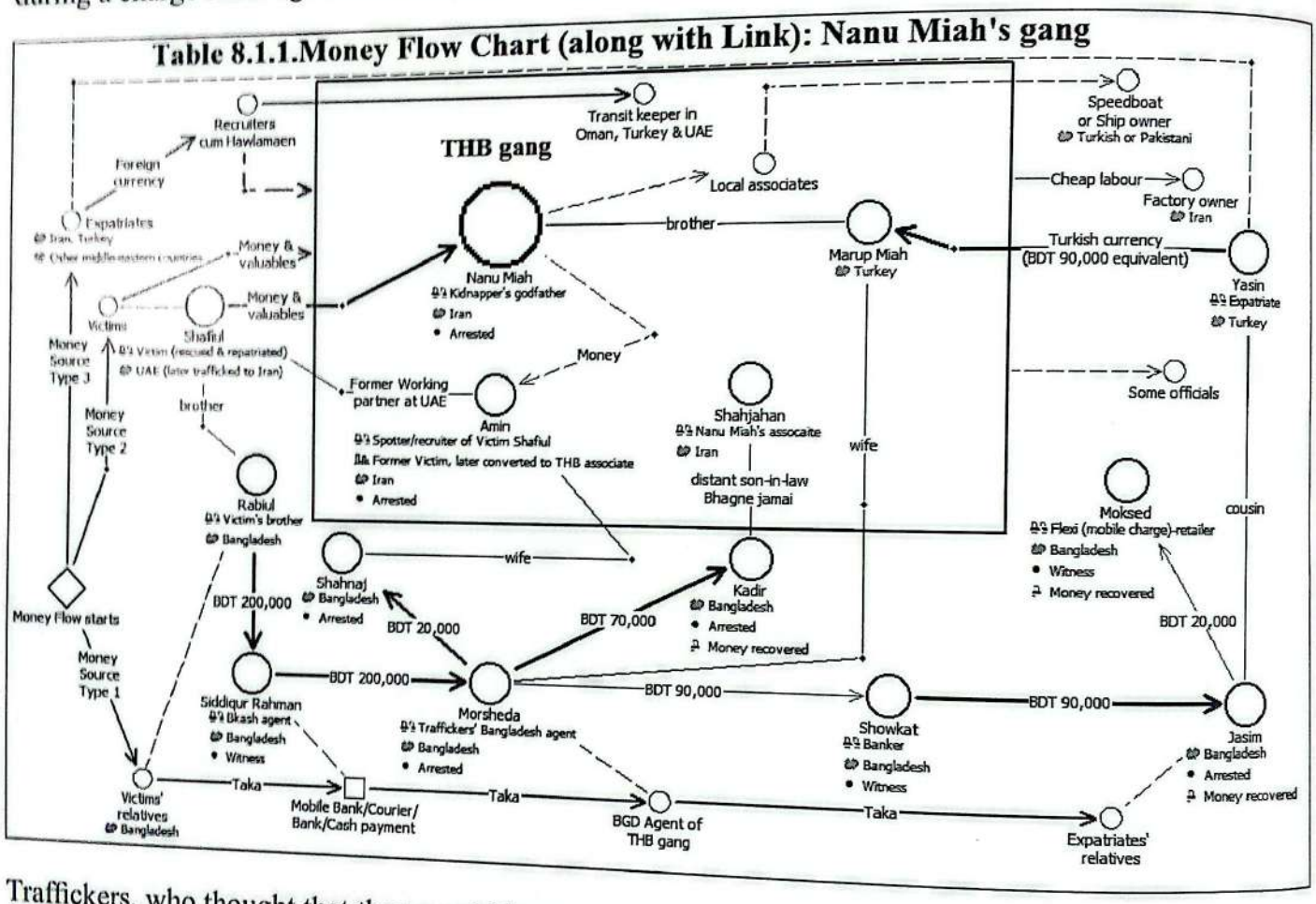
Consider a Trafficking in Human Being (THB) case that involves a Bangladeshi victim Engineer Sofeul Alam from Khulna, Bangladesh . He was kidnapped from UAE by unknown perpetrators in Iran and had been into their custody since Dec'13. As per traffickers' demand, Taka 200,000 was paid to a Bkash number.

If you look into Money Flow analysis shown in Table 8.1.1, you can comprehend how money flows from various sources to traffickers' gang. Rabiul the brother of victim Shafiul's brother sent money to a Bkash number - personally owned by a Bkash agent Siddiqur Rahman. While Police track money, a Morsheda was arrested based on information provided by the Bkash agent Siddiqur. Moresheda was also found to be wife of Turkey based Maruf, the brother of Iran based , the one was found as the abductor of victim Shafiul in Iran. Thus Police tracked money and traced victim and perpetrators.

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Police also ascertained that money which had been collected by Morsheda as ransom from victim's family, was distributed among Kadir, Jasim (through Shawkat), Maksud and Amin's wife Shahnaj. Maksud received money by providing service for recharging mobile phone, Shanaj received money for participation of his husband in THB gang in Iran (he was primarily a victim and later became the spotter and recruiter of victim Shafiul); the rest received money as their family member Shahjahan and Yasin are the member of traffickers' gang or they gave money in foreign currency to traffickers' member ('hundi' or 'hawla') to give to their family members. Investigator recovered ransom money Taka 180,000 from suspects and ensured 38 witnesses to be presented before the honorable court during a charge sheet against 11 suspects Nanu Mia.

Table 8.1.1.Money Flow Chart (along with Link): Nanu Miah's gang



Traffickers, who thought that they would be remain untraceable, found themselves at a stake after CID investigation identifies concerned perpetrators operating in Iran, Turkey and Greece and surrounding countries. CID at first identified and arrested the perpetrators of the gang operating in Bangladesh. Nanu Miah, who appeared to be one of the ring leaders of the trafficking gang, was at first claiming from Iran that he as well as his gang would never be apprehended by the LEA in Iran. After found himself being identified in Iran and his many of gang members being arrested in Bangladesh, he was in softer voice and started persistently pursuing victim's family in Bangladesh to withdraw case or at least to give an undertaking to his Bangladeshi lawyer that the case would be withdrawn just after the victim's release. CID pursuance along with notable support from Bangladesh embassy in Iran and Iran Embassy in Dhaka however later turned out with the arrest of Nanu Miah and his several associates in Iran.

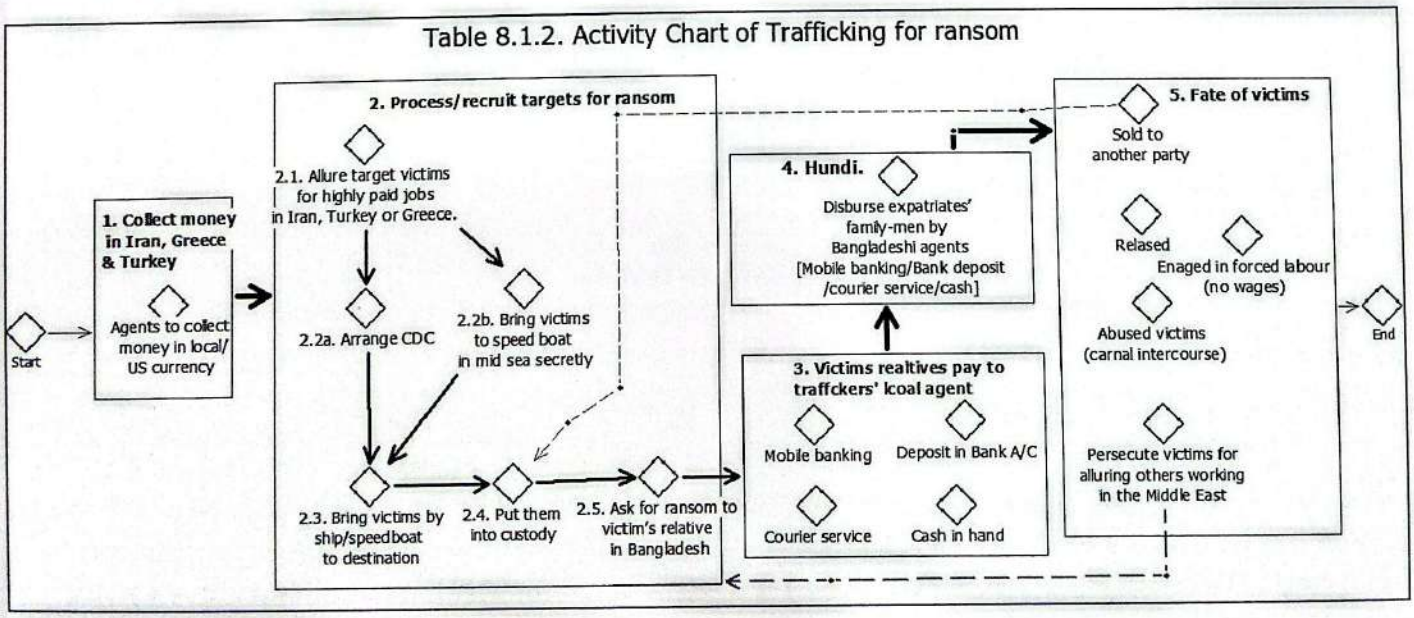
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If we see the Activity diagram of the gang, we will note the following list of actions:

- Traffickers collect money in local/US currency from expatriates working in Turkey, Greece or Iran through their agents and promise to pay the relatives of expatriates in Bangladesh (in Bangladeshi currency - Taka).
- Collected money (Foreign currency are not at all sent to Bangladesh). Hence, for arranging payment in Bangladesh, traffickers allure some Middle East based Bangladeshi victims for said job in Turkey, Greece or Iran.
- Victims mostly quit their jobs; leave working place as directed by the traffickers' agent mostly through irregular means.
- Traffickers arrange CDC (seaman-pass) for ships [owned to Nanu Miah's associates] – although the victims do not have any skill or knowledge to work as seamen. Traffickers also arrange Pakistani or Turkey owned speed boat to carry victims illegally from Oman to Iran.
- Traffickers bring victims to Iran, put them into custody and ask for ransom money to victim's relative in Bangladesh.
- Traffickers also persecute victims for alluring others that are working in the Middle Eastern countries ['I am earning a lot, why don't you join as well'];
- Many of them are abused physically (victim of sodomy).
- Traffickers engage Bangladesh agents to collect ransom; Victims relatives in Bangladesh pay money to unknown mobile bank numbers (though Mobile Financial System).
- Traffickers' Bangladeshi agents distribute collected money to the expatriates' family-men.
- Some of the victims are released, but many of them are sold to other party who use them again for collecting ransom money by the next few weeks or months.

The Activity diagram is shown below:

Table 8.1.2. Activity Chart of Trafficking for ransom

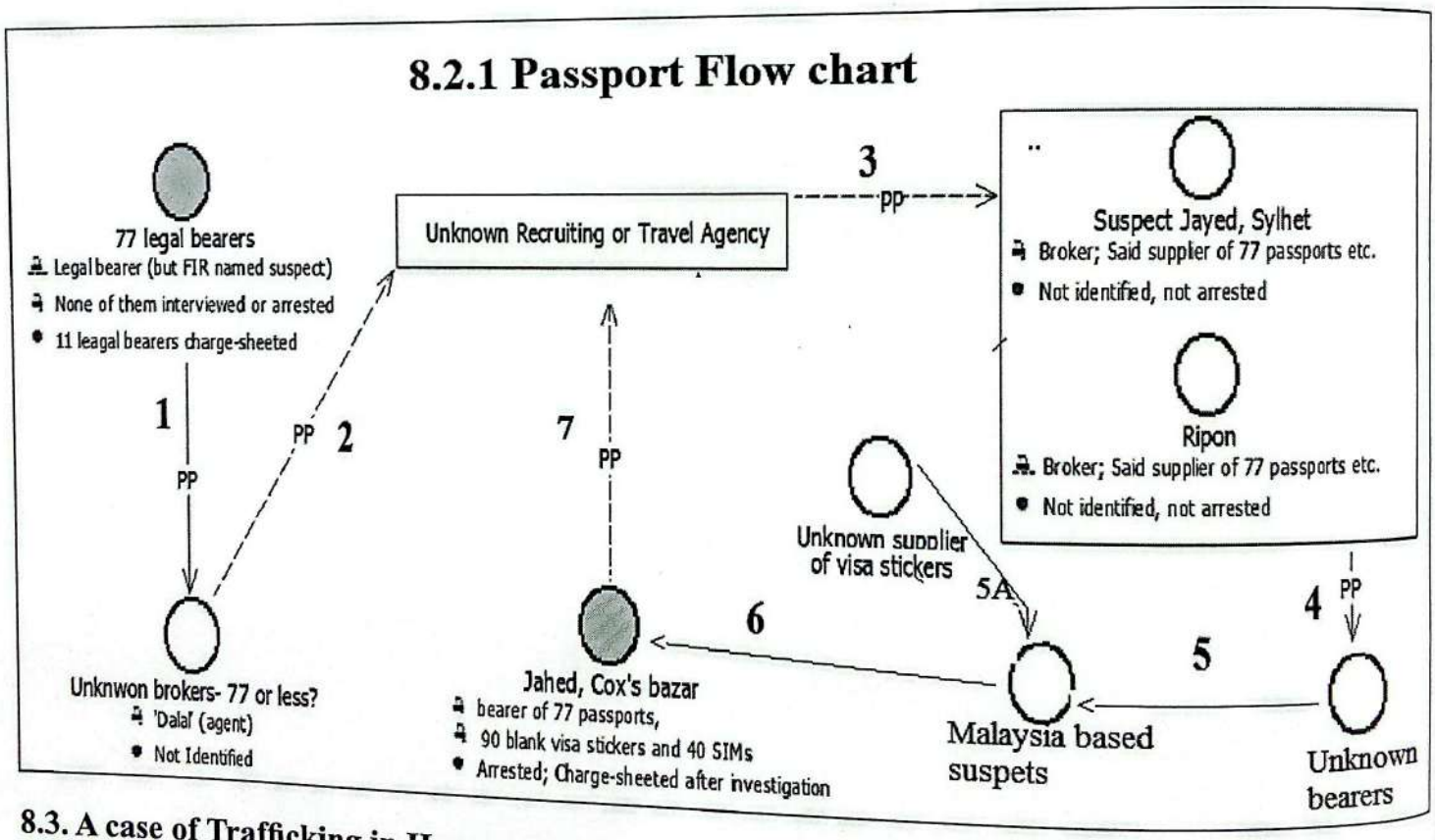


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8.2. A Visa-fraud case

On 9/2/2013, A Bangladeshi passenger Jahed from Cox's bazaar was arrested at Hazrat Shahjalal ® International Airport for illegally carrying 77 Bangladeshi passports along with 90 foreign blank sticker visas and 40 foreign SIMs. According to arrested Jahed, it was one Jayed from Sylhet and another suspect Ripon who had provided him those passports and other materials. Investigation continued for more than 15 months (from 25/2/2013 to 18/6/2014). After completion of investigation, Investigator proposed to submit charge-sheet against FIR named suspect Jayed Hossain (arrested delivery serviceman) along with 11 legal passport bearers. None of these 77 legal passport bearers have been interviewed (only their names & addresses have been verified through 'Enquiry Slip'); police really don't know how their passports move through brokers. Investigation could not succeed to identify said suppliers Jayed and Ripon or any of the brokers that collected 77 passports from legal bearers. Investigation also failed to identify the origin of the gang, original suppliers of 90 blank visa stickers and 40 foreign mobile SIMs. Charge sheet was submitted even without indentifying the destination -- the would-be-recipient of the commodity. The lesson learnt is that a simple passport Flow analysis will clearly show you how superficial investigation has been processed through the consent of a number of senior officers who did agree to the outcome of investigation.

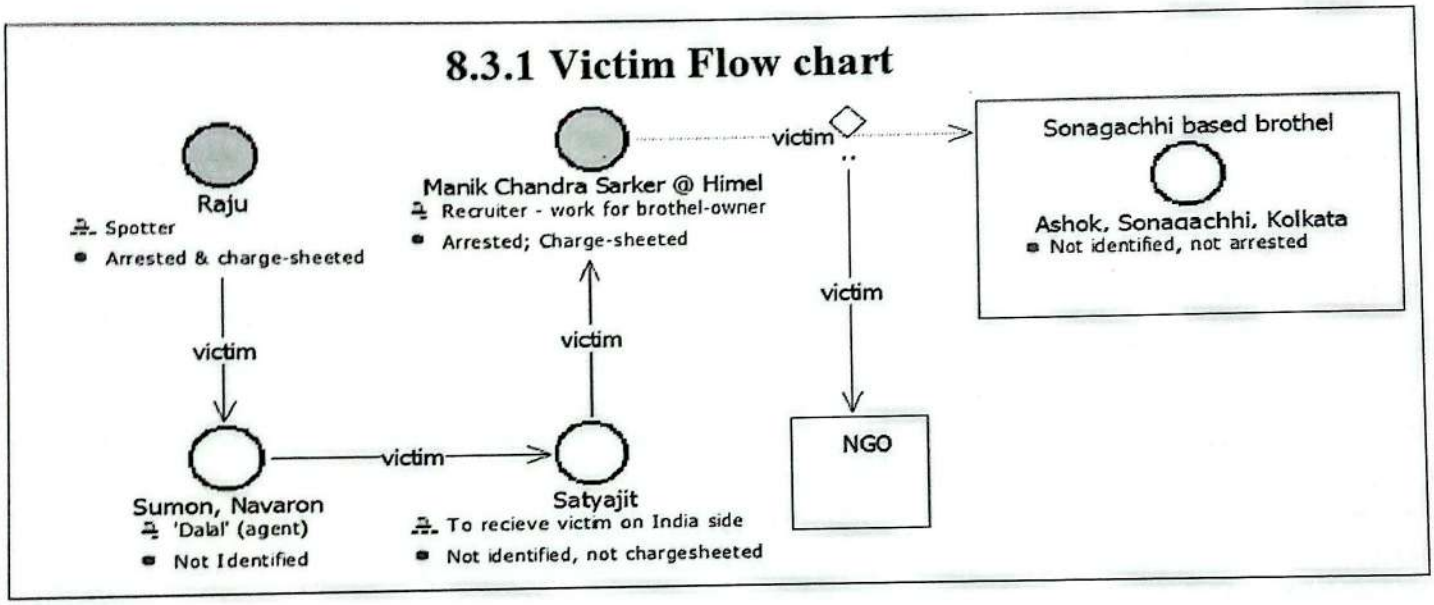
8.2.1 Passport Flow chart



8.3. A case of Trafficking in Human Being

2 teenager victims were to travel from Dhaka to Cox's bazaar. They were trapped by Dhaka Sayedabad based Human traffickers' gang. Spotter Raju, who is apparently working for bus-ticket issuer convinced them to get into a Jessore bound bus. He was working for recruiter Manik Chandra Sarker @ Himel, who worked for a number of Kolkata based brothel-owners. One Sumon from Navaron, Jessore was assigned by the group for receiving victims at Navaron, Jessore – a bordering

district with India. He was also assigned to keep them into transit and to take them to border point; in contrast, suspect Satyajit and 2 others worked on the other side. On 15/1/2013, victims were trapped by suspects and were trafficked to India through border illegally. They had been recovered by an NGO before they were actually handed over to the brothel-owner. On 21/4/2013, they were repatriated back to Bangladesh with the initiative of Bangladesh Women Lawyer Association (BNWLA) – a human rights organization. Investigators arrested Himel, Raju and some other associates. Investigator could not proceed further due to lack of timely response from Interpol desk on the counterpart. Time restriction for investigation of Human trafficking case did not allow investigator to wait further.



8.4. Counterfeit currency

On 31/3/2013, a Jahangir Sheik was arrested for carrying 10 pieces of 1000 currency note. According to the arrested suspect, it was Imar Mollah (39) and Mamun (30), who had supplied the counterfeit currency to Jahangir. Both the suspects were from same village. CID Investigation continued from 29/4/13 to 31/12/2013 with a proposal of submitting charge-sheet against arrested Jahangir only. Investigator even failed to identify his two associates, who are from same village of arrested suspect – not to tell about identifying dealer, distributor or manufacturer. On 8/9/2014, new I.O. proposed to submit charge-sheet against all the three suspects, after he identified the other two suspects. Charge sheet was submitted accordingly against all the three, but the fact is that no valid evidence has been collected against the last two absconders - Imar Mollah and Mamun. This could be by far understood through a simple chart of evidence, as shown below. You can also see, investigator did not have enough information even to develop an Activity diagram of the gang, not to tell about making an event chart, Link analysis, Flow analysis of counterfeit currency or, flow chart of crime proceed. You can also see that the new witness village police E (serial 5 of the following chart of evidence) is a hearsay witness ('I know that all the 3 suspects were bad people') carrying no evidential value.

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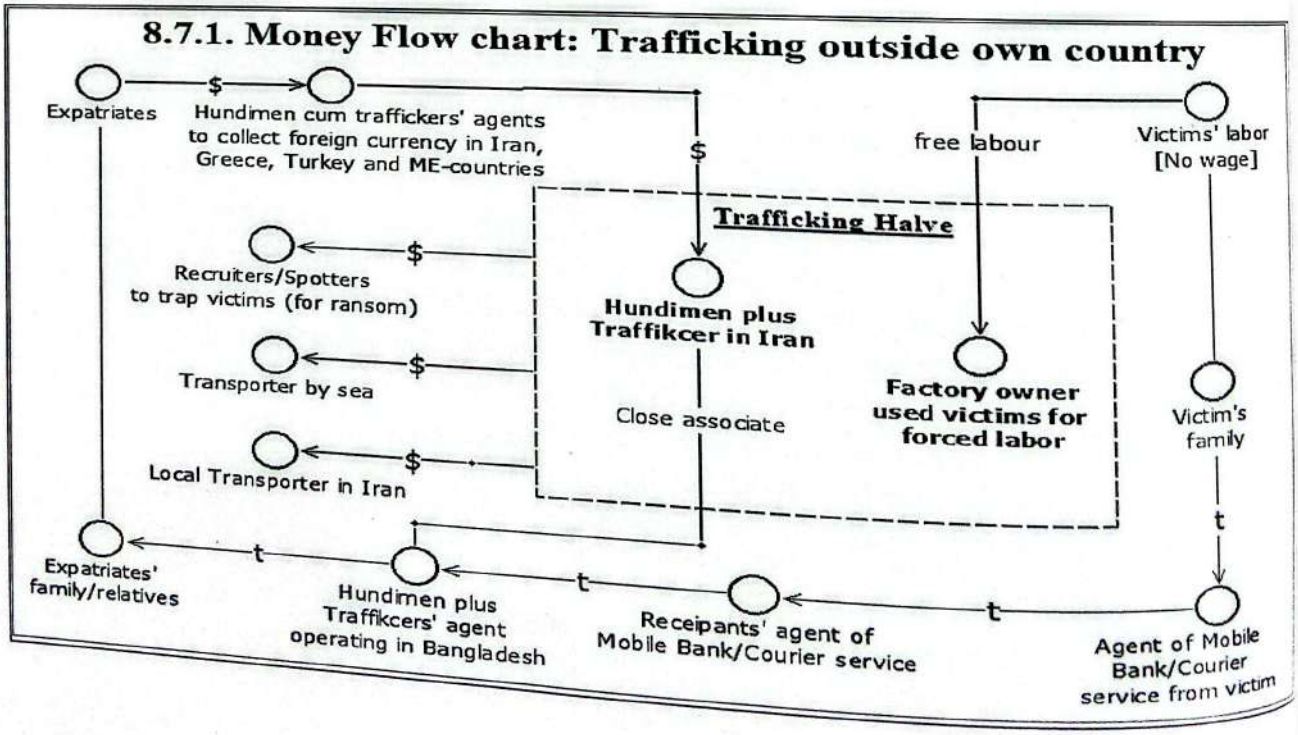
8.4.1. Chart of Evidence

List of evidence	Names of suspects		
	Jahangir (50)	Imar Mol... (39)	M a m u n (30)
Statement of Constable A taken u/s 161 CrPC	1	0	0
Statement of Constable B taken u/s 161 CrPC	1	0	0
Seizure list witness C	2	0	0
Seizure list witness D	2	0	0
Hearsay witness Village Police E	0	0	0
Total	5	0	0

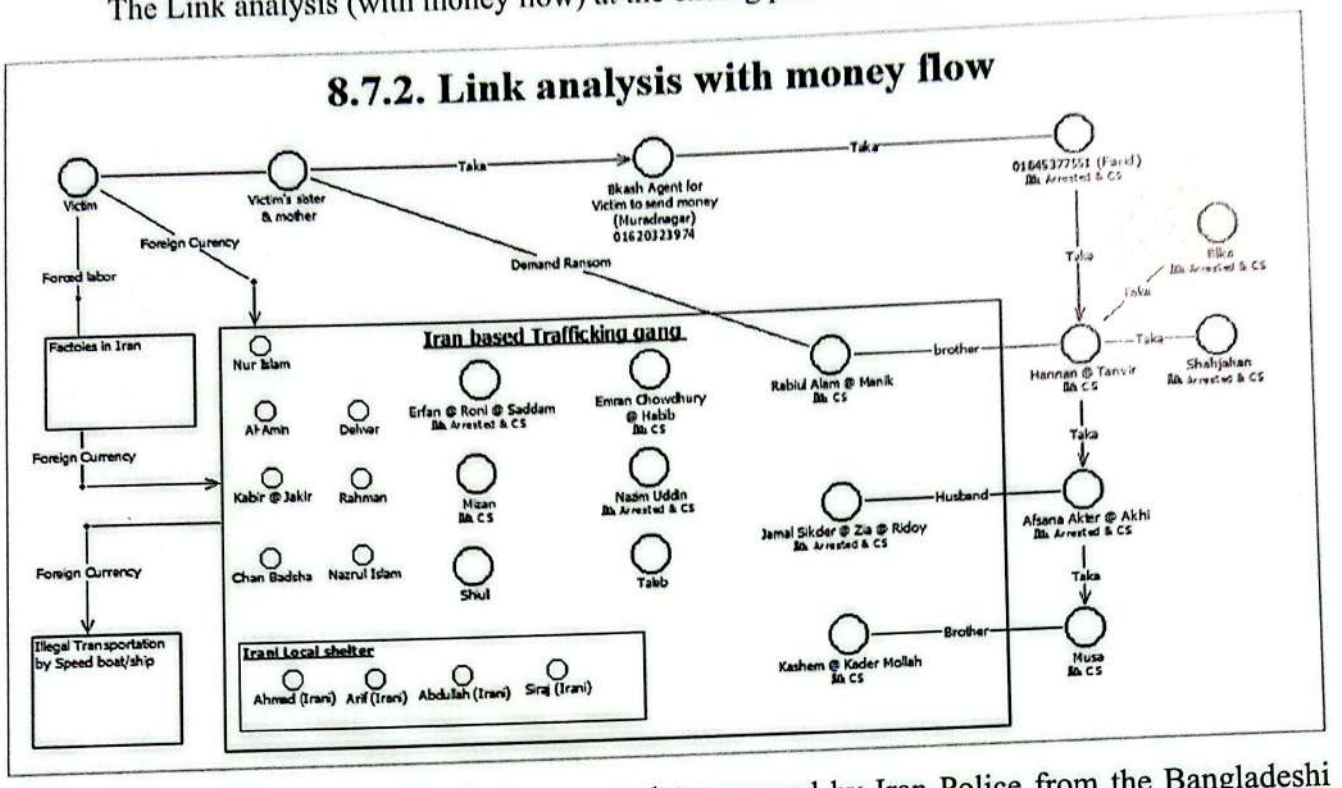
8. 5. Iran based Trafficking in Human Being

26 Bangladeshi male victims were taken fraudulently to an Island of Iran from various middle-eastern countries. Victims did have good job there, but were allured to have a better one in Iran or Europe. But after they reached the destination, they were made captive and were asked to call their parents to pay ransom money to traffickers' Bangladeshi agents. Each of the victims has been compelled to pay Taka 3 to 18 Lakh by their family members/ relatives to their agents mostly through mostly unknown Bkash numbers (mobile phone based bank account number). It was also explicit that some trafficked victims have been forcefully engaged in some Iranian owned factory. After the traffickers had collected ransom money from the Bangladeshi relatives or family members of the victims, they were kept into such factory and forced to work there without salary. Money Flow analysis that was developed at the beginning of the case is shown below:

8.7.1. Money Flow chart: Trafficking outside own country



The Link analysis (with money flow) at the ending phase of investigation is as follow:



The victims of the case mentioned above were later rescued by Iran Police from the Bangladeshi origin traffickers operating in Iran in Mid Feb '14. It is to be noted that more than 2000 victims has reportedly been rescued and repatriated back to Bangladesh only from Iran during 2012-13. CID Bangladesh Police and a Human Rights Organization 'Rights Jessore' played a crucial role in the rescue and repatriation process with the assistance from Bangladesh Embassy in Iran.

Undoubtedly, Bangladesh suffered huge multidimensional damages from this kind of transgression. The losses for Bangladesh caused against only these 2000 known rescues are:

a. More than BDT 1.2 billion – the direct loss paid to the traffickers' agent in Bangladesh by the victims' relatives (considering Taka 6 Lac ransom money per victim). This is the loss incurred by 2000 victims only. The real loss is many times higher than that.

b. Same amount of money in foreign currency (US $ 15.5 million) has been laundered from expatriates to the traffickers, who are treated merely as 'hawlaman' to many of the Bangladeshi expatriates.

c. Mental, physical and financial loss of 2000 victims;

d. Loss of 2000 jobs – as almost all of the victims are to lose their job abroad; increasing unemployment problem here in Bangladesh;

e. Some of the victims join into traffickers' gang;

f. Negative image of Bangladesh as well as of country 'hosting' traffickers. [We are very grateful to the Iranian Government for their sincere and constant support in rescuing victims, arresting traffickers and providing all necessary support to track the gangs].

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The real losses are much higher, as the number of victims during the last [illegible]les is many times higher than it is calculated above. Bangladesh can hardly afford to absorb suc[illegible]m of crime like Human trafficking that comprises here of (a) gross humiliation, (b) physical an[illegible]ental torture causing extreme damage of the victims, nonetheless,(c) the extortion of money ca[illegible]s laundering both in foreign and local currency, (d) loss of wage earners' job at abroad and creating jobless mental handicap in Bangladesh, (e) transforming poor job earners' families into poorer ones.

The main strength of suspects, as the traffickers thought, were the anonymity of their identities, as they call phone from internet/foreign mobile phone; and their Bangladesh-based agents collect ransom money using unknown Bkash accounts or similar means like courier service. Mobile Financial System for banking (MFS) e.g. Bkash or courier service e.g. SA Poribahan hardly follow KYC (Know Your Customer) policy set by Bangladesh Bank during money transaction and thus suspect considers Bkash or SA Poribahan as convenient means to collect ransom money with hiding his or her identity. SA Paribahan or Bkash had been treated as untraceable/safe means to both traffickers as well as victims until CID Traffickers detected and arrested suspects who were mostly some kind of permanent residents in foreign country and did consider themselves not returnable, and hence, not touchable by Bangladeshi law-enforcers. Some of the victims were 'illegal' in destination/transit country; hence were afraid of reporting to Police.

Sometimes victims as well as field police are not aware that an FIR may be lodged on a trafficking case even that occurred abroad. Police mostly used to do nothing but made a GD entry. We do have the situation where victims/their relatives are unaware about their rights ['Can I lodge an FIR for an occurrence in Iran!'] and deterrent Human Trafficking law that passed recently in Bangladesh. We have to consider very short institutional memory of our law enforcing structure- no pursuance to arrest a perpetrator in Bangladesh and abroad. We don't have Police liaison office in destination/target countries and not to forget about very difficult/complex bureaucratic system for victim recovery or arrest of suspects abroad. CID also has to assist victims for rehabilitation with the help of Government and non-governmental agencies. In some cases, victims also face false cases lodged by the traffickers or their relatives in Bangladesh.

Under these circumstances, CID works closely with all of its counterparts including mobile operators, mobile bank authorities, Bangladesh Bank based Financial Intelligence Unit - BFIU (Organized Crime - CID is the focal point from Bangladesh police to liaise with BFIU), Ministry of Foreign Affairs (MoFA), Ministry of Home Affairs (MoHA), NCB-Dhaka, NCB-Tehran, Bangladesh Embassy in Tehran, Iran embassy in Dhaka through Ministry of Foreign Affairs, Interpol, Lawful Interception Cell or LIC and local Bangladesh community in Tehran and Bandar Abbas, Iran. Particularly, Bangladesh Embassy in Tehran as well as local Bangladesh community in Bandar Abbas played a crucial role in arresting suspects and rescuing victims by Iran Police. NCB Dhaka (Interpol desk located at Bangladesh Police Headquarters) played a crucial role to seek necessary assistance from Interpol. DG (Consular) wing of Ministry of Foreign Affairs also played its sincere efforts by arranging a number of meetings with Charge-The-Affairs of Iran Embassy in Dhaka where CID asked the later to take necessary steps to find out and arrest all the evil-masters and also to rescue victims. CID formed

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several Investigation teams comprising of supervising officers along with investigation officer under section 19(5) of Anti-Human Trafficking (prevention & control) Act 2012 and has sent the teams to visit crime scenes and to collect evidence in Iran, Turkey and UAE. The teams also met officials of Interpol desk officials of their counterpart. With the help of respective Bangladesh embassies, also they attended meeting for sensitizing the local Bangladesh community abroad. Ministry of Home Affairs formed and led an inter-ministerial committee to dig into the Iran based Human Trafficking and to submit report shortly.

What CID furthermore did:

a. Using technology and BFIU intelligence, CID identified and arrested the local Bangladeshi agents along with their associates that receive (or pursue for) ransom money;

b. CID collected criminal intelligence about their controlling partners abroad from the arrested suspects;

c. CID sent request to Interpol or to Bangladeshi embassy abroad for obtaining assistance of LEA of respective foreign country for rescuing victims and arresting suspects based on intelligence collected through CID investigation;

d. In case victims recovered, CID arranged to repatriate victims back to Bangladesh; followed by obtaining their statements about traffickers, ensuring their medical examinations and collecting all available types of evidence/intelligence against the perpetrators.

e. CID assisted victims for rehabilitation with the help of Government and non-governmental agencies.

f. After a number of Bangladesh-based suspects were arrested, CID recovered ransom money and identified the suspects working in Iran, UAE and other middle-eastern countries.

CID is also to pursue for updating websites of Bangladesh Police as well as that of Bangladesh Embassies in Iran, Turkey, UAE, Greece and other surrounding countries with up-to-date most wanted suspect list along with sensitization message for the expatriates not to become victim of trafficking by responding to job offers based on Iran, Turkey, Greece or other European countries, especially when such offers are tendered by the sources not verified by valid authorities.

The Government has been suggested to set up temporary CID camps in Iran, Turkey, Greece, Malaysia, Saudi Arabia, Qatar, Jordan and some other significant countries. Presence of Bangladesh Police in expatriates-focused countries will hopefully furthermore be an easier way for the expatriates to seek police assistance from abroad even for petty domestic issues plus criminal cases arisen from land litigation etc.

9. Conclusion:

Perpetrators constantly innovate new techniques to commit crime and individual investigator or an individual member of law enforcing agency takes time to be educated on their fresh innovative techniques. LEA therefore, most likely is to remain one step behind, unless there practices serious proactive study with a view to forecast new crime trends. Otherwise LEA is to follow and then to

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learn about the new modus operandi of the criminal's group. Activity diagram as well as money Flow analysis is here awfully effective. LEA can utilize individual investigators' observations or skills to 'discover' the new crime trend through Activity diagrams and Flow Charts that are to be developed during routine functions of an investigator. Individual's observations thus become institutional asset. LEA can accordingly take necessary measures before a new crime really becomes a serious problem for the community. Furthermore Link analysis along with Chart of Evidence can function as a good source of criminal intelligence, where entities with incomplete particulars or insufficient evidence are to be dealt further using Crime Data Management System.

Time limit of investigation is observed to be a barrier of quality investigation, though lifting time barrier alone can't ensure quality. In few cases, working as members of organized crime itself is a crime by the law of the land. Section 400 of Penal Code is an example, where to become a member of robbery-gang has been made punishable. In recent laws, being member of organized trafficking group has been made punishable under section 7 of Anti-Human Trafficking (Prevention & Control) Act 2012. But same is not the case in almost many other form of organized crime. For example, organized fraud in various forms causes loss of property of many individuals, but we are yet to work on formulating law to combat organized fraud group.

Usage of analytical chart is still not mandatory for Bangladesh Police. The SOP formulated under the IOM-supported project to use analytical chart for quality investigation of an organized crime, is still a suggestive measure rather than a mandatory one. However, CID has made it mandatory only for Organized crime wing through an official circular. It is necessary to initiate a law or rule framed for investigation on organized crime.

In spite of a few limitations in our study, we strongly believe on our observations that the usage of analytical charts by CID Organized Crime has the following impacts:

a. It ensures quality investigation, assists or guides investigators for going into depth of an organized group;

b. In case of investigator's failure to go into the root of the gang, it can demonstrate effectively that investigation done by investigator is simply a superficial one. The typical format fails to portrait such shortcomings (remember the pencil exercise mentioned at the beginning of this paper).

c. There remain scopes to deal further in case of entities with incomplete particulars or insufficient evidence. This allow to stir investigation agency for gathering adequate intelligence against various untouched entities and to pursue them effectively even after the investigation of a ongoing case becomes formally over.

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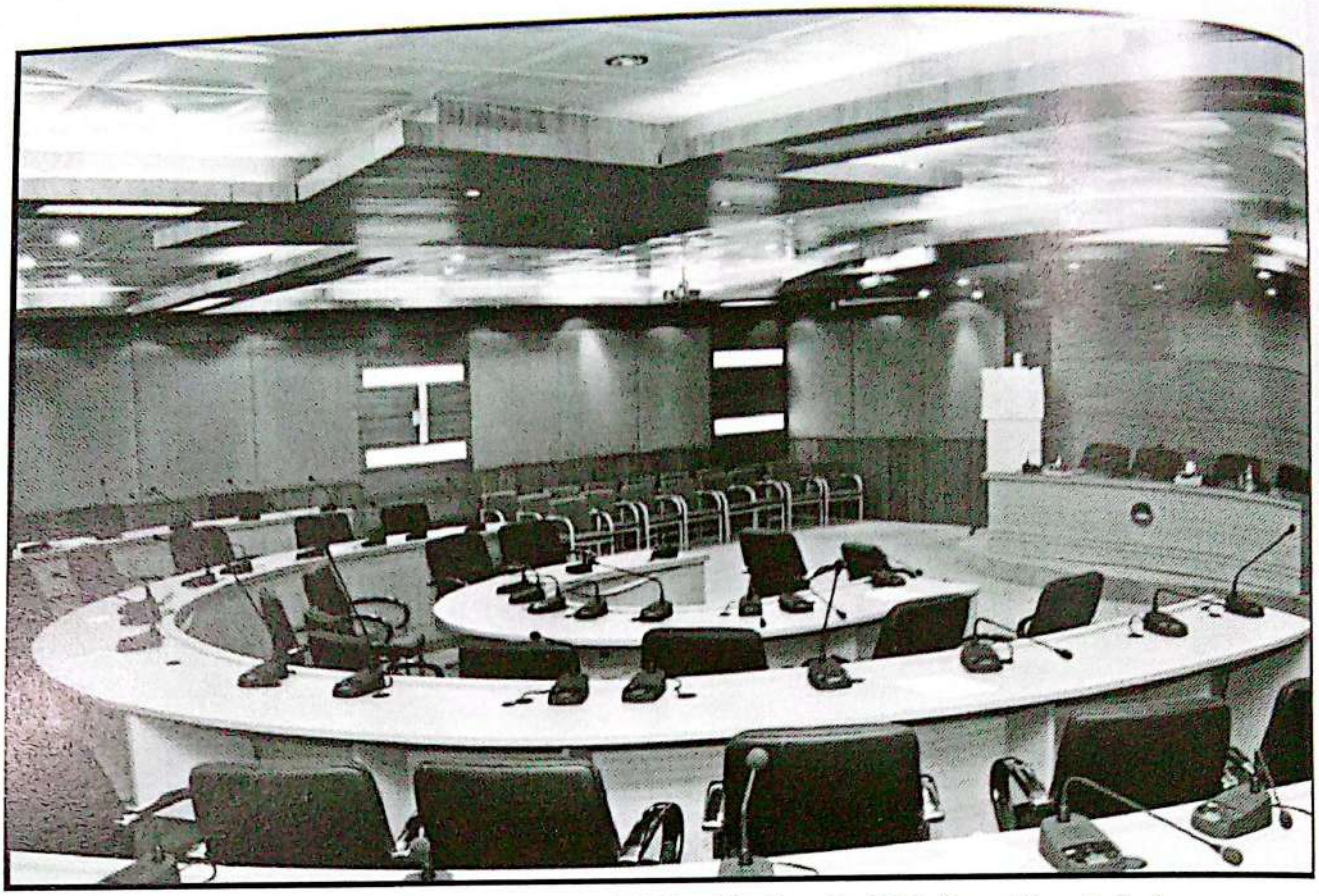
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Policing in Bangladesh Society: Force versus Service Dichotomy

Dr. A.K.M. Iqbal Hossain

Abstract:

Currently the civilized community throughout the world expect that the police will no more act as force rather they would play the role like public service. The same kind of expectation is nurtured both by the general masses and members of the civil society of Bangladesh. But by any objective measures Bangladesh police is hardly seen to deliver services to the public rather they most of the time are exerting force on the public. The historical legacy as well as the tenets of the police Act 1861 have pushed Bangladesh police to that direction. In this backdrop this paper has dwelt on this burning issue and finally argued that if community policing is introduced in Bangladesh in the true sense of the term then within a short possible time Bangladesh police would be able to act as service not as force.

Key Words: *Bangladesh Police, Police Act 1861, Force, Service, Community Policing.*

Introduction

At present, the civilized community throughout the world expect that the police will no more act as 'force' rather they would play the role like public service (Bayley, 2001). The concept of police as a 'service' instead of a 'force' encompasses the ideas of effective accountability, citizen centricity, and respect for human rights and the dignity of the individual. These values should permeate all aspects of policing. The European code of Police Ethics states that the police shall be organized with a view to earning public respect.(Pinc, 2010) The preamble of the United Nations Basic Principles on the use of Force and Firearms recognizes that "the work of law enforcement officials is a social service"(Ibid p.7). The founder of the modern policing Sir Robert Peel (Police Reform Taskforce, 2005; 12) famously said "The police are the public and the public are the police". In modern democracy, the police has no other alternative except to function as any other public service, which renders services to the community and not as 'force' (Pinc, 2010). UNO (2011) has buttressed this point in the following manner--- 'Good policing is policing with legitimacy on the basis of public consent, rather than repression' (p. 7). By any objective measure, Bangladesh do not come close to meeting above mentioned standard.

Very recently Hossain (2012) has provided a vivid account how Bangladesh police since last more than one hundred and fifty one years has been struggling very hard for a transformation from colonial policing system to a democratic policing. The facts and figures of this study strongly argued that Bangladesh police needs a complete re-orientation in its out-look and approach shaking off the colonial 'hangover' so as to make it service-oriented and more acceptable to the people. But why Bangladesh police is lagging far behind in the way of being a service provider to the public rather than the instrument of coercion and always working against the interest of the general masses- is the moot question yet to be resolved.

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Theoretical Formulation

Police as an organization comes under the rubric of many organizational theories but due to distinctiveness of police as an organization our analysis will remain confined merely to those theories which have quite sufficiently dealt with the issues relating to force versus service dichotomy. These are: Institutional Theory, Classical Theory and Force Versus Service Theory. Proponents of institutional theory have stressed the supremacy of police as 'organization' rather than police as 'individual' accordingly they postulated that the police misconduct is not the result of "factual and moral judgments made by officers functioning merely as individuals," but rather the result of "a distinctive and influential organizational culture" (Armacost, 2004; 455). They further observed that police misconduct is often driven by the ethos of the police organization. Therefore they are of the opinion that attempts at police reform should move beyond the "rotten apples" and target the "rotten barrels" (ibid: 457-459). Samuel Walker (2005), on the basis of the institutional theory has prescribed four strategies for effective service to be delivered by the police. These are: (a) use of force and other critical incident reporting (b) open and accessible citizen complaint procedures; (c) early intervention system and (d) external citizen oversight (p12-14).

Wilson (1950) and Wilson and McLaren (1977) the chief proponents of the Classical theory suggested that an effective crime-control police department should be organized and managed according to the "fundamental" principles similar to those of military and industrial organizations. These principles include: (1) grouping of similar tasks according to function, time, and place; (2) hierarchy of authority; (3) specialization based on need; (4) chain of command; (5) unity of command (i.e., employees must receive orders from only on supervisor); (6) span of control (i.e., a supervisor should be responsible for a limited number of employees); and (7) common sense in using the principles.

A movement against classical theory propagating police centralization came to the forefront and the theory of "community policing" sprang-up as counter balance. It calls for law enforcement to anticipate neighborhood problems and needs and to devise solutions that address the underlying causes of crime and disorder. This type of problem-oriented policing strategy depends on citizen-police collaboration and anticipatory servicing rather than crisis response. The results of community-oriented policing are not gauged strictly by crime reduction, but also by community-police relations, fear abatement, problem solving, consumer satisfaction, and citizen participation.

While forwarding "Service Theory" Skogan (1990) simply echoed the principles of community policing theory and expounded that prevention and control of crime is not the sole responsibility of the police rather clear-up of crimes largely depend on information provided by the public and only marginally depends on police initiative. In view of this reality, the founder of modern policing, Sir Robert Peel famously said "The Police are the Public and the Public are the Police" (Police Reform Taskforce, 2005; 12).

[2]According to this theory, any police deviance is individualized as an individual problem; organizational and institutional factors are downplayed or ignored. This stream perceives police corruption as a rotten apple in a clean barrel.

[3]Rotten Barrel Theory emphasized the organizational factors (the same is the case with Institutional Theory) rather than individual factors. It is the barrel making the apple rotten instead of the rotten apple contaminates the barrel. The worst is the rotten barrel problem which demands complete overhauling of the police as organization.

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Historical Legacy

During the colonial era the police was primarily used as a 'force' in the hands of the government to suppress any uprisings by the locals. The overall situation has not yet been changed. As a matter of fact Bangladesh's journey over 42 years towards democracy has not always been smooth, and has included periods of military rule and illegitimate political interference. This kind of colonial style policing prior to independence left a legacy of regime policing in Bangladesh; violent, heavy handed and politicized policing that was in place to protect the ruling regime's interests, rather than to serve the general people (CHRI:2007). Even today, the police is not totally free from this stigma. Since most of the police law like the Police Act of 1861 and related regulations, as well as major criminal laws like the Penal Code, Evidence Act, and Criminal Procedure Code now effective in Bangladesh are products of the 19th century colonial era, Bangladesh police could not conceive of the concept of policing as a service or as a profession rather as coercive forces of the political party/government in power. Similarly, the Police Act 1861 is still the basic police law of the land and emphasizes the exercise of authority rather than accountability. The police perform their functions in manner which has gradually given birth to mistrust, suspicion, and hostility of the community towards police.

To be more specific, the preamble of the Police Act 1861 mentions that "...it is expedient to reorganize the police and to make it a more efficient instrument for the prevention and detection of crime". This has led to frequent assertion by the Police that they have no other societal role to play. The situation has further deteriorated because this act has vested the superintendence of the police directly in the hands of the political executives who have either used or abused them to fulfill their vested interests (CHRI, 2008). In practice, the inordinate emphasis on police as the coercive apparatus of the State has created more or less a solid impression that the cherished rights of individuals are somehow subsidiary to the classical concept of police duties. Furthermore, over the years, the manner in which the criminal justice system has evolved shows that there is more reliance of the government on the police than on the judiciary to maintain the stability of the government. During British rule, the government avoided using the judiciary to control the freedom movement. Total dependence was on the police and the military, and even after the British left, the attitude of the judiciary continued to be so 'independent' that they almost turned away from punishment (Ibid). Even the Awami League-dominated parliament on 7 April 2009 passed the Code of Criminal Procedure Act 2009, effectively reinstating bureaucratic control – the hallmark of the 1861 system – over the various metropolitan police forces (International Crisis Group, 2009) . Other legislations governing police functioning also enable police to abuse. "Abuse in police custody-including torture and death in police custody-is widespread and systematic and occurs regardless of who is in power."(ibid: p.4) All these factors have led to crystallization of colonial mindset among the most police members. As a result still today they think that their main duty is to look after their employer's interests where

[4]Please see the original version of the Police Act 1861 for details.

[5]The Code of Criminal Procedure Act 2009 again empowered the magistrates over the police which was a hallmark of the Police Act of 1861

[6]Penal Code, Evidence Act and Code of Criminal Procedure and other major and minor Acts.

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humanity or ethics matter little. In colonial times, police had received an implied message that the lives, dignities and rights of indigenous people were so trivial that any sort of violation of law by police would not be taken into account unless such injustice causes mass protest. Police still continue with the similar practices as they at best get transferred, closed, or suspended (though these are not punishment in any form) for their misdeeds rather than being tried in courts. And these also happen only when their misdeeds create news headlines or erupt violent protests by locals.

The Problem Areas

The common picture of a policeman in Bangladesh is rude and mannerless. When a citizen enters the Thana, the Police officer on duty hardly attends him. Instead of asking him politely by saying "what can I do for you?" he pronounces "what do you want?"In a National Household Survey done in the year 2007 by Transparency International Bangladesh and another study published in the same year by UNDP revealed that an overwhelming majority denied (67%-71%) having received required help from the police. Hossain (2012), out of his empirical study has pointed out that peoples' reliance on police has decreased gradually. Only 45% of the members of the civil society most frequently inform the police as soon as a crime occurs. In contrast, near about 39% of the members of the civil society as well as the general masses have never ever informed the police about the occurrence of crime. Rather than serving to protect the freedom and integrity of communities, the police are all too frequently accused of excessive use of force, torture, failure to follow due process, discriminatory behavior, and corruption. The manner in which police respond to violations of law and order, impose restraints on personal freedom, prevent the occurrence of crime and detect crime, all generate debates and controversies. On the one hand they are accused of going into excesses; while on the other hand, they are accused of doing too little.

The hard reality is that no other agent of government exercises more individual discretion than the police officer. They make decisions every day that affect the quality of people's lives and the vitality of their liberty. An officer is legally authorized to use force, even lethal force if necessary, to protect the community and its people. Society depends on officers to use good judgment when performing their responsibilities, and they are expected to be fair, honest, and professional. They must respect the dignity of all the individuals they serve, treating all people equitably, and upholding the highest standards of integrity. In short, police must treat people "properly, legally, and morally" (Bayley, 1994; 79). These situations call for the skilful exercise of professional police discretion, which should always lead towards the prioritization of human rights. The police must undergo a process of "humanization" and sensitization and follow a policing philosophy based on rule of law and respect for human rights (CHRI, 2007). The lack of professionalism in an overburdened, under-funded, and poorly-skilled police force, coupled with undue interference has led to lower level of trust in law enforcement. Many honest and hard-working policemen and officers do their best to serve society, but they are powerless to reverse the decline in standards of crime investigation. As a result, enforcement of rule of law and prosecuting and punishing the guilty have become major challenges in our criminal justice system.

On the other hand both personal and professional life of the Police force is full of enormous difficulties. While discharging their duties the members of the police force are to face innumerable professional

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problems. In terms of magnitude Hossain (2012) has made a list as under:

i) lack of co-operation from the bureaucracy and political high- ups (54.67%);

ii) lack of appropriate transport (52.67%);

iii) too much work load with lack of leave and recreation facilities (50.67%);and

iv) lack of justice in promotion, transfer and posting(49.33%).

It goes without saying that overall, the police service in Bangladesh is in the throes of crisis now (International Crisis Group, 2009). It is reflected in poor quality of service accompanying lack of accountability, transparency, inefficiency and ineffectiveness. Working conditions are deplorable. Many officers are overworked, the transfer system has become a major source of corruption within and out of the police, and salaries are abysmal, even by local standards. Pay raises and promotions are infrequent and do almost nothing to improve the lives of officers or promote competency in the force (Ibid).

The annual budget which has so far been allocated for police is simply insufficient to meet the policing needs of the country and undermines the force's ability to perform effectively. Numerous officers complain of a lack of funds for basic materials such as radios, fuel for vehicles, bi¬cycles, and even stationery to write reports. This makes it difficult, if not impossible, to respond to crimes and other instances of disorder. Many officers are often forced to pay out of pocket to complete even the most routine police functions. Expense claims are sent from the districts to Dhaka and reimbursements often follow months later – and not always in full, which further drives corruption a case study presented below, would give a vivid picture. One inspector, while based in Rangpur district, described an all-too-common situation:

Case Study

A Tale of a District Police Inspector, who, for the Sake of Authenticity of Investigation had to Pay out of his Own Pocket.....

A man came to me in the middle of the night and said that a murder had been committed in his village. It was my duty to investigate. I asked the man to drive me to his village because the station vehicle was in disrepair, it had been broken for days and we had no money to fix it. The villager didn't have a car so we had to hire a taxi, which was a few hundred taka. An autopsy had to be done on the body, and I had to take it to the morgue. But the driver refused to put the body in his taxi. So, I then had to pay-with my money-for another car, which was another few hundred taka. The coroner would not perform the autopsy on the corpse without some alcohol to drink. So I had to buy a few bottles for the coroner. Then I had to pay the dome for his work. In the end I had to spend Tk2000 to Tk3000 ($30 or 40) out of my pocket to do my job.

The inspector said, "You tell me, who is going to reimburse for me this. No one".

Yet, notwithstanding the lack of resources, there are many instances where the Bangladesh Police grossly mismanage what little assets they possess. For example, there are over 1, 04,395 (as of July

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2012) constables that are not fully utilized because they lack investigative powers (CHR 007). Moreover, police personnel are frequently shifted to VIP duty even though there are pres law and order and investigative tasks that need immediate attention. In addition, even when th is an increased budgetary allocation, police officers at the thana are often deprived of the basic ne sities required to do their jobs. Public complaints cannot be written because paper is frequently out stock and if a vehicle is available for use, then it is without petrol (International Crisis Group, 2007).

Aside from the corruption associated with the process of recruitment and selection, the transfer system is also a major source of financial corruption in the police force. High prices are paid to politicians, government bureaucrats, or commanding officers for lucrative postings where officers can make side incomes larger than their salaries. According to active police and military intelligence officials, during the last BNP government the posts of officer-in-charge of a police station in the capital were reportedly being sold for Tk.800,000/- or roughly $11,595 (International Crisis Group, 2009). Under the current government the same positions are said to be going for around Tk.1.5–Tk.2 million ($21,740-$28,985). A spot on a UN peacekeeping mission for constables can cost Tk.200,000/-Tk.300,000 ($2,890-$4,350) (ibid).

Undoubtedly, Bangladesh police face serious limitations and constraints. Therefore in order to properly consider why Bangladesh Police is not efficient and accountable it is important to assess what resources are at their disposal. For instance, per capita expenditure on policing is $1.40 USD in Bangladesh, as opposed to $215 USD in the United States (Shahjahan, 2005). On the other hand, the police also lack human resources. Consequently, police personnel work 24-hour shifts without a rest day. The national police to population ratio are 1:1300, and at the sub district level it is as low as 1:8000 (ibid). An obvious deficiency in manpower results in inefficient service.

On the other hand, people have a kind of tendency to brand every police action as arbitrary and high handed. This sort of unseemly public criticism of the police and vice-versa will in no way help either the police or the public. Instead it will make matters worse, and the morale of the force will deteriorate further. Therefore it is crucial to bring the police under a system of accountability that enjoys public confidence. Hossain (ibid) has shown that public expectation from police is not that much high. He pointed out that more than 91.33% of them simply expect that the police force should be engaged in maintaining law and order, near about 87% expect that the police must prevent and control crimes. The same percentage of people urged that the police will pave the way for having proper justice. At the same time a good number of people have expressed their desire that the police should:

i) serve people without any self interest (78.67%)

ii) provide prompt service to the people (76.67%)

iii) listen people with utmost patience (70%)

iv) ensure visibility of Police in the areas of the Police station (69.33%)

v) ensure peoples-friendly service (68%).

At this juncture, what is needed is to create enabling environment wherein the police will get every sorts of opportunities along with appropriate rewards and punishment to play the roles they have

[7]Drawn from International Crisis Group:2009,p.10

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been assigned for. According to UNDP (2007) among the serious constraints undermining the police system of Bangladesh are: (1) an outdated legal and institutional framework (devised for nineteenth century India consisting of near static villages with hardly any urbanization or industrialization, and meant principally for a colonial rule), (2) arbitrary and whimsical (mis)management of police by the executive authority of the state at every level (policemen were increasingly recruited, trained, promoted and posted without regard to merit and mainly for their subservience to people with influence and power), (3) inadequate accountability, (4) poor incentive systems, (5) widespread corruption, and (6) severe under-resourcing of law and order.

Is Community Policing a Panacea?

It is now universally recognized that however sufficient and efficient the Police force may be, it invariably needs people's help in the main Police job of crime detection and investigation.(O' Neill, 2004) In other words, the need for public participation in crime prevention and detection cannot be overemphasized. For obvious reasons several legal provisions are enacted in chapter-IV of the Code of criminal procedure casting duties on the people to assist the Police in the matter of crime prevention and detection. On the other hand, as the visible arm of the law and order sector of the government Police has the supreme duty of earning the respect and love of the people by his integrity and devotion to duty. The Police must realize that vast powers are entrusted to him not for abuse but for proper application honestly, impartially and without any prejudice or malice. This notion has caused historic transition and transformation of police from colonial era to democratic polity (Hossain: 2012).Community policing as a philosophy (a way of thinking) as well as an organizational strategy (a means to carry out that philosophy) allows both the police and community to work together in new ways to solve problems of crime, disorder, and safety. It rests on two core elements: changing the methods and practice of the police and taking steps to establish a relationship between the police and the public. It also encompasses strategies to reorient the public who, for frequently good reasons, have been suspicious and distrustful of the police. However, building partnerships between the police and communities is a major challenge.

Open consultation mechanisms, proactive participation and a sense of ownership and belongingness by all stake-holders can make the whole process of community policing a success. It should be noted that examples of successful community policing initiatives already exist in Bangladesh. First launched in Mymensingh during 1990,s and at later stage at Bogra, Jessore, Madaripur and Rajshahi as pilot project by the Asia Foundation. This pilot initiative consisted of the formation of Community Police Forums (CPF), within the municipality and in rural communities. Representatives from different walks of life were included in these forums. Almost 40,000 ward level CPFs have so far been constituted, yet no clear understanding about community policing among the police and the community has developed. Consequently the overall success has not yet been very much commendable The most dominating reason appeared to be lack of ownership and the sense of belongingness on the part of the Police and the community. On the other hand CPFs suffered from identity crisis for not having the legal base (as they didn't obtain registration from any of the government bodies).

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Conclusion

It is learned from the reliable source that currently community policing is seriously suffering from leadership crisis on the part of the police. Mainly due to these impediments CPFs could not go for any radical change. In practice both the police authority and the, CPFs were substantially dependent on the facilitating NGO without any exit strategy. As a result the approach appeared to be consultative rather than a true community policing approach. Bangladesh police has already drafted a constitution to support each of the CPFs and endorsed community policing as the organizational philosophy of the organization. If community policing is shaped and mobilized in the true sense of the term then the days are not very far away when Bangladesh police would transform as the public and the public would turn-up as the police.

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Lecture Gallery of Police Staff College Bangladesh





Class Rooms of Police Staff College Bangladesh

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Urban Crimes in Dhaka: An analysis of spatial pattern and trend

Md. Motiar Rahman[1]

Abstract:

Crime and violence affect all members of society, regardless of sex, age and income. In fact, crime becomes a perennial concern for all the people living in the urban area. In order to combat the onslaught of crimes, policy makers need to know the incidents of crimes. In this regard, crime statistics may help to assess the volume, magnitude and prevalence of crimes recorded annually in a particular country, region or place. The rapid urbanization in the emerging megacities of the world generates huge economic activities but it creates social imbalances and discrimination which have been recognized as the contributory factors for escalating crimes and violence in urban setting. In this context, it is imperative to explore the trend of crimes committed in the Dhaka Metropolitan area and analyze the spatial fragmentation of crime on the basis of the Crime Division of Dhaka Metropolitan Police. An analysis of the crime reported to the law enforcement authority has shown an upward trend in the Megacity Dhaka. During the period, no significant changes have been found in the pattern of crime. However, criminals have used modern gadgets, sophisticated technique and modus operandi in the commission of crimes in Dhaka megacity.)

Introduction

In recent years, crimes in the megacities have been receiving increasing attention from many quarters. Crime challenges the very foundations of the social order, takes a heavy toll in terms of human suffering, and results in economic waste and an overall deterioration in the quality of life. In fact, crime and violence affect all members of society, regardless of sex, age, and income. It intrudes into homes, schools, commercial establishments, public transport, sports and other public venues. Therefore, crime and violence emerge as a serious governance concern for all members of the society. Fear of crime changes the living style of the people. More and more wealthy people are moving out of city centers into segregated and enclosed private suburbs, creating "fortified enclaves for home, leisure and work". Fear of crime affects the quality of everyday lives. Virtually, pervasive insecurity acts as a barrier to the development and transforms the spatial forms of many cities. In the maze of pervasive insecurity, there will be no sustaining economic activity. In fact, delinquency and fear undermine the basic rights of individuals to live in peace and thus the people are deprived of enjoying fully the benefit from a healthy and sustainable community. Violence, crime and fear directly threaten life in society, good governance and the sustainable development of the society (UN-Habitat 1996).

(Key word: Spatial pattern, trend, crime, violence, Dhaka megacity, Dhaka Metropolitan Police, Crime statistics, organized crimes, crime division and victims of crime)

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Statement of problem

Urbanization, particularly in the developing world, has been accompanied by increased levels of crime, violence and lawlessness. The growing violence and feeling of insecurity that city dwellers are facing daily is one of the major challenges around the world. In some countries, crime and violence have been exacerbated by the proliferation of weapons, substance abuse and youth unemployment. Global studies show that 60% of all urban residents in developing countries have been victims of crime, at least once over the past five years, 70% of them in Latin America and Africa(Brennan n.d.).

Over the past 25 years, there has been uncontrolled urbanization throughout the world. In this setting, urban crime and violence in the world's large cities is generally the product of inequality and social exclusion. Other factors such as the political and economic climate, local traditions and values, and the degree of social cohesion and solidarity among urban communities also play a role in the surge of crimes. Erosion of moral values and the collapse of social structure and institutions, such as the family or the neighborhood, the proliferation of consumer goods and availability of small arms are also determining factors in creating an environment favorable to urban crime and violence (UN2007).

Objectives

The objective of this article is to (a) explore the trend of crimes committed in the Dhaka metropolitan area and (b) analyze the spatial fragmentation of crime in the area.

Limitation

Only police cases known as GR ((General Registered Case) cases have been analyzed and court cases known as CR (Complaint Registered Case) have not been included in this article. Generally GR cases reveal the bulk of criminal cases in the city. However, the statistical figures have some inherent limitations:

(a) All crimes committed in the Dhaka Metropolitan area do not come to the attention of police. Sometimes, people do not come forward to lodge complaint with the police. Seemingly, this indicates the people's apathy that they do not want to get involved in the criminal justice system with a view to avoiding any perceived encumbrances.

(b) Besides, white collar crimes, transnational crimes, organized crimes and cyber crimes including commission of offences in the underworld remain beyond the orbit of revealed data. Police statistics do not accurately reflect the actual crime committed (Shely 1987). This has been called the 'dark figure' of crime. In spite of these limitations, the fact remains that they serve as a primary source of information about the types of crime that are more likely to occur in a particular area in a particular time (Paranjape 2008). Crime statistics from police are used for the consideration of the volume, magnitude and intensity of crimes recorded annually in a particular country, region or place. In other words, the magnitude of crime can best be understood to compare current levels of crime with those of the past (Shely 1987).

Definition

It is indeed very difficult to define the urban crime. This is compounded by the fact that the Penal Code, 1961 has not defined it. In fact, urban crimes are those different types of crimes which have

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been committed in the geographical area identified by urban areas. It is, however, to be borne in mind that types of crimes occurring both in urban and rural areas may be similar but crimes committed in the urban area may be of higher magnitude and ramifications than those reported from the rural areas.

The discussion on trend and pattern of crimes means the consideration of the volume, magnitude and intensity of crimes recorded annually in a particular country, region or place. The ascending or descending trends in crime are also indicative of the policy directives to be undertaken by policy makers for the prevention of crime and detection of criminals. Therefore, the surge of any particular crime in the particular region in particular time may be an important clue to the analysis of the causation of crime which in turn offers scope for policy makers to devise measures with a view to combating criminality. The crime statistics shed light on the general efficacy of the criminal justice system. It also points out the overall security situation of the country by making a comparative study of the crime at regional, national and international level (Paranjape 2008).

Spatial pattern and trend of crime in Dhaka

In the context of Bangladesh, Dhaka is the prime urban centre. Among Bangladeshi cities, Dhaka has witnessed huge population growth alone. Administrative functions and civil employment, financial and banking services, international commerce and business activities, etc. are largely concentrated in Dhaka. Dhaka has the leading role almost in all the business enterprises in the country. During the last decade, the most visible expansion in the industrial sector has, however, been in the export oriented garment factories. The rapid urbanization due to the continual inflow of migrant population impacted hugely upon every sphere of life in the megacity Dhaka. Its social dynamics has a potential to ignite numerous forms of social contradictions and deviance. Growing urban crime, with its multifarious manifestations, sophistication and linkage with progress and prosperity, is another crucial area of security concern in the megacity. In the fast growing city with its changing social environment, culture and style of living, urban crime management emerges as non-traditional security challenges and threats (Ahmed et al 2007; Islam 2008)

The various crimes recorded under the Penal Code, Special and local laws in Bangladesh may be broadly grouped for the article.

1. Crime against property.
2. Crime against human body.
3. Crime against public order/ terrorist acts.
4. Crime against women and children
5. Juvenile delinquency
6. Organized crime:

a. Drug trafficking
b. Human trafficking
c. Arms Act, Explosive substance and smuggling
d. Economic crimes

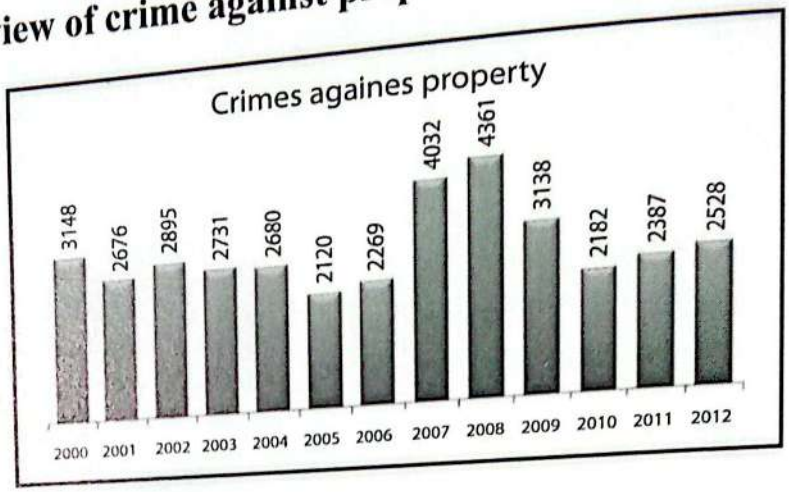
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e. Cyber crime

7. Police Assault

8. Others

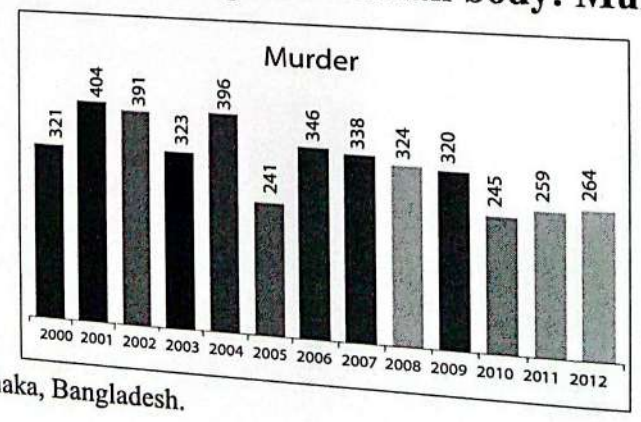
Graph1: An overview of crime against property during the period from 2000-2012



Sources: Police Headquarters, Dhaka, Bangladesh.

Throughout the world, however, urban crime is dominated by crimes against property (e.g. theft, burglary, car hijacking), which account for at least half of all offenses in the world's cities (Brennan n.d.). In the Penal Code, 1861, crimes against property are dacoity and robbery that have an element of violence against the victim during the commission of offence whereas theft and burglary entail an element of taking away property without the consent of the owner. Crimes against property dacoity, robbery and theft make a huge financial loss to persons or organization. Moreover, dacoity and robbery are violent crimes as well. Apart from the loss of property, these crimes occur every year and cause psychological traumas and physical harm even death with a long-term effect of pervasive fear and anxiety among the victims and the city dwellers (Adler 1991). Theft is the highest among the crimes against property. However, the most important crime is auto theft in the Dhaka city. Auto theft can cause great inconvenience and economic loss to the owner (Gomez 1989). The quantum of crime against property has shown an upward trend during the period 2007-2008 followed by a relative decline in the succeeding years. During the period, about 565 cars on an average every year were stolen.

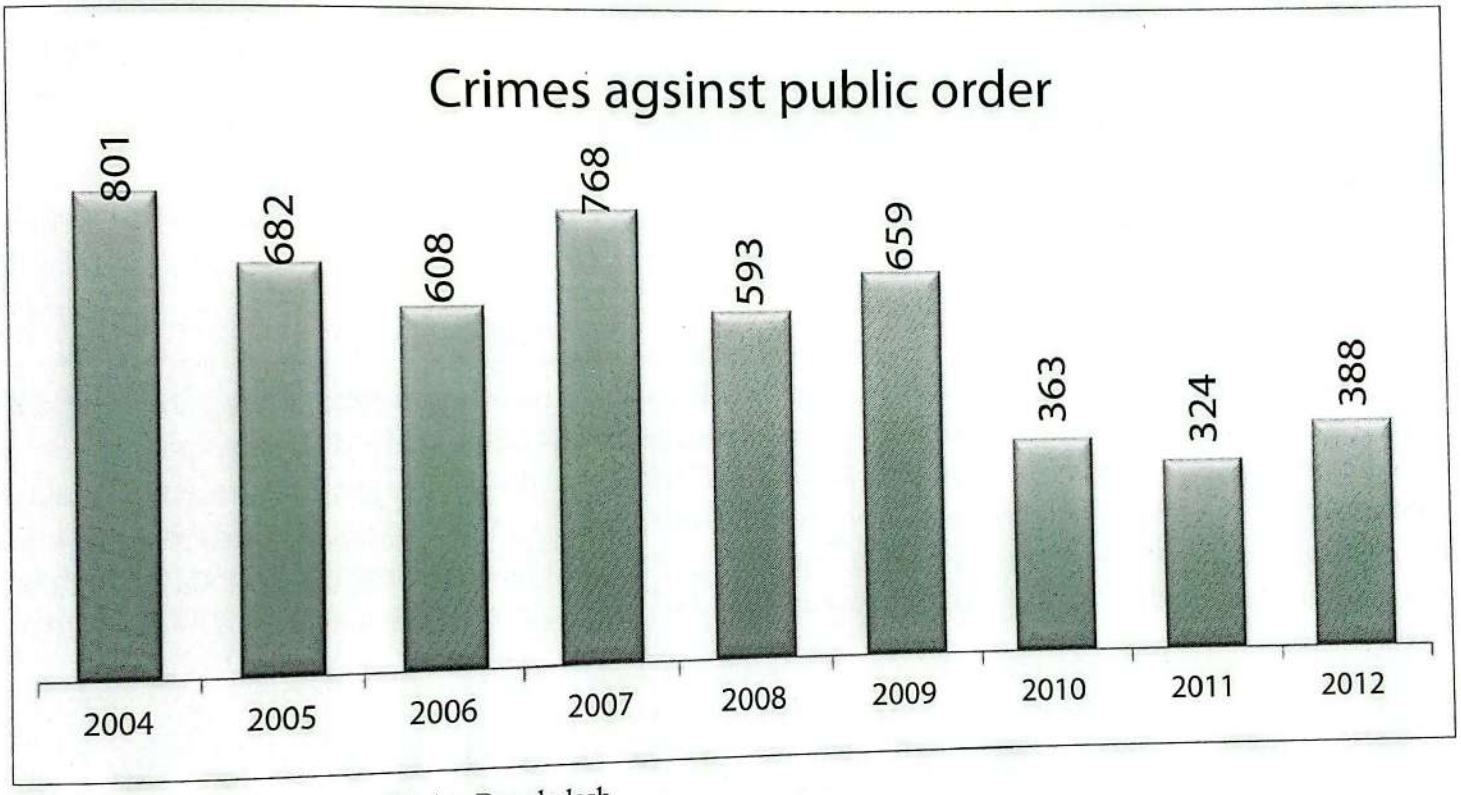
Graph2. Crimes against human body: Murder.



Sources: Police Headquarters, Dhaka, Bangladesh.

Murder is the most violent form of crime which receives media attention. In fact, incident of murder affects family and friends of the victim, offenders themselves and the community as a whole. Law enforcement authority is also concerned with a large number of murders. In spite of that, numbers of murder cases are globally increasing in megacities. In several of the world's largest cities, including Los Angeles, Rio de Janeiro, Bogotá, and São Paulo, more than 2,000 people are murdered each year. In Rio de Janeiro, more than 6,000 people were murdered in 1990 alone, resulting in a murder rate of 60 per 100,000 inhabitants; as a point of comparison, the murder rate in Washington, D.C. was over 70 per 100,000 in the early 1990s (United Nations 1996). In 2001, Dhaka Metropolitan police registered 404 cases that show the highest number whereas 241 was the lowest number recorded in 2005. A surge of murder was seen during 2006-2008 followed by the relative decline in the succeeding years.

Graph3.Crimes against public order.



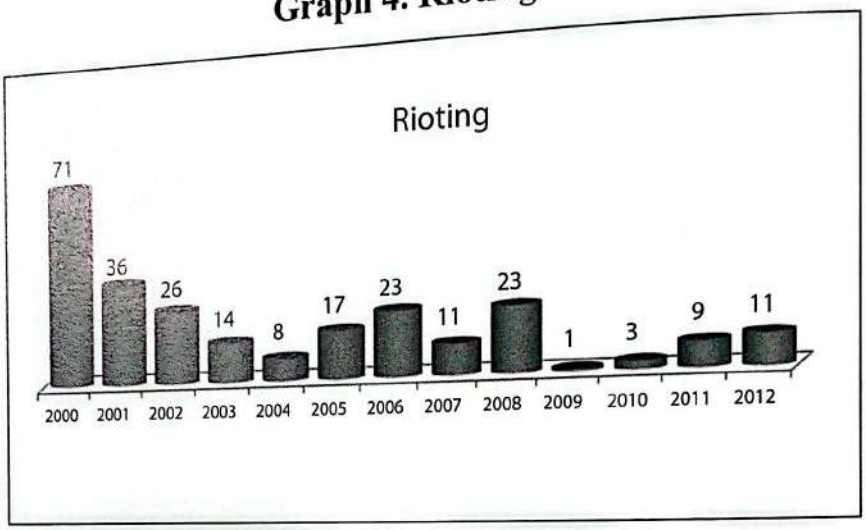
Sources: Police Headquarters, Dhaka, Bangladesh.

Urban crimes such as demanding toll or attempt to collect toll, obstruction of vehicular movement, damage to vehicle, destruction of property, mugging or snatching by force, terrorizing the people, obstruction to tender dropping, obstruction to the performance of lawful duty are crime against public order. The highest number of crime against public order was recorded 801 in 2004. Of those crimes, hijacking is the crime committed on the highways and main thoroughfares of the city. They generally snatch away ornaments, vanity bags from women and valuables from men by such threat of arms. Nowadays, cell phone become a target of hijacking. If there is any resistance, they may go to the extent of injuring and killing anybody by indiscriminate firing or bomb hurling, which ultimately baffle any attempt by anyone to chase or apprehend them. Another crime is the Mastani committing

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a wide range of crimes such as taking meals in restaurants without payment, forcible extraction of tolls and subscriptions, particularly from house owner, tenant, shop owners, businessmen, contractors etc, bus stands, real estate companies, owners of industries and clinics etc (Siddiqui et al 2010). The Suppression of terrorism Act 2009, Order Disruption Crimes (Speedy Trial) Act, 2002 and the Speedy Trial Tribunal Ordinance 2002 have been enacted to deal with these types of criminal offences.

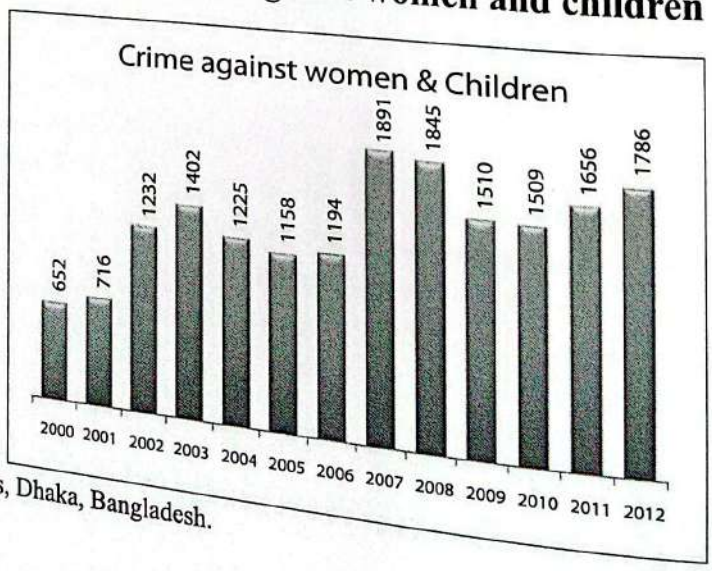
Graph 4. Rioting



Sources: Police Headquarters, Dhaka, Bangladesh.

Riots occur sporadically any time anywhere in the city. It may be internal feud among the criminal gangs or pressure groups, workers or students or various segments of the society. Riotous people come into direct conflict with the law enforcement agencies. Mob use physical force, bats, rocks, Molotov Cocktails, and other small explosive devices during confrontations. Police respond using batons, tear gas, water cannons, and other riot control equipment to confront them. During the period, the highest number was recorded 71 in 2000 and the lowest numbers were reported 1 and 3 in 2009 and 2010 respectively.

Graph5. Crimes against women and children

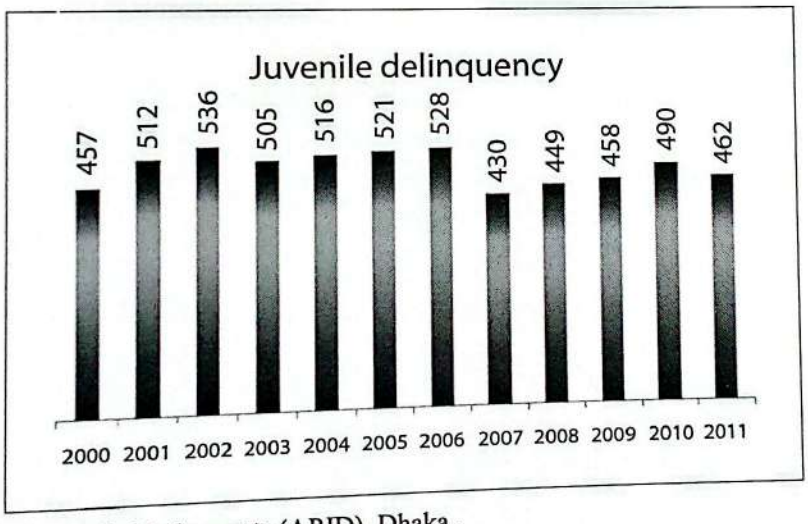


Sources: Police Headquarters, Dhaka, Bangladesh.

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Violence of various forms and manifestation against women and children is reported every day in the newspaper. According to the UNFPA (2000) Bangladesh has the second highest incidence of violence against women in the world. Women in Bangladesh have been subject to the domestic violence, attacks by acid and other corrosive substances, trafficking, divorce, dowry violence and murder by their husbands and others. A majority of incidents of domestic violence are for the dowry demands. The graph shows the surge of crime committed against women. The highest numbers of crime against women and children were recorded in 2007 and 2008 followed by a moderate decline in the subsequent years. Why the highest number of crime against women and children recorded during the period of Care Taker Government (2007-2008) may be attributed to a bizarre situation in the country. During this time, community resolution of the family matters involving the women and children was conspicuously absent which might led to seek intervention of the formal institution and thus the number of these types of cases increased. Another plausible explanation may be that the Dhaka Metropolitan Police liberally registered all cases of crime against women and children without applying any discretion of filtering frivolous, false and petty nature of cases which they cautiously exercise in recording such types of cases. It is also hypothesized that the police at the Police Station level recorded all these cases reported to them and thus evaded any displeasure or reprimand from the then authority (Interview with ex-Addl. Commissioner 2014). The Repression Against Women and Children (Special Ordinance) 2000, Acid Crime Control Act 2002 and Dowry Prohibition Act, 1980 are special laws to combat crime against women (Rahman 2011; Amin et al 2011) .

Graph.6-Juvenile delinquency

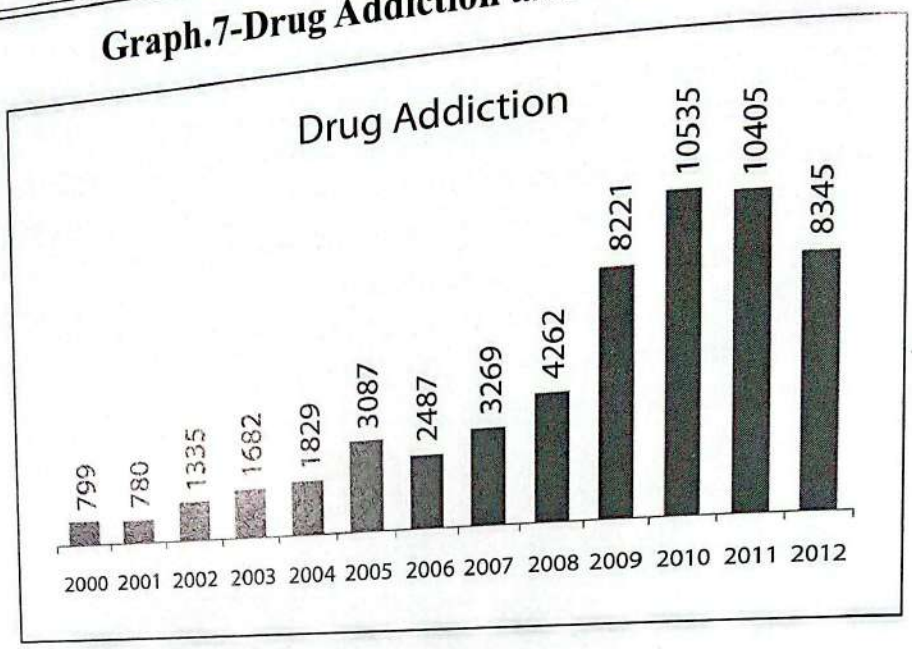


Sources: Assistance Plan for Juvenile Delinquents (APJD), Dhaka .

Juvenile delinquency has emerged as a matter of serious concern in recent times since delinquent juvenile may be a professional criminal in future. They are involved in different types of offences such as theft, hijacking, carrying illegal arms and drugs, killing, trafficking, smuggling and fraudulent activities. Crimes like dacoity and murder committed by juveniles are indicative of the dangerous trend. The above graph shows a very little fluctuation of crimes committed by the children in the Dhaka city. In 2002, 536 cases were the highest number recorded whereas 430 cases were the lowest registered in 2007.

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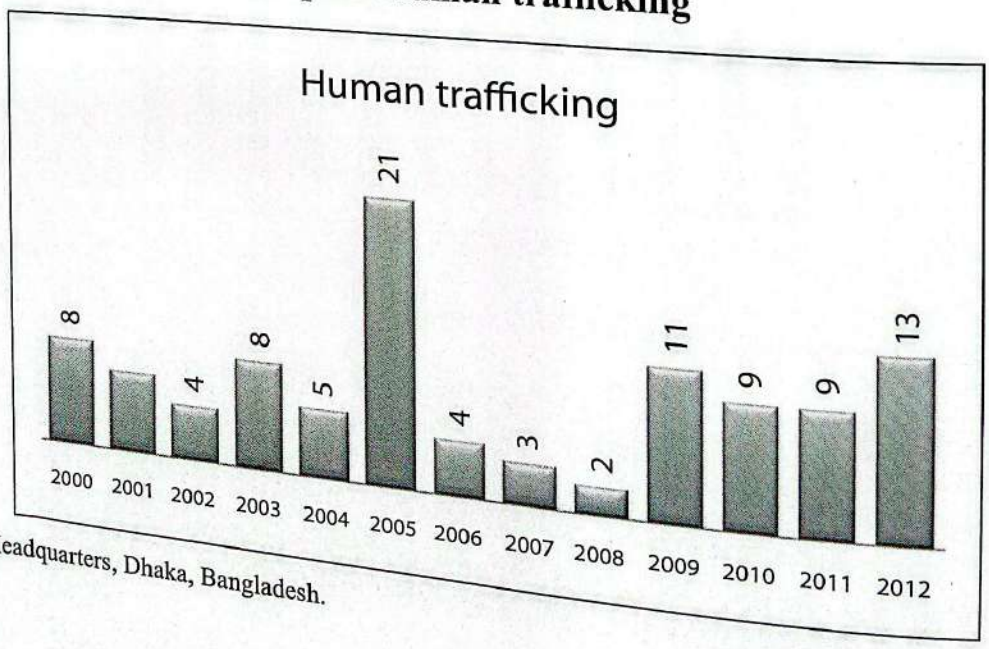
Graph.7-Drug Addiction and trafficking



Sources: Police Headquarters, Dhaka, Bangladesh.

Since the eighties, drug addiction has become a serious social menace in Dhaka city. Among the addictive drugs, the most common is the phensydyl. Other drugs such as heroin, cocaine, morphine, pethedine and the new one Yaba have been consumed by youngster both from the poor and affluent society in Dhaka city. Some crimes in Dhaka city are associated with drug addiction. Bangladesh is used as a transshipment point for drugs produced in both the 'golden triangle' and 'golden crescent' regions. These drugs are ultimately bound for markets in other countries (Rahman 2011). The above graph shows the increasing number of crimes lodged with police in connection with the drug addiction and trafficking. In 2010, 10535 cases were recorded which are the highest number compared to other years during the period.

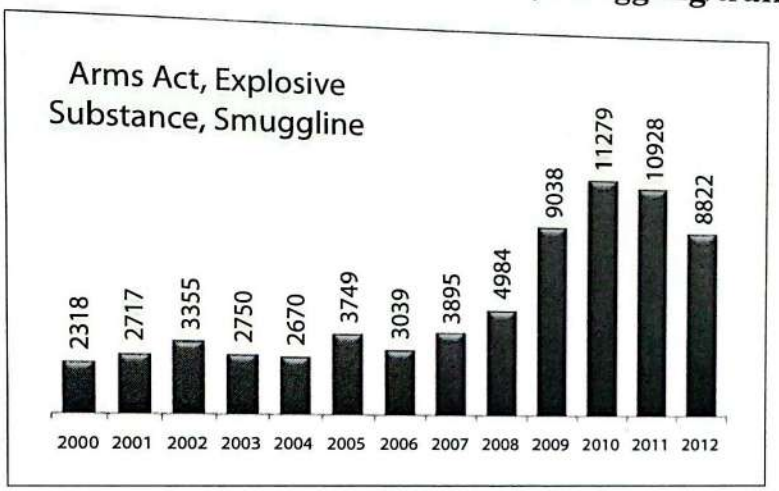
Graph.8-Human trafficking



Source: Police Headquarters, Dhaka, Bangladesh.

Given the complex, organized and clandestine nature of the crime, a new law **the Human Trafficking Deterrence and Suppression Act, 2012,** has been enacted to combat trafficking in human. Since the law has been in operation recently, it is expected that more crimes in connection with the illegal human trafficking will be recorded. However, there have been 103 cases during the period from 2000 to 2012. Bangladesh is noted as a source and transit country for trafficking of men, women and children for purposes of forced labour and commercial sexual exploitation.

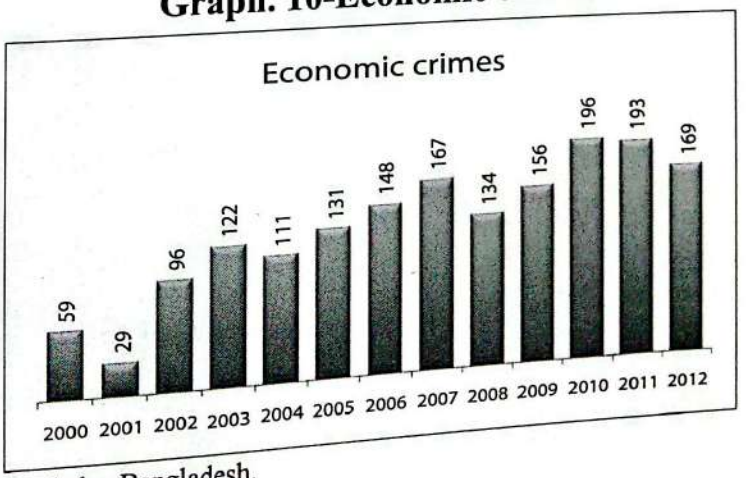
Graph.9-Arms Act, Explosive substance, smuggling/trafficking



Sources: Police Headquarters, Dhaka, Bangladesh.

In police parlance, recovery-related crimes refer to possession of arms, explosives and smuggled goods. The graph shows criminal cases recorded in connection with the recovery of illegal weapons, explosive substance and smuggled goods. Small arms are used extensively both by petty criminals and organized syndicate in various criminal activities in Bangladesh viz, extortion, robbery and kidnap etc., often resulting in human casualties. Explosive substances are also used for committing various types of crime. It also shows the efficacy of police performance. The above graph shows the increasing trend of recovery related cases. 9038, 11279 and 10928 were the highest number of cases recorded under the head in the year 2009, 2010 and 2011 respectively.

Graph. 10-Economic crimes



Sources: Police Headquarters, Dhaka, Bangladesh.

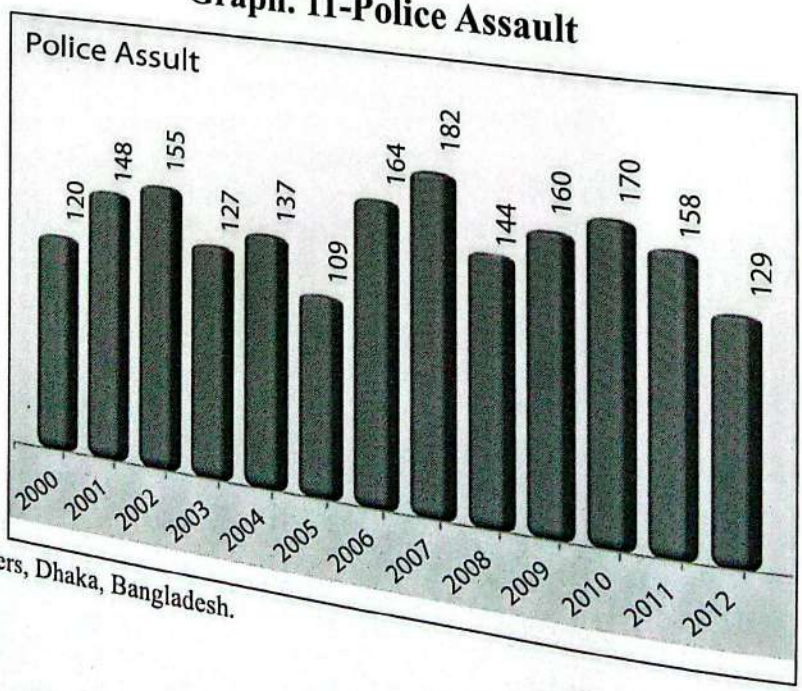
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Economic crimes constitute an important aspect of the modern day study of crime. In fact, economic crimes today emerge as complex, complicated and multidimensional since it is committed by white collar criminals. It has also to be reckoned as a transnational and organized crime. Currency and stamp forgeries have been recognized economic crimes for long. In this list, the new entrant is money laundering on which official records show cases being registered from 2005. Money laundering is associated with illegal business such as arms dealing, drug trafficking and human trafficking. The unique geographical location of Bangladesh such as its seaports and long porous borders with India and Burma-- makes it a key transshipment point for drugs produced in both the 'golden triangle' and 'golden crescent' regions. Drug trafficking and trafficking in persons are the principal sources of criminal proceeds for money laundering. During this period, a total of 1711 criminal cases were recorded while there were upwards trends of economic crimes such as money laundering, fraud and misappropriation in 2010 and 2011 respectively followed by a descending trend in 2012. Since a special law has been enacted, it is expected that more and more cases involving the money laundering shall come under the purview of law.

Cyber crime

In Bangladesh, some cybercrimes have come under the public attention in the last few years. Anonymous death threats to important persons, threats in general through emails, hacking of websites run by law enforcing agencies and defamation of private information of respected and popular individuals of the country, publishing cartoons and obscene photographs, malicious mail to foreign diplomatic mission and other VIPs, use of e-mail for illegal activities, use of internet for transmitting false and malicious information, use of internet for prostitution and women & child trafficking are some of the examples of cybercrime in Bangladesh. Recently Adilur Rahman Khan, Secretary of Odhikar, Mr. ASM Nasiruddin Elan, Director of Bangladeshi human rights organization, Odhikar, have been detained in prison by the Cyber Crimes Tribunal of Dhaka, under the Information and Communications Technology (Amendment) Act, 2013(AHR 2013).

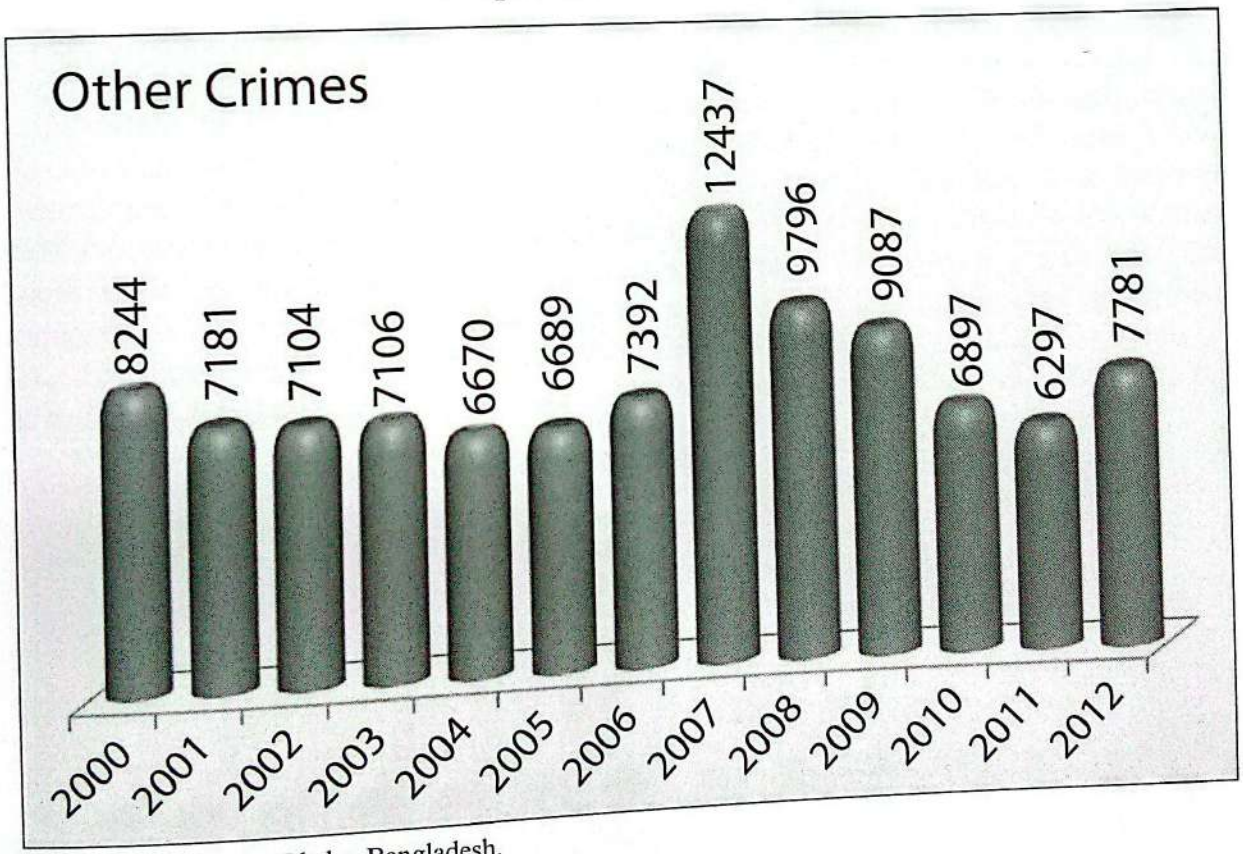
Graph. 11-Police Assault



Source: Police Headquarters, Dhaka, Bangladesh.

Police work is always considered dangerous in the present day socio-economic setting of megacities. It poses distinctive risks and put them at higher risk of assault in dangerous situation especially when police duties involve the cases of quelling large scale violence among the warring groups, of responding to the control of rioting, of intervening in the resolution of conflict and confrontation with the people, of apprehending dangerous criminals, of performing traffic duties and of making traffic stops and rushing to the accident in rescue and pursuit situation. Police assault especially deaths on duty leave huge toll on family, friends, departments and nations. Perceived physical threat in the line of duties increases the stress level of the law enforcers. The Bangladesh police especially Dhaka Metropolitan police sustain various forms of assault ranging from minor injury to death on the line of duties. Though not available in greater detail, the above category of crime in official statistics is simply the assault on police or law enforcing agencies. However, it shows the trend of police assaults in Dhaka city over the 2000-2012 period. The annual average in such cases for this period is 146. Fluctuation in this average has been moderate with the lowest number registered in 2005 and the highest in 2010. During the recent past especially in 2013, police in Dhaka experience huge casualties including death on duty during the hartal called by the opposition political parties (Interview with police officers 2014). But frequent attack on the law enforcer manifests the recalcitrant attitude and the culture of disobedience of the people. The personnel who become a frequent target of gruesome attack on duty may lose their respect to the people they are committed to protect and serve.

Graph. 12-Other Crimes

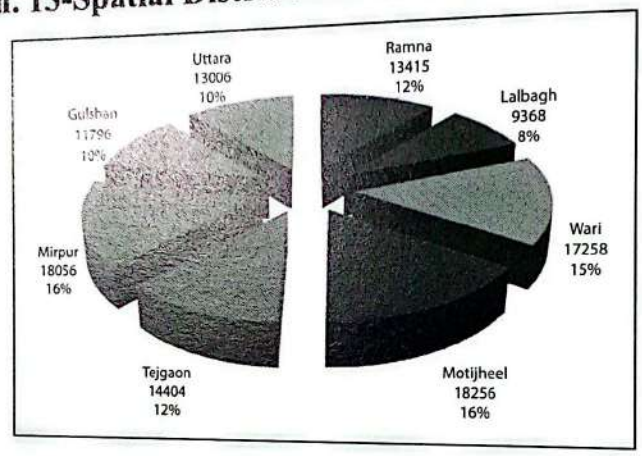


Source: Police Headquarters, Dhaka, Bangladesh.

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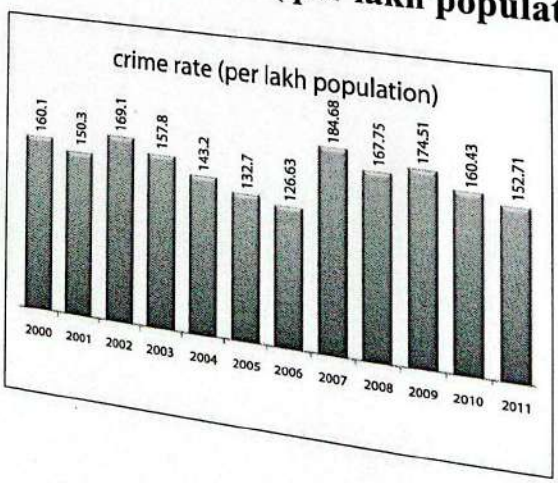
There are varieties of cases registered with the police that do not fall into any of the ea r crime categories. These are offences related to land litigation, breach of peace, forgery, misapp priation, attempt to murder, abatement to murder, attempt to commit murder, election related offen s, public nuisances, counterfeit coins and forgery of currency etc. In fact, the above graph shows the statistics on this residual category. These are cognizable offences and receive the same weightage as those cases mentioned above. The annual volume of this residual category is comparatively large during this period though there is the slight variation of cases from year to year. In the year 2007, 12437 are the highest number of cases registered under this category.

Graph. 13-Spatial Distribution of Crime (2007-2012).



There are 8 crime divisions and 49 police stations in Dhaka Metropolitan Police. Motijheel division which is the business district of Dhaka megacity has recorded 18256, the highest number of crimes followed by Mirpur and Wari divisions during the period from 2007 to 2012. Lalbagh has the lowest number of crimes recorded during the same period. Multiple factors are responsible for the causation of crimes in Dhaka megacity. Because of huge economic activities, the business district Motijheel witnessed the surge of crimes whereas strong community control, integrated social bond and community based policing in old Dhaka may explain the decreasing numbers of crimes committed and recorded in Lalbagh division. Moreover, different socio-economic settings which are beyond the scope of this article may contribute to the commission of crimes in a large number in the urban setting.

Graph. 14- Crime rate (per lakh population)



During the period from 2000 to 2011, an average of 156.65 crimes per lakh population were recorded. However, the highest crime rate per lakh population was 184.68 in 2007 and the lowest rate was 126.63 in 2006. The graph shows that there is a moderate variation. In the U.S. alone, the statistics for violent crimes are staggering. According to the FBI, on average a person is murdered every 22 minutes; someone is raped every 4 minutes, a robbery is committed every 26 seconds. The official FBI statistics on crime were only the tips of the iceberg (Rudow 2013). The Japan has the lowest rate of crime with levels just below 2,000 per 100,000 and Sweden the highest with a rate of just below 14,000 per 100,000 of the population. Ireland is placed very much toward the lower end of the distribution with a rate of just above 2,000 per 100,000 (Young et al. 2013).

Almost everywhere in the world, the incidence of crimes against persons or property is on the rise. Between 1975 and 1990, the number of offenses reported worldwide each year rose from 350 to 500 million. According to the United Nations, violent crimes increased almost 10 percent during the last decade. Offenses such as larceny, robbery and fraud account for 70% of reported crimes and increased by 30% between 1980 and 1990 (Chalom et al. 2001). For all categories combined, more than three-quarters of these crimes are committed in urban areas, with robbery and assault being the principal causes of victimization in industrialized countries. In many countries, economic growth and urban development are associated with rates of crime two to three times higher than those reported 10 or 20 years ago. It is estimated that 17 percent of the total crimes of the country are committed in Dhaka city and out of 80 known organized criminal syndicates in Bangladesh, 28 of them operate in Dhaka city (Shafi 2010). Dhaka is the mega city of deprivation and plenty, growth and congestion, poverty and wealth. Therefore, Dhaka megacity experiences increasing number of crimes, sporadic violent conflict and confrontation of various dimension and magnitude. On the other hand, criminals are using modern gadgets such as guns, internet, transport and cellular communication etc., sophisticated technique and modus operandi (such as the criminals are harbouring in foreign land, taking advantage of the easy transfer of money) in the commission of organized crimes. In this context, like other big cities of the world, naturally crimes of all patterns in Dhaka should find an upward trend in the present day globalization. In fact, the crime statistics demonstrated that Dhaka megacity really experienced increasing numbers of crimes. During the period, there are no significant changes in respect of the pattern of crime except the adoption of innovative technique and modern gadgets by the offenders in the commission of organized crimes in the Dhaka Metropolitan Police area.

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Victimization of Ready Made Garments Workers in Bangladesh: An Empirical Study on Garments Workers, Savar, Dhaka

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Abstract:

Ready Made Garments (RMGs) industries in Bangladesh have been gained popularity for its millions of remittance in the era of globalization. The present study explores the level of fear of victimization among the garment workers. The other specific purposes are firstly to identify the forms of victim of crime among RMG workers in Bangladesh; secondly to investigate perceived reasons for victimization at workplace; and also to explore how to address the victimization and violence from RMG in Bangladesh. The study shows that 89.6% garments workers are fearful for victimization and (80.8%) junior executive officers are victim by victimizers; and that 19.2 % senior executive officer are victim by victimizers. Women workers of the garments are victim of double victimization. Hence, a large number of garments workers is victim of hate crime (65.6 %), victim of innocent victimization (51.2%) and victim of violent crime (36.8). The Perceived reasons for victimization are physical weakness (67.2%), insecurity (75.2%), lack of capable guardian (69.6%), working and waking at night (77.6%).

Key words: Victimization, fear, violence and insecurity.

Introduction

Ready Made Garments (RMGs) is playing an important role in Bangladesh for economical developments. Eighty Percent (80%) of the country's export earnings ($18 billion) come from the readymade garment sector. Three and a half million People (40% of industrial workforce) are employed in this sector and 85% of them are women (Khanna, 2011). Lacks of consciousness on their labor rights, the garments workers do not get their rights properly. So, they are badly exploited by the factory owners in collaboration with their foreign buyers resulting in a sub-human standard of living of workers (Khaled, 2011). The export oriented RMG sector started its journey entirely with private initiatives. The journey was not smooth. The entrepreneurs faced tremendous constraints in terms of power and gas supply. Political instability, frequent hartals (strikes), poor port facility and labor unrest created longer lead time which became another barrier in competing with neighboring nations (Siddiqi, 2004). In addition to union leaders and workers who fought against corruption, production and profitability had to face repression and physical assault by vested interest, managerial reprimand and even governmental and police repression . In most cases looting and corruption was perpetrated by the management in connivance with corrupt union leaders and government making corporations official's worker helpless (Arefin & Chowdhury, 2014). Dr. Zia Rahman (2011) explained about the

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victimized workers that many studies in Bangladesh have shown the horrendous conditions in the RMG industries in Bangladesh. All these studies are replete with examples of the extreme miseries faced by the victimized workers. Like almost all third world countries, these sufferings include low wages, long working hours, forced work and mandatory overtime; denial of maternity leave, sick leave, festival bonus and a weekly holiday; physical, sexual and psychological harassments by the supervisors; lack of environmental protection; absence of health care; poor housing, transportation, recreational facilities and religious facilities; and denial of labour rights in terms of the right to unionize. In fact, all the studies indicated that the majority of the companies violated both national and international labour laws, policies and conventions although a very few private and mostly EPZ companies provided comparatively better benefits (Kabeer and Mahmud, 2004a). Moreover, the owners of garment factories have aggressively accumulated capital of violating the worker's rights in terms of wage, work environment, workplace safety, and trade unionism whenever the garments workers engage to violent activities in demand of their legal labor rights . The government has not seriously addressed the concerns for a long time and the owners association (BGMEA, BKMEA) has huge influence facilitated by the government, who violates the worker's rights continuously. Now, if the postponement of GSP facility by the USA is followed by the EU and Canada, the RMG Sector would be in critical state. Amended Labor Law is still against the worker's right. For this reason, fear of violence is created among the garments workers. Owing to the recent labor unrest and movement of RMG workers, the monthly salary has been increased during the period from 2001 to 2011. But still the salary is lower than that in any other countries. Some examples of increase in the percentage of salary of garment workers in some countries are- China (144.86 to 324.90) 124.29%, Haiti (104.42 to 154.78) 48.22%, India (150.20 to 169.67) 12.96%, Indonesia

(134.90 to 186.64) 38.35%, Vietnam (182.43 to 254.78) 39.66%, and Peru (335.9 to 393.43) 17.12%. But in Bangladesh monthly salary has been reduced (93.67 to 91.65) by 2.37%.

As a result, garments workers are victimized by garments authority, senior officer as well as political leaders in working time and also out of workplace (Vadackumchery, 2001). They are also victim of sexual violence, political violence, verbal violence, psychological violence, physical assault, picketing with police, mob, mugging, vandalizing garment factories and road block (Léséleuc, 2004; Uddin, 2008). In addition, fear can last for quite some time following the commission of a crime and under certain circumstances, it can become debilitating (Canadian Resource Centre for victims of crime, 05).

Objectives of the Study

The main objective of the study is to explore the level of fear of victimization among garment workers. The other specific objectives of the study are:

1. To identify victim of crime at workplace of RMG workers in Bangladesh
2. To investigate the perceived reasons for victimization at workplace of RMG in Bangladesh
3. To understand the reactions of the victimization at workplace of RMG in Bangladesh
5. To come up with policy recommendations for addressing the victimization of RMG workers in Bangladesh

[3]http:/www.prothom-alo.com/detail/date/2013-06-29/news/363915)
[4]http:/www.prothom-alo.com/detail/date/2013-06-29/news/363915

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Methodology

The Ready Made Garments (RMGs) of Savar area has been selected as the study area. Savar is situated at the outskirt of the capital city - Dhaka. This area is selected for the study for a number of reasons. Most of the export-generating garment plants are situated in Savar area and thus majority of RMG workers are concentrated in this industrial area. Savar houses the biggest Export Processing Zone (EPZ) in Bangladesh. Besides, RMGs in Savar have recently faced violence, labor unrest and fear of violence affecting the RMG workers. Various scholars, the media and studies have indicated Savar as hub for industrial expansion and economic growth concomitant with victimization.

Using non-probability purposive sampling method a sample of 125 garments workers were interviewed for this study. They belong to different garments located in Savar areas. Convenience sampling was deemed useful for a number of reasons: (1) the respondent may not feel comfortable in giving data in their workplace. During the pilot survey on 5 respondents inside their workplaces, it is found that the respondents feel fear and hesitation to give the data but the other 5 respondents outside of the workplace feel less fear and hesitation to give the data, (2) The respondents may perceive to give exaggerated data for the buyers if collected inside the factories, (3) The nature of data may directly and indirectly go against the authority of garments and (4) the respondent may feel fear to give data in the presence of the authority.

Primary data are collected mainly with a sample survey of 125 RMG workers by forming Survey questionnaire. Three data (3) collectors implemented survey questionnaire with face-to-face interviewing technique. The survey was conducted from 1st September 2013 to 12th December 2013. Survey questionnaire was tested in a pilot survey on 10 respondents (five surveys inside the workplace and other five surveys outside of the workplace).

After collecting and editing, the data were coded, classified and tabulated. SPSS (V. 20) and MS Excel Enterprise 2007 have been used for the analysis of the data.

In quantitative analysis, various tools i.e. central tendency (mean, mode, and median), standard deviation, frequency distribution, and cross-tabulation were used in analyzing the survey data.

Result and Discussion

Socio-demographic characteristics of the Respondents

Table 1 shows the age distribution of the garments workers. It reveals that among the 125 respondents of the study 29.6% of them are aged between 20-25, and 25.6% of them are aged between 25-30. The younger age of the majority of the workers demonstrates their physical strength and workability as well as inclination towards resistance which sometimes leads to victimization and fear of violence. However, there is a minimum aged (7.2%) worker in the category of age group above 35. It is recommended that the job of the garments worker is suitable only for the young age people who belong to 20-25 age groups. The mean age of the workers is 37.58; the median is 24.86 and standard deviation 22. The table (1) shows the gender distribution (in percentage) of the garment workers. The number of female workers (66.4%) is just twice as many as that of the male workers (33.6%). Hence, male workers are minor in RMG industry. This shows that this type of job is suitable to and liked by the female workers.

[5]Source: Worker Rights Consortium, Daily Prothom Alo, 13 Page, 1st Column, Date: 15-07-13

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It is observed that most of the respondent female is a symbol of fear and victim of sexual harassment The following table (1) explained that 78.4% respondents belong to Muslim, 18.4% respondents ar Hindu, and 3.2 % respondents are Buddhist and Christian. It is comprehensible that Muslim workers ar suitable for the job of garments industry. It is found from the following table (1) most of the respondents monthly income ranges from 3000 to 5000 taka and least number of respondent's income is from 1500 to 20000 taka. It is noted here that lower class people is suitable for the job of the garments worker wher their income is in the range of taka 3000-5000. The mean income of the respondent is 5712; the mod of the income is 9363.64 and standard deviation is 2487.57. The table (1) clearly represent that most o the respondent is unmarried (64.8%) and least number of respondent is married (35.2%). The unmarried worker is suitable for the job of the garments industry. It is clearly focused that unmarried respondent are more vulnerable and victim of various violence and crime. It is revealed from the following table (1 most of the respondents' educational qualification is secondary level (63.2%) and very few have higher secondary level (16.8%). It proves that the most of the garment workers are less educated. This could be a reason for their low ability of critical thinking and planning. Their main resource is their physical fitness that is essential for this type of job.

Forms of the victim of crime

Table 1: Socio Demographic Characteristics of the Respondent

Age	**Frequency**	**Percent**	
18-20	27	21.6	Mean=37.58 Median=24.86 Mode=22 Standard Deviation=15
20-25	37	29.6	
25-30	32	25.6	
30-35	20	16.0	
Above 35	9	7.2	
Total	**125**	**100.0**	
Sex	**Frequency**		**Percent**
Male	42		33.6
Female	83		66.4
Total	**125**		**100.0**
Religion	**Frequency**		**Percent**
Muslim	98		78.4
Hindu	23		18.4
Buddhist and Christian	4		3.2
Total	**125**		**100.0**

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Monthly Income	Frequency	Percent	
3000-5000	68	54.4	Mean= 5712 Mode=9363.64 Standard Deviation=2487.57
5001-7000	32	25.6	
7001-9000	9	7.2	
9001-11000	11	8.8	
11001-15000	3	2.4	
15001-20000	2	1.6	
Total	**125**	**100.0**	
Marital Status	**Frequency**		**Percent**
Married	44		35.2
Unmarried	81		64.8
Total	125		100
Educational qualification	**Frequency**		**Percent**
Primary and below	16		12.8
Secondary	79		63.2
Higher Secondary	21		16.8
Graduate and above	9		7.2
Total	125		100

The following table (2) evaluates that 36.8 % respondents are victim of violent crime (Assault, torture, hurt, grievous hurt, police assault, arson, rioting), 51.2% are victim of innocent victimization (accident, unnatural accident), 25.6% are victim of political crime (political brutality), 43.2% are victim of public order crime (threat, harassment), 65.6 % are victim of hate crime (eve teasing, women suppression), and only 25% are victim of political crime.

Violence Vs Victimizations

Table 2: Victim of crime

Victim of crime	Yes	Percent	No	Percent	Total
Violent Crime	46	36.8%	79	63.2%	125(100%)
Property crime	41	32.8%	84	67.2%	125(100%)
Political Crime	32	25.6%	93	74.4%	125(100%)
Hate Crime	82	65.6%	43	34.4%	125(100%)
Victimless Crime	70	56.0%	55	44%	125(100%)
Innocent victimization	64	51.2%	61	48.8%	125(100%)
Public Order Crime	54	43.2%	71	56.8%	125(100%)

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The table (3) expresses that 32% respondent are victimized two times of verbal violence, 16% are victimized of sexual violence one time, 8.8% are victimized of aggravated violence one time, 25.6% are victimized of physical violence one time, 14.4% are victimized from mob and political violence one time, 31.2% are victimized of psychological one time, 24% are victimized of road block one time 10.4% are victimized by vandalizes/bus one time.

Victim of Violence by Victimizers at workplace

Table 3: Violence Vs Victimization

Violence	Victimization				
	One Time	Two Time	Three Time	Not Victimization	Total
Verbal Violence	25 20%	40 32%	23 18.4%	37 29.6%	125 100%
Sexual Violence	20 16%	8 6.4%	5 4%	92 73.6%	125 (100%)
Aggravated Violence	11 8.8%	8 6.4%	7 5.6%	99 79.2%	125 (100%)
Physical Violence	32 25.6%	13 10.4%	12 9.6%	68 54.4%	125 (100%)
Mob	18 14.4%	10 8%	9 7.2%	88 70.4%	125 (100%)
Psychological Violence	39 31.2%	30 24%	15 12%	41 32.8%	125 (100%)
Political Violence	18 14.4%	6 4.8%	4 3.2%	97 73.6%	125 (100%)
Picketing with police	24 19.2%	6 4.8%	3 2.4%	92 73.6%	125 (100%)
Vandalizes Garments/ Bus	13 10.4%	6 4.8%	4 3.2%	102 81.6%	125 (100%)
Road Block	30 24%	15 12%	14 11.2%	66 52.8%	125 (100%)

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Most of the operators (50.4%) is victim of violence activities. Besides, floor in charge (8.8%), production manager (7.2%), line chief supervisor (9.6%) and assistant general manager (4%) are also victim of violence at workplace. Briefly, 19.2 % senior executive is victim of violence and 80.8 % junior executive are victim of violence. Here it is noted that there is an inverse relationship between job experience and involvement in dispute related occurrences since novice and helper have more participation in dispute related occurrences with least job experience (Arefin and Chowdhury, 2014) Respondents of high job experienced categories tend to involve less in dispute related occurrences since supervisor has the maximum job experience and least involvement in dispute related occurrences followed by group of foremen and master (Arefin and Chowdhury, 2014).

From the table above, it is clearly visible that the high job experienced category (senior executive)

Table 4: Victim of violence by Victimizers at workplace

	Victim of violence by victimizers at workplace	Frequency		Percent
Senior Executive	Senior Vice President (SVP)	3	2.4	19.2%
	General manager (GM)	5	4.0	
	Assistant General Manager (AGM)	7	5.6	
	Production Manager (PM)	9	7.2	
Junior Executive	Floor In charge	11	8.8	80.8%
	Line Chief	12	9.6	
	Super visor	15	12	
	Operator	63	50.4	
Total		**125**	**100.0**	

respondents tend to involve less in being victim of violence related occurrences since the least job experienced supervisor (junior executive) are victimized of violence of the garments workers.

Reactions of the victimization

The respondents strongly agree that the reactions of the victimization are being- angry with victimizers (71.2%), critical with self (49.6%), felt isolated and alone (52.8%), afraid of retaliation by the victimizers (44%), afraid that a similar victimization may happen again (74.4%), revengeful (58.4%), unsafe in home alone (61.6%), about to leave job as a result of the victimization (41.6%), suffered from panic/anxiety attacks/ other psychological disorders as a result of the victimization (40.8%), experienced problems in sexual relationships (40.8%) and affected physical health (60.8%).

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Table 5: Reactions of the victimization

Reactions of the Victimization	Strongly Agree/ Agree	Strongly Disagree/ Disagree	Unknown/Not Applicable	Tot
Angry with the Victimizers	89 (71.2%)	10(8%)	26(20.8%)	125(100%)
Critical with self	62(49.6%)	48(38.4%)	15(12%)	125(100%)
Felt isolated and alone	66(52.8%)	39 (31.2%)	20(16%)	125(100%)
Afraid of retaliation by the victimizers	55(44%)	33 (26.4%)	37(29.6%)	125(100%)
Afraid a similar victimization may happen again	93 (74.4%)	15(12%)	17(13.6%)	125(100%)
Wanted revenge	73(58.4%)	42 (33.6%)	10(8%)	125 (100%)
Felt unsafe in home alone	77(61.6%)	35(28%)	13(10.4%)	125(100%)
Leave job as a result of the incident	52(41.6%)	53(42.4%)	20(16%)	125(100%)
Suffered from panic/anxiety attacks/other psychological disorders as a result of the victimization	95(76%)	12(9.6%)	18(14.4%)	125(100%)
Experienced problems in sexual relationships	51(40.8%)	46(36.8%)	28(22.4%)	125(100%)
Affected physical health	76(60.8%)	33(26.4%)	16(12.8%)	125(100%)

Degree's of fear for the victimization

The garments workers are victimized by the senior officer verbally and physically. The effect of victimization directly and indirectly works psychologically after being victimized. Moreover, the table (6) explains in scrutinizing the degrees of fear after the victimization as following responses: 44.8% very fearful after being victimized, 30.4% medium fearful after being victimized, and 14.4% low fearful after being victimized while 10.4% are neutral after being victimized.

Table 6:Degree of fear for victimization

Degrees of fear of violence		Frequency	Percent	
Fearful	Very fearful	56	44.8	89.6%
	Medium fearful	38	30.4	
	Low fearful	18	14.4	
Non Fearful	Neutral	13	10.4	10.4%
Total		**125**	**100.0**	

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Perceived reasons for Victimization

The table (7) determines that 75.2% insecurity, 69.6% lack of capable guardian, 77.6 % working and walking at night, 69.6 % are lack of capable guardian, 60% physical representation, 55.2% low social status and 50.4 % aggressive attitude are reasons for victimization.

Table 7: Perceived reasons for Victimization

Perceived reasons for Victimization	Yes	percent	No	Percent	Total
Physically Weak	84	67.2%	41	32.8	125(100%)
Aggressive Attitude	63	50.4%	62	49.6	125(100%)
Low Social Status	69	55.2%	56	44.8%	125(100%)
Insecurity	94	75.2%	31	24.8%	125(100%)
Working and walking at Night	97	77.6%	28	22.4%	125(100%)
Lack of Capable Guardian	87	69.6%	38	30.4%	125(100%)
Physical representation	75	60%	50	40%	125(100%)

Opinion to minimize the victimization

Regarding minimization the fear of violence and victimization, the garment workers' opinion is very effective, although they have described taking measures from own opinion is the first hand strategy to minimize the fear of violence and victimization. In this process, the workers give their valuable opinion how to minimize the fear of violence and victimization. The following table (8) presents different suggestions for minimizing fear of violence and victimization. 88 % respondents are of the opinion that salary should be increased for minimizing the fear of violence and victimization. Ensuring proper security and workplace safety also can minimize the fear of violence and victimization (76%). 84% respondent's opinion is pension and Bonus facility can assist to minimize the fear of violence and victimization among garments worker. Ensuring fire extinguisher (85.6%), Medical Facility (85.6%), Sound working environment (74.4%) can also positively minimize the fear of violence and victimization. Relax Work (70.4%) and Job Security (70.4%) also minimizes the fear of violence and victimization. Tiffin facility (86.4%) and reducing working hour (88.6%) is also provocation to minimize the fear of violence and victimization. Payment of salary (82.4%) in time and entertainment facility (56%) helps minimize the fear of violence and victimization. Victim compensation (74.4%), training labor rights (74.4%), victim awareness Program (60%), punishment of victimizers (64.8%) and ensuring workers dormitory (64.8%) assist to reduce victimization.

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Table 8: Opinion to minimize the victimization

Opinion to minimize victimization	Yes	Percent	No	Percent	Total
Increasing Salary	110	88%	15	12%	125(100%)
Pension and Bonus facility	105	84%	20	16%	125(100%)
Ensuring Security/ Workplace safety	95	76%	30	24%	125(100%)
Ensuring Fire Extinguisher	107	85.6%	18	14.4	125(100%)
Medical Facility	107	85.6%	18	14.4%	125(100%)
Sound working Environment	93	74.4%	32	25.6%	125(100%)
Relax Work	88	70.4%	37	29.6%	125(100%)
Job Security	88	70.4%	37	29.6%	125(100%)
Tiffin Facility	108	86.4%	17	13.6%	125(100%)
Reducing working hour	111	88.6%	14	11.2%	125(100%)
Friendly attitude with junior officer	81	64.8%	44	35.2%	125(100%)
Payment Salary in time	103	82.4	22	17.6%	125(100%)
Entertainment facility	70	56%	55	44%	125(100%)
Monitoring and Supervising by Governmental authority	75	60%	50	40%	125(100%)
Victim Compensation	87	69.6%	38	30.4%	125(100%)
Training Labor Rights	93	74.4%	32	25.6%	125(100%)
Victim Restitution	93	74.4%	32	25.6%	125(100%)
Victim awareness program	75	60%	50	40%	125(100%)
Punishment of victimizers	81	64.8%	44	35.2%	125(100%)

Conclusion

Ready Made Garments (RMG) is concerning and more criticizing phenomenon in Bangladesh today. It has crossed geographical boundary for its importance and millions of remittance. In respect of production, export, earning foreign exchange, contribution to GDP, employment, investment and business mobilization, RMG sector of Bangladesh has now been a flourishing industry. The garments business in many international markets in Europe and North America depends on production of garment factories of Bangladesh. However, at present turmoil situation, political hegemony and violence have totally put the garments industry into jeopardy. Foreign buyers especially EU and the USA are totally discouraged to invest in Bangladesh RMG industry for the insecurity and fear of violence. Major Key findings of the study are 65.6 % of the garments workers are victim of hate crime (eve teasing, women suppression). Nineteen and a half percent senior executive is victim of violence and 80.8 % junior executive are victim of violence. Garments workers of Bangladesh are victim of double victimization where 32% garments worker are two times victimized of verbal violence and

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24% garments worker are also two times victimized of psychological violence. After all, fear of violence, highest rate of victimization, turmoil and unrest situation should be eliminated with the assistance of Government, NGO's, civil society BGMEA and BKMEA. Whatsoever, foreign investor especially EU and America should put healthy investment in RMG sector in Bangladesh. In a nutshell, all types of facilities especially affordable salary, pension, bonus, accommodation and security should be ensured for the garments workers.

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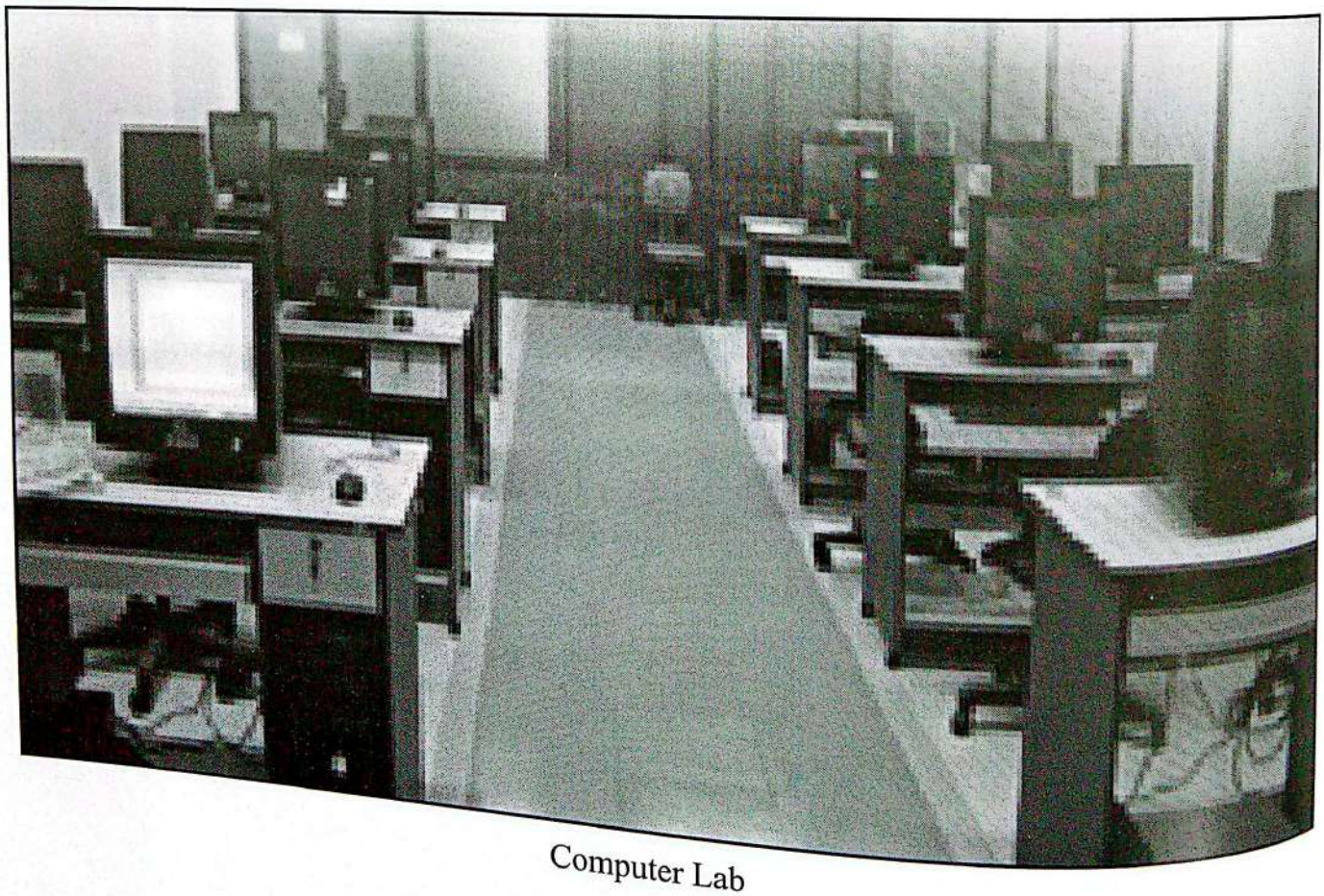
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Cartoon Programs and Delinquency: A Review on Children in Bangladesh

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Abstract: Electronic media plays a vital role in children's lives in twenty first century. Children are fond of speedy motion pictures and easy entertainment like cartoon programs. The study investigates the effect of television program (especially cartoon) on the Children. Historically, cartoon series and negative impact of child are crucial issues in academic area of Western world. Based on review of related journals, articles, news papers, books which are collected from various sources and analyzed through qualitative and descriptive analysis, attempts have been made to know why children watch cartoon, what they like, how they are involved with these and what affects them and in which manner. The results are interpreted in terms of cognitive development theory, culture conflict theory and containment theory. The study indicates three major problems in relation to Television programs and its associated impacts on children. Firstly, there are almost no channels for telecast cartoon with the cultural values and norms of our country; Secondly, the parents have no alternative of cartoon to entertaining and keeping their child busy; Thirdly, TV cartoon influences both children's antisocial behaviors (to some extent deviant activities and delinquency) as well as their attitudes about norms, values and cultures. Moreover, Cartoon may produce healthy cognitive development of child, if it is made with careful absorption over culture, values, language and attention development. It is needed to increase the numbers of effective children programs in various channel, especially cartoons have to be made in Bangla focusing Bangladeshi culture.

Key Words: *Alien culture; Cartoon programs; Cultural conflict; Delinquency; Violent content.*

Introduction

Media have a significant effect over children's lives. Extensive satellite culture has some impact on the mindset of the children and in no way that is always functioning positively. Children are fond of speedy motion pictures and easy entertainment. They are more likely to watch cartoon films on television. Guardian are feeling relaxed to make child busy at anywhere like at the front of TV set. They think Children pass time in fresh entertainment and do not even imagine that there may wait any evil for their child. As it happens in the period of cognition, they learn everything from it-good or bad for them.

Bangladesh is recently facing the problem, and question arises about the effect of cartoon on language and culture of our country. There also questions arises on the bad effect of cartoon; does TV exposure influence on cognition, social interaction, aggression, fear, anxiety, risky behavior, or even

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delinquency? Some guardians face problem of attention development and even violent or antisocial behavior of children.

Children who watch 4 or more hours of TV per day spend less time on school work, have poorer reading skills, play less well with friends, and have fewer hobbies than children who watch less TV (CME, 2002). In Bangladesh, "Kids watch television as playground made sand trading spot" (Daily Star, 22 April, 2012). For many other reasons children watch TV. Almost 100% of children are fond of cartoon (Sarker, 2001). There is a need of Bangla cartoon channel for fulfilling need of children.

Early child development is essential to the survival of children and for their development. It is essential to know about any effect of cartoon over children for ensuring their proper development and a pleasant future of the country. Herbert Bulmer and Philip Hauser said, "The motion pictures were found a factor of importance in the delinquent careers of about 10 percent of the males and 25 percent of the female offenders studied" (Ruba:2012). It is now a query about effect of cartoon on children, especially effect on producing antisocial behavior, deviant behavior and crime. Why children watch cartoon, what they like, how they are involved with these and what affects them in which manner are also important questions.

Objective

The aim of this study is to understand the relationship between cartoon programs and negative development of child. It also finds out the effect of television (especially cartoon) on the children and the pattern of its relationship in Bangladesh.

Methodology

nI the present study, secondary data source were used for fulfillment of the study purpose. Therefore, descriptive research design through review of related journals, articles, newspapers, books, web sites etc that are collected from various sources are analyzed through qualitative and descriptive analysis.

Theoretical review

According to cognitive development theory criminal behavior results from the way in which people organize their thoughts about morality and the law. Lawrence Kohlberg (1958) formulated theory concerning three levels of moral reasoning. These are; Pre-conventional (middle of childhood), conventional (end of middle childhood) and post-conventional (early adulthood). If a person's moral reasoning do not progress in any stages of childhood, the child may become delinquent. Media plays a role in child's cognition both positively and negatively.

Children are fond of laughter, excitement, adventure and thrills. Cartoon is the most popular programforchildren. Nearly all cartoons are about heroism and full of violence and fight. It affects on child's cognitive development. Especially, in pre-conventional stages when child are learning everything from the surrounding, children are mostly affected by cartoon.

Most of the cartoons are not locally produced. These are characterized by alien culture and alien language. Children learn these and try to apply it in their real life naturally. According to Throsten Sellin in his article "culture conflict and Crime" (1938) presented an analysis that culture conflict has a role in crime causation. Thus cartoon fallout contradiction between cultures and thereby reasoning delinquency.

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In this process, cartoon become external pull factor by showing violent activities or the cause of internal push factor by culturally motivating towards deviance for causing delinquency. This factors are reflected in containment theory of Walter C. Reckless where push and pull factor refers to inner and outer containment of delinquency.

Analysis

Media's impact on child

A mass media explosion occurred in the 20th century. Inventions such as the television set, the computer, and the videocassette player forever changed the way people gain information about the world, including information about how violent the world is (Bushman & Anderson;2001). Most mass media programs are not produced with children's interest in mind. (Goonasekara:2000)

For the increase of media exposure to child, many scholars have conducted research on the effect of electronic media on children. Brooks-Gunn and Donahue (2008) says that the impact of electronic media on children depends on the age of the child and the content of the media. However, among younger children, TV exposure steadily increases during the first four or five years (Roberts & Foehr :2008).

TV exposure has both positive and negative influence for child. The two Kaiser Family Foundation studies conducted with older youths find much the same pattern. That is, youngsters who reported earning the lowest grades in schools watch significantly more television than those who earn higher grades (Dornbusch;1987). Thus, media effects on school going children.

According to Sarker (2001) the juvenile or adolescent population is greatly influenced by TV, movies etc media of communication because, these media substantially contribute to meeting the immediate thirst of the juvenile or adolescent population. Likewise, Eshwer (2000) represent, Children seem to spend more time watching the TV than on any other activity (on an average 26 hours in a week). Nearly 90% of children watch adult/general audience programs. Most of the programs that are popular among children are devoted completely to fights and violence. They feel to be right that the good people should use violence to destroy or control the bad people.

Smith and Donnerstein (1998) showed in a three-year study on media violence that 61% of television programs contain some violence, 43% of violent scenes contained humor where the violators were portrayed as acceptable or appealing, and almost 75% showed no harmful consequences at all.

Media violence has a direct influence on a child's successive aggressive behavior. Younger children are especially influenced by media violence because they have a more difficult time distinguishing between what is real and what is not. They cannot easily discern motives for violence, and learn simply by imitating what they see in the media (Bushman, 2001). They also have a more significant chance of exhibiting violent and aggressive behavior when they are older than children who have not seen violent media (Congressional Public Health Summit, 2000).

According to the Center for Media Education (2002), children who watch a large amount of violent programs tend to favor using aggression to resolve conflicts. And The more violence children watch on TV, the more likely they are to behave in aggressive or harmful ways toward others, become less sensitive

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to other's pain and suffering, be more fearful of the world around them, and increase their appetite for violence in entertainment and in real life.

Zee TV program manager specified that, programs should not portray violence or in any way create a "bad effect" on the minds of children (Lalita Eshwer,2000). That refers to the existence of bad effect of violence in media over children. Similarly, The Clark (2008) conducted the study on 820 youths from high school who were shown media violence along with family (domestic violence or physical abuse) and community violence, and found increased violent behavior overtime in youths (Bushman and Huesmann, 2006).

Cin et al. (2012) investigated the association between exposure to smoking in movies and the initiation and progression of adolescent smoking over time among 6,522 U.S. adolescents Results suggest that the effect of exposure to mass-mediated images of smoking in movies may decline once adolescents have started to smoke, whereas peers and access to tobacco remain influential. In contrast, Media may play positive role by various ways like positive campaign for children. According to Cochrane Review (2012) "There is some evidence that mass media can prevent the uptake of smoking in young people".

Cartoon's impact on Bangladeshi child

Children today are completely immersed in media experiences from a very young age. In Bangladesh, Children spend more time with television than any other activity, except for sleeping. According to UNICEF, Children under-five make up over 10 per cent of the population. There are 16.5 million primary-school-aged children (6 to 10 years old) in Bangladesh. Adolescents (10 to 19 years) make up around 21 per cent of the population of Bangladesh.

Delinquency is one of the serious problems of mass society. National child Development Center in Tongi is one of three Child Development Center in Bangladesh. These organizations provide rehabilitation facilities to the juvenile in conflict with the law. From the establishment, number of admitted and liberated juvenile may give us a notion about the situation of delinquency in present Bangladesh.

Table-1: Number of juvenile enlisted in Child Development Center, Tongi

	Nature of case	Number of Juvenile
Admitted Residential Juvenile From Starting to Present	Guardian Case	7488
	Police Case	6038
	Total	**13526**
Number of liberated and Rehabilitated Juvenile from Starting to Present	Guardian Case	7273
	Police Case	5634
	Probation	317
	Total	**13225**
Present	Convicted	13
	Under Trail	278
	Safe home	08
	Total	**299**

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Despite the fact that 45 per cent of Bangladesh's population is under 18, a recent UNICEF study found that only three per cent of local news currently focuses on children. Thus mass media do not provide importance towards children. TV channels do not give importance towards children. There are a very few program for children. Sarker (2001) concluded in his study, TV is a cheap recreational means towards 70% of child.

Table-2: Distribution of Delinquent boys by the choice of TV Programs

TV Programs	Frequency	Percentage
Cartoon films	28	100
Films of thrill and adventure	28	100
Drama/series drama	23	82.1
Special children's program	14	50.0
Movies	18	64.2
Games and sports	15	53.5
Song and dance	12	42.8
News	08	28.5

Source: Sarker (2001)

According to the study, 100% of the youngsters are interested in cartoon and the films characterized by thrill and adventure while only half of them like special children programs. In addition, 82% are fond of Drama and 64% likes movie. Approximately, 53% like to watch games and sports on TV and Only 42% prefer song and dance.

Cartoon is a funny animated series, shown on TV and watched usually by children. Channels like CN, POGO, Disney, Nick etc are mostly popular to children, which telecast various cartoons almost all over the day. Some famous cartoons include Tom and Jerry, Spiderman, Batman, Donald Duck, Bugs Bunny, Cuta bin etc. Nowadays, most popular cartoon among children of our country is Doremon.

Bangladeshi children are now watching a lot of cartoons made in the context of another culture and language. They are trying to follow their favorite cartoon character (Md. Tajul Isalam, 2012). But the problem is there are not enough TV shows, specially cartoon programs for children in Bangladeshi channels. There are many private TV channels in Bangladesh who telecast different programs all day long

Table-3: Approximate time of broadcasting children's programs in various Bangladeshi channels

Name of TV Chanel	Approximate time of broadcasting (per week in minute)
BTV	130
ATN Bangla	145

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Channel I	90
Desh TV	145
Ekushe TV	60
NTV	30
Machranga TV	120
Channel 9	360

Source: Program schedule of one month (March, 2012) from daily newspaper and websites of various channels

Total time of broadcasting (per week in minute) children's programs in some Bangladeshi channels are - BTV: 130 minutes, ATN Bangla: 145 minutes, Channel I: 90 minutes, Desh TV: 145 minutes, Ekushe TV: 60 minutes, NTV: 30 minutes, Machranga TV: 120 minutes and Channel 9: 360 minutes.

Table-4: Approximate time of broadcasting cartoon programs in various Bangladeshi channels

Name of TV Chanel	Approximate time of broadcasting (per week in minute)
BTV	130
ATN Bangla	25
Machranga TV	120
Desh TV	85

Source: Program schedule of one month (March, 2012) from daily newspaper and websites of various channels

From the table it is found that just four channels telecast cartoon. These are BTV: 130 minutes, ATN Bangla: 25 minutes, Machranga TV: 120 minute and Desh TV: 85 minutes. The number of television programs in Bangladeshi channels for the children is not sufficient. There is no regular telecast of cartoon series in Bangla. Children have become attracted in foreign channels, especially cartoon channels.

Extensive satellite culture has some impact on the mindset of the young folks in no way that is always functioning positively. All these social conditions are contributing heavily for increasing delinquency rate among the juveniles (Robaet Ferdous, personal communication). Moreover, Mahjabeen and Ara (2010) point out some deviance by young as, Eve-Teasing, Drug and Substance Abuse, Access to Pornography etc. They explain some root causes of this deviation. One of them isiInfluence of alien culture and media exposure to obscene film and culture.

Alien culture provides a great problem towards child development. Ali (2012), defined the problem, children learn Hindi before they learn mother language. They also take norms and values of foreign culture that make an infected nation. Most of the Children are now addicted in cartoon. 'Doremon' is broadcast all day long in a channel named 'Disney'. Children are dangerously trying to fully copy various characters of this cartoon. It is a Japani cartoon with Hindi dubbing. Central character of this cartoon tells lies almost at all times with his mother. Children are learning falsehood from this (Ikbal,2011).

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Research suggests that electronic media might have an effect on attention skills. Television, especially when viewed by children younger than age two, may have a negative effect on attention development (Kirkorian et al. 2008). Attention development is the preliminary stage of child development that can be hampered through extensive watch of cartoon. Today's movies are so full of sex and violence that youth easily pick up new values, attitudes and personality traits (Ahuja, 1996). There are many cartoons that show violence and some also show sexuality.

According to Barman (2010), children are particularly attracted to TV programs as they like easy entertainment. Parents also allow them to watch TV as it stops their romping around, to the temporary relief of the caretaking adults. Parents work at office and the child watches cartoon at home. Parents also use TV as a childcare tool.

Parents are not aware about bad effects of cartoon. Their children watch cartoon continuously that are full of violence and fight. Islam (2012) says, children are learning language, attitude, values and culture of their favorite cartoon character. They face an identity crisis being associated with different culture. They are trying to take something different for overcoming the crises and as consequence doing delinquent activities.

Positive impact of cartoon over child

A positive TV cartoon for children is Meena. Meena is a fictional character who stars in the South Asian children's television show Meena Cartoon. The lead character, Meena educates the children of South Asia on issues of gender, health, and social inequality. It is an example of positive impact of cartoon toward children. Children are learning positive things and own language and culture from Meena.

Sisimpur is a cartoon and Muppet based magazine for child. It has goals as increasing fundamental skills include objectives related to: (a) Basic education; (b) Cognitive and emotive skills; and (c) Learning in different ways. It also teaches respect, understanding, tolerance and diversity towards family, community and social relations and focus on art, culture and heritage. There are seven primary findings regarding Sisimpur's impact: Strong educational impacts, Sustained impact over time, Benefits to children in greatest need, Extensive reach, Well-regulated by mother, Loved by children and Potential for significant contribution to early childhood (ACPR: 2009). These result show that a cartoon based show can have a lasting effects on child development.

'Montu Miar Ovijan', 'Karim Chacha', 'Shanta', 'pumpkin pet show' (Dubbing) have a lots of positive impact over child cognition, attention and development. But there are a very few number of cartoons in Bangladeshi context.

Discussion

Media have a remarkable influence over child. Children are influenced by violence, sexual content, body image, cultural norms and values etc which effects on self-esteem, physical health, school performance, aggressive behavior etc. It also have a positive impact on children, if it fits them.

Cartoon is the most favorite program of children that are mostly neglected by the content of Bangladeshi channels. Some satellite channels from abroad continuously telecast cartoon and child based programs. These are made in the context of alien culture. In the stages of cognitive development,

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children are learning alien norms and values from these cartoons. These also affect children's attention skill. They face improper cognitive development. So moral reasoning of the children is affected. According to cognitive development theory, undeveloped moral reasoning in conventional period results in antisocial and deviant behavior.

Cartoon addicted children are growing up with a nil or negative view about own culture. They watch various cartoon of different culture, take the attitude, behavior and values of their favorite cartoon character as an ideal and try to do something following it. But it is difficult to follow another cultural values and norms against existing culture. Thus conflict between various norms occurs. As culture conflict theory refers this conflict as a grounds of crime causation, they are in a threat of becoming delinquent.

There are three major problems. Firstly, there are almost no channels for telecasting cartoon with the cultural values and norms of our country. Secondly, TV cartoon influences both children's antisocial behaviors as well as their attitudes about norms, values and culture. Thirdly, the parents have no alternative to cartoon in entertaining or keeping their children busy.

In the consequence of these problems, Bangladeshi children are growing up with an infected cognitive development and are learning other culture more than their own one. It may work as a push factor towards delinquency. The chance of doing aggressive behavior (by watch violent media), being delinquent (absence of positive values), or doing illegal act in later life (poor Moral development) increases thereby.

Cartoons do not have only bad effects. It may be used as a tool of proper child development if made properly. Cartoon make through the ground on local culture with child's attention development mechanism and emphasis on positive norms and values may be a replacement of pre-schooling. The impact of cartoon on children depend on the content of it, it's making, story etc and also the child who watch that, how much involves with it and what take form it. A good cartoon for children may be a changing agent for the concept of children behavior.

Conclusion and Recommendation

In Bangladesh, most of the children are in touch with minimum one electronic media. In cities, especially in the capital, majority of children have access to multiple media. TV is recreational means to 70% of children (Sarker, 2001). Bangladeshi TV channels do not telecast sufficient program for children. But they have always eccess to a large number of program made by various countries.

Bangladeshi children are watching cartoon made in the context of alien culture. These are full of fighting, violence, sexual activities, falsehood and various negative behaviors. Their moral reasoning becomes affected as they are in pre-conventional stage. This important stage of development ultimately succumbs to delinquency. As most of these cartoons are made with other language and culture, children learn alien norms and values. Conflict between norms and values derived by children become a ground for crime causation. Moreover, cartoon has a negative impact over children's attention skill.

Cartoon may produce healthy cognitive development of children, if it is made with careful absorption over culture, values, language and attention development. It may also represent well being of human and can teach children something positive against deviant act.

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To eliminate the chance of this evil, it is needed to look after the content of television for children. Not only guardian, but also the people of every stage may play role against the monster. Government, private organization, especially TV channel owners, media persons have lots to do for it. Cartoon films have to be made as a tool of children's positive development. It will be thus the combination of entertainment, education, development and treatment.

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An empirical study on the issues and problems of criminal investigation in Bangladesh

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Abstrac: Bangladesh is one of the most populous and still one of the least developed countries in the world. Crime and violence have been and continue to be among the major social, economic, and political issues facing the country. Criminal investigation is the biggest job in policing after patrolling. This paper mainly explored the major problems and issues of criminal investigation in Bangladesh. The study is mainly qualitative in nature and based on the primary data gathered from some purposively selected in-depth key informant interviews supplemented by a secondary analysis. The major problems of criminal investigation identified by the respondents include the limited or unavailability of resources and logistics for investigation; improper protection of crime scene or tempering of evidence available from the crime scene; irrigulataries of investigation officers; and external interference in investigation, which are associated with various issues including the lack of knowledge and/or the lack of experience of investigation officers; the lack of skills and trainings in investigative techniques, crime scene management, evidence preservation, interrogation and interview skills with witness, suspects, and victims; and the lack of community awareness about the importance of crime scene and evidence community information giving and cooperation to investigators. The study generated very useful facts that can be helpful for policy measures to improve the quality of investigation by ensuring that investigation report is not false, biased, delayed or weak; people give accurate and enough information in the FIR, as witness, and as victims; IOs are skilled, trained, well paid, not overloaded and not bored; sufficient budget and logistics support are made available for investigation; legal loopholes are addressed; and accountability mechanism is in place to stop irrigulataries, interference, negligence and violation of human rights in investigation. The implications for further research are also many given the limitation and scope of this study.

Keywords: Criminal investigation, police, issues, challenges, problems.

Introduction and Context

The term 'investigation' may refer to an observation or inquiry into allegation, circumstances, or relationships in order to obtain factual information. Investigation of a crime is one of the important stages of the criminal justice process. It starts with the police after a crime is reported to or suspected by the police. Investigators or detectives (often synonymously used) are involved criminal investigation

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responsibilities, which are specialized and aimed to increase the number of arrests for crimes that prosecutable and will result in a conviction (Roberg, Novak, & Cordner, 2005). Criminal investigation involves searching for and collecting of all possible relevant facts to determine the truth of crime: what happened, where, when and how; and who is responsible? (Swanson, Chamelin, & Territo, 2000; Becker, 2005; Horgan, 1989). It is a lawful search for the people and things to reconstruct the circumstances of an illegal act, apprehend or determine the guilty party and aid in the State's prosecution of the offender (Alam, Islam & Ahmed, 2011).

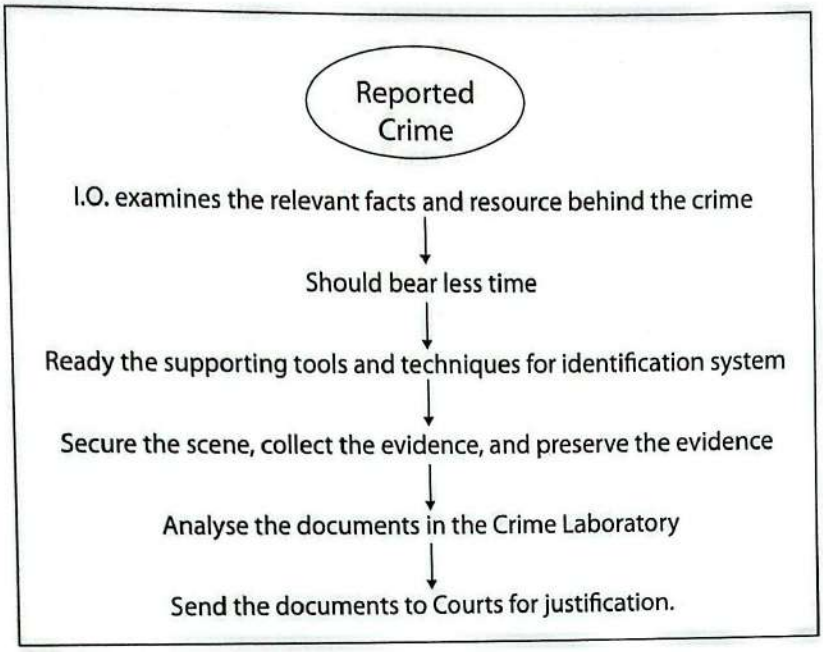
The history of criminal investigation is not new to the criminal justice system. It can be traced back to the eighteenth century in England (Swanson, Chamelin, & Territo, 2000). But the development of technology and forensics has contributed tremendously to the scientific system of investigation in the developed countries (Radzinowicz & Hood, 1986; Hebenton & Thomas, 1993). Countries like Bangladesh have not yet incorporated those technologies in the justice system. It is overwhelmingly reactive. The collection of physical evidence is under appreciated and its preservation, examination and custody are poorly done in Bangladesh (UNDP, 2007). Many law enforcement agencies still use time consuming and tedious manual investigative techniques ranging from the compilation of documents by hand, storing, sorting and filing documents including victim statements, witness statements, crime scene evidence, such as photographs, and this manual and lengthy process may cause fatigue investigators who, then, may make mistakes in doing proper investigation (Steven, 2000).

The investigation team comprises a police officer, a doctor, a photographer, a CID officer, a liaison officer, a senior officer and a pathologist (Simpson, 1978). Criminal investigators have to perform several critical roles (Bohm & Haley, 2002). They must locate witnesses and suspects, and arrest criminals. They also collect, preserve and analyze evidences. They perform interview witnesses and interrogate suspects. The criminal investigator officer also write reports, recover stolen property, seize contraband, prepare cases and testify in court and sometimes secure the victim personnel (Bohm & Haley, 2002). An investigation officer must acknowledge himself to observe situation oriented problems as soon as possible. Otherwise, the evidences may be erroneous to prove the criminal person. Bangladesh lacks many of these provisions due to legal inadequacy and loopholes.

Criminal investigation serves a number of purposes, such as, (i) detection of crime, (ii) locating and identifying suspect (before a crime scene can be processed, individuals perpetrators must be removed from the premises because they pose a danger to police, investigators and others), (iii) arrest criminals, (iv) locating, collect, record, preserve and processing evidence, (v) arresting or apprehend the perpetrator's, (vi) interview witness, (vii) interrogate suspects, (viii) write reports, (ix) recover stolen property, (x) seize contraband, (xi) prepare for case, trial and testify in court (Bohm & Haley, 2002). The responsibilities and duties of the investigation officer have been described on the Police act, CrPC and other relevant acts of the country. The investigative officials follow the procedural laws, rules and regulation on conducting their activities.

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According to the United Nations, there are some standards to be followed in criminal investigation. The process looks like below.



(Source: United Nations, 2006).

The historical dimension of criminal investigation began from 18th century and day-by-day the uses of investigation is increasing to identify the criminal and for justifying the cases scientifically and systematically. The general public as well as the government largely depends on criminal investigation because of reliability and validity ensured by criminal investigation process. Generally, investigation is the most important part of the criminal justice system to ensure punishment for criminals and justice to the victims. If an IO is unable to give proper or actual information about a crime, proper justice is impossible.

A number of studies and reports suggest that in Bangladesh criminal investigation is affected by many factors and issues including political interference, criminal threats, police executives' direction, irrigularities of investigators (Rahman, 2010; Alam, Islam & Ahmed, 2011; Shahjahan, 2006; Kashem, 2001, 2002, 2003, 2005, 2009; Saferworld, 2008; TIB, 2003, 2005, 2008; Huda, 2009; Shahjahan, 2006; UNDP 2002, 2003, 2007; Police Reform program, 2010). These studies argue that the police rarely use fair procedures in apprehending criminals/suspects and given the very low confidence in the police, many crime victims never call the police for various reasons including fear of further retaliation, or harassment by the police, irrigularities, and ineffectiveness. This study is an attempt to deeply explore the pertinent problems and underlying issues of criminal investigation conducted by the police in Bangladesh using indepth interviews of police officers.

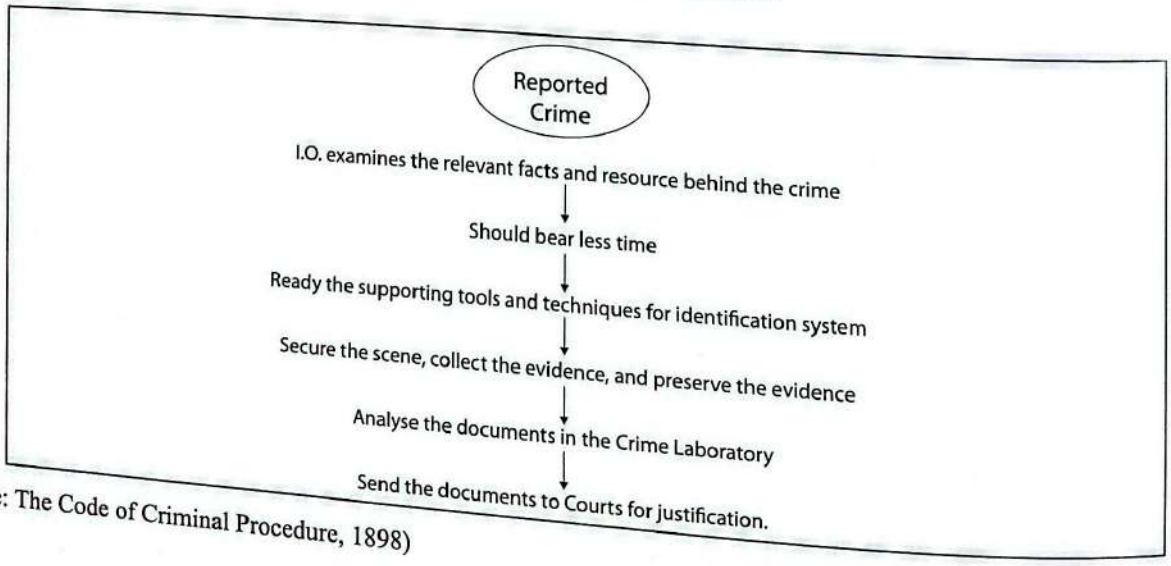
Study Problem and Research Questions

Today the Bangladesh Police is the main law enforcement agency of the country. It is a centralized department under the Ministry of Home Affairs of the Government of Bangladesh. Local police

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stations, called *thana,* are the entry point of contact with the police by the public. Policing activities such as the maintenance of law and order and the prevention and detection of crimes are carried out by police stations headed by Officer in Charge (OC) in both rural and urban areas. These stations are administered under 64 administrative district offices headed by the Superintendent of Police (SP) and six regional headquarters called Ranges headed by the Deputy Inspector General (DIG) of Police. Metropolitan Police Units were established under ordinances for policing the major cities. Traffic, special and detective branches are three main branches of the police. The Criminal Investigation Department (CID) is responsible for serious and high profile cases. A recently introduced (2003) unit called the Rapid Action Battalion (RAB) deals with serious crime investigation and detection. Police Bureau of Investigation (PBI) is a newly created investigating agency of Bangladesh Police, which works only on criminal intelligence and criminal investigation, with an emphasis on the investigation of serious crimes against humanity, individuals, establishments, as well as large scale property (http://pbi.gov.bd downloaded on September 12, 2014).Objectives of the study

In Bangladesh, the power of criminal investigation rests mainly with the police and is guided by the Criminal Procedure Code (CrPC). The officer-in-charge of the police station receives reports of offences in the form of a First Information Report (FIR). The Investigating Officer (IO) - the police officer in charge of investigating the case either - submits a Charge Sheet (CS) or a final report if a prima facie case is made against the accused during the investigation. The police officer shall not investigate a non-cognizable offence without the order of a Magistrate of the first or second class according to the section of 155(2) of the CrPC. The Section 156 of the CrPC states that any officer in charge of the police station can investigate the cognizable offence (without the permission of magistrate which a police officer may do it in accordance with the 2nd schedule arrest without warrant), and according to the Section of 172, the proceedings of investigation setting forth the time of beginning and closing of investigation period of time, place of visits, collection of statements and circumstances to be included properly and systematically. Magistrates have control over investigation, but public prosecutors have no control over it and they commence with the appearance of the accused before the courts (Sections 157 and 159, CrPC, 1898). The process can be presented as below.



(Source: The Code of Criminal Procedure, 1898)

In Bangladesh, police is the only state agency responsible for criminal investigation. Criminal investigation is governed by a number of laws of the land in Bangladesh. According to the Section 4(l) of the Code of Criminal Procedure (CrPC), the investigation of crime includes all the proceedings under for the collection of evidence conducted by a Police Officer or by any person other than a magistrate who is authorized by a Magistrate in his/her behalf (CrPC, 1898). Based on investigation, an investigation officer (IO) prepares charge-sheet for prosecution, or submits final report for release of the accused (CrPC, 1898). The Police Regulations of Bengal (PRB) 1943 under its Regulation 255-298 states the duties, responsibilities and activities of the investigation officers (PRB, 1943). A police officer in the rank of sub-inspector (SI) or in some cases, assistant sub-inspector (ASI) are assigned by the Officer-in Charge (OC) of a police station to investigate a criminal case as investigation officer (IO). The OC decides if investigation is necessary, and an IO not below the rank ASI is assigned (PRB 1943).

The police play a vital role in the adjudication process governed by the Code of Criminal Procedure and Special Powers Act (SPA) of the land (Police Reform Program, 2010). The police use of discretionary powers often causes serious miscarriages of justice. In the court of first instance (magistrate court) police officers (without professional training or legal expertise) perform prosecutorial functions and the court system does not have administrative control over police prosecutors (Das, 2006). Police interrogation does not require the presence of a defense attorney as in the US system (Das, 2006). The same officials being assigned with investigation, law and order and prosecution duties become unaccountable and inefficient (Shahjahan, 2006). The enactment of additional special laws – such as the Special Powers Act 1974, Antiterrorism Act 1992, Public Safety Act 2000, Speedy Trial Act 2002 -- has increased the punitiveness of the system (Das, 2006; UNDP 2002) and helped the ruling elites to act against opposition political leaders (Rahman, 2010).

Criminal Investigation involves the processes and techniques of identifying criminal, apprehending criminal, interviewing the witnesses, recovering the stolen property, collecting and preserving the evidence, and sending to the court for justification. Crime mapping is being used as a tool for crime prevention, crime detection, courts and correction. The process of investigation depends on the law and practical use of law enforcement agency, especially the steps of investigation, mainly in two ways - preliminary and follow-up investigation. There is hardly any scientific study on the issues and problems of criminal investigation in Bangladesh. However, several reports and studies indicate that criminal investigation by the police in Bangladesh suffers from multifaceted problems, which affect effective investigation and criminal justice system (Shahjahan, 2006; Islam, 2008; Rahman, 2010; Alam, Islam & Ahmed, 2011). These problems that are common for investigation and police work are caused by the lack of man power, modern aids and logistics support (Rahman, 2010; Islam, 2008). A seminar on 'Contemporary problems of criminal justice system of Bangladesh' identifies the problems in investigation for which increasing support for modernization (e. g., scientific investigation, scientific management of investigation through computerization, scientific development of criminal intelligence etc., increase quantum and quality of training, establishment of modern forensic and toxicological laboratories, updating of certain laws, introduction of mandatory time limit for investigation and trial, increasing the manpower etc. are suggested (Islam, 2008).

While investigation is the first stage after a crime is reported or suspected in the criminal justice, criminal investigation faces a lot of problems and issues which are likely to impact upon effective

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investigation and justice in Bangladesh. As there is hardly any qualitative study on the problems and issues of criminal investigation in Bangladesh, the present paper intends to identify those issues and problems and come up with practical policy recommendation to address those problems and issues.

Aims and Objectives of the study

The main purpose of the study is to identify the existing problems and major issues of criminal investigation in Bangladesh. The specific objectives of the current study are as follows:

1. To identify challenges, obstacles and problems facing the police investigators in Bangladesh,
2. To find out the underlying issues in criminal investigation in Bangladesh,
3. To recommend policies for addressing the issues and problems of criminal investigation in Bangladesh.

Sources of Data and Methods

This research is qualitative and exploratory by nature, and is based on primary data collected from the in-depth interviews of police officers who were engaged in criminal investigation supplemented by a secondary analysis of existing studies, news reports and other available reports. For interviewing, police officers were not readily available and were often unwilling to attend interviews. For in-depth interviews, five police officers who have long track of operational and executive role in police investigation were chosen purposively. They come from different agencies – one ex CID investigator who is now working in the Police Reform Program, one ex. CID head, AIG ranked police executive, one current CID investigator, one SP currently working in Police Staff College, and one District Police Super. Given the difficulties of accessing police officers, the sensitivity of studying investigation related topics, time and resource limitations, the present study used detailed interviews of few selected respondents so that the issues and problems are explored comprehensively through qualitative analysis of the interview narratives in thematic forms.

Study Findings and Discussion

The study identifies a number of problems and issues of criminal investigation in Bangladesh. Many of them are interrelated and some of them may seem to be overlapping. The major findings are discussed below.

First Information Report (FIR) is often not properly done

While FIR is the initial component of criminal investigation as it is a preliminary written statement of a cognizable offence, an Investigation Officer (IO) faces problems in getting information about crime in terms of who, what, where, when, how, etc. from the FIR in many cases. The study finds that the FIR often does not contain required information, and sometimes FIR is presented as an exaggerated account of the incident, which confuses the IO about the truth of crime, the accused and the victim. Some respondents mentioned that FIR is done by brokers, who do not care about giving wrong, ill-motivated information. Due to improper FIR, the purpose of FIR in investigation is not served in many cases. Besides the police have been found to abuse their authority in registering first information report (FIR) or making general diaries (GD) entries, by involving innocent persons in an FIR falsely, letting the accused free and conducting baseless investigations (Shahjahan, 2006). Various studies

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also indicated the problems of FIR in terms of bribery, abuse of power and external interference (Rahman, 2010; Kashem, 2002, 2003; UNDP, 2006, 2009; Shahjahan, 2006).

Crime Scene is not adequately protected or poorly managed

Crime scene and physical evidence regarding the incidence of crime are very important for identifying criminals and the circumstances of the crime occurrence. But the study finds that spoiling of crime scene by the curious people, journalists, and the nearest relatives for lack of awareness is a major problem for investigation of a criminal case.

Evidence of crime are tainted

The study reveals that crime scene is not properly inspected and searched by investigators with a view to collecting visible and invisible physical evidences available on the scene. Before investigators arrive at the crime scene, curious people including nearest relatives taint the physical evidence. Relevant tests of evidence collected from the scene are not carried out. Sketch map of the scene indicating permanent features, such as, building, trees, roads etc. and tangible evidences, such as, blood stains, foot print, dead body etc. as well as locations of witness during incident are not properly drawn. Even investigators do not consider taking photograph and videos of the scene.

Witnesses or general people fear or do not support investigators by giving information

The study finds that non-cooperation of common people in giving evidence, and unwillingness of the witnesses is another challenge for criminal investigation. Interested witnesses are even paid off for not to tell the truth or for making false statements. Even respectable persons are reluctant to be witness in seizure list or to give evidence before investigators, let alone court. Common people are not interested in giving evidence even if they witness the incident. Some witnesses are eager to bear witness only when their personal interest is involved. Neutral witness, chance witness, eye witness don't come forward spontaneously though they are witnesses to an incident. Accused persons cash in on the poverty of the witnesses nominated by complainant, as a result important witness give divergent version of the fact in issue leading to acquittal of offenders. Therefore, culprits are inspired to continue their criminal activity with impunity. The study respondents also reported that most of the government offices do not provide proper support, interest and facilities to the investigators for collecting records or information related to the alleged crime. One of the underlying issues for non-cooperation is the lack of community awareness about the importance of statements of the victims, witnesses and other government organizations in the criminal justice process.

Resources for criminal investigation are not sufficient

The respondents of the study argued that police workload is huge and investigation officers are often assigned for non-investigation related duties such as VIP protocol. The ratio of police to population is very disproportionate in Bangladesh, and the police-citizen ratio is lower than other South Asian countries except Pakistan. Job stress keeps investigative officer busy at work even during off hours leaving family at home. Police workload affects their time for criminal investigation in Bangladesh (Karzon, 2006; TIB, 2004). According to the KIIs, there are lots of pending cases as the clearance rate is low. For quicker investigation for under-trial cases, we need more officers. Due to busy schedule and workload of police officers for non-criminal matters, the designated investigation officers cannot

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properly pay attention to the cases. A Transparency International Bangladesh study (TIB, 2004) shows that police only spends 18.4 percent of their time for works associated with criminal cases, and the rest for law and order maintenance (40.6 percent) and VIP protocols (32.7 percent). Another study (Alam, Islam, & Ahmed, 2011) shows that about 44 percent investigators deal with 21-25 cases, followed by 16-20 (21 percent), 11-15 cases (about 12 percent) and above 30 cases (5 percent).

The respondents argue that the lack of modern equipment and techniques affects efficient and proper investigation. Some respondents categorically shared that we lack proper knowledge about cybercrime and digital times. Due to huge pressure for investigation, tests are required to complete immediately and often errors may occur. The limited supply of the deposition book and the problems of logistics support are considered loopholes for investigation. The key informants also mentioned that we do not have evidence testing facilities and it is a matter of irony that we send evidences to abroad for examinations. There are few DNA labs established in Bangladesh in attachment with medical colleges. There are very few privatized DNA profiling centers so far. Two chemical labs are established at CIDs in Dhaka and Chittagong. While modern and advanced investigative technologies, equipment and techniques are used to identify the suspect, locate witness, victims and suspect, and recover the stolen property, we are lagging behind in this respect. In developed countries, forensic evidence is used largely whereas we still depend largely on oral based evidence. Recently a forensic training institute was introduced to train the police officer in Bangladesh.

The study reveals that investigation officers are not properly paid off for investigation. Transport problem is a big issue for investigators. The respondents of this study mentioned that investigation officers do not have logistic support even for carrying corpse. While an IO has to visit frequently the places of crime incidence, to interview witnesses, arrange repeated drives for the arrest of suspects, visit the court for hearing of cases and laboratories for forensic test of seized items, and take accident victims to hospitals, but investigators get no sufficient allocation and this results in the practice of bribery. A study on Tangail District ((Alam, Islam, & Ahmed, 2011) found that most of the investigation officers (about 47 percent) spend upto Taka 3000 for investigation followed by Taka 2100-2500 (about 32 percent), Taka 1600-2000 (11 percent) and 2600-3000 (4 percent), and that police investigators spend monthly Tk.2760 on average while they get Tk.1870.47 (Alam, Islam & Ahmed, 2011). This implies that investigators often spend money from their pocket.

Criminal investigation may be manipulated or influenced by many factors. Police corruption is one of many. Police corruption is nearly as old as law enforcement and is the product of the larger society's greed and avarice (Tate, 2003). In Bangladesh most of the police personnel get involved with corruption. In Bangladesh, there is no mechanism to monitor the investigating activities of police. The police prosecutorial role of investigation provides them an advantageous position to manipulate investigation, and do corruption for personal gains by including or deleting names from the charge-sheet or final report (Karzon, 2006). A survey study (Alam, Islam & Ahmed, 2011) reported that biased investigation are caused by a number of factors, such as problems of logistic support (100 percent respondents mentioned) followed by interference by politicians (94.73 percent), false report by CID officials and experts (84 percent), threats for employment (93 percent), threats for family and children (82 percent), taking bribe (61 percent), low safety feelings (58 percent) and over case load (33.33 percent).

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One of the underlying issues for corruption in investigation is the low pay for the officers and unavailability of resources we have noticed that IOs use his or her own money for transport or communication purpose. While it is easy to blame the police, we should also remember that they are over-worked, under paid, vulnerable to reprisals against themselves and their families if they pursue criminals, and enmeshed in a network of corruption of which they are just a part (Temple, 2003). Some respondents of the study pointed to immorality and dishonesty of IOs, who breaks the moral norms and legal process in collecting evidences, which are later sent to the court. IOs take bribery from the offenders so that the accused can escape from the wrongdoing.

Lack of Knowledge and Skills of Investigating Officer

The study found that some IOs are not aware of existing laws relating to criminal investigation and the standards of investigation, and they lack skills and experience about investigation techniques, crime scene management, evidence preservation, etc. The respondents argue that inadequacy of training after recruitment and during in-service leads to the poor knowledge and skills of IOs in Bangladesh. Proper training imparts knowledge, skills and practical experience, but police officers are not trained about the laws, rules, regulation, procedure and other mechanism to investigate crimes properly. The budget of the investigation bureau is insufficient for its own training institutions, and the management lacks adequate number of staff (Chowdhury, 2007). This is perhaps the reason that the investigation bureau or CID could not give much support to criminal investigation. It is also noticed the KIIs are not much aware of the newly born Police Investigation Bureau (PIB).

The respondents of the study added that due to changes in technology used in committing crime and the nature of crimes, such as, cybercrime, money laundering, drugs, and trafficking, investigation of such crimes without modern scientific and forensic investigation techniques and skills is very challenging for IOs in our country. The study discovered that many investigation officers are not experienced in using the instruments even what they have right now let alone advanced technologies. The respondents of the study also argued that there is a lack of specialized team at the district level. According to the respondents, there is no specialized team for collection as well as preservation of physical and biological evidence at district level. For investigation, specialized training is imperative. A district based study on criminal investigation officers (Alam, Islam & Ahmed, 2011) indicates that about 87 percent respondents mentioned they need proper training for investigation followed by necessary budget (76 percent), and free and fear environment/ no interference at work (72 percent). The same study showed more than 60 percent of investigators seek for computers for data profiling, digital camera and recorder to analyze their information.

Interference in criminal investigation

The study reveals that pressure of influential person and political interference often affects investigation. In some cases, the investigative officers depend on the decision of the senior officer. The patronization from the political leader influences the cases and the superior officer also promotes them. This finding is also supported by another study that finds that about 95 percent investigations were influenced by the political leaders, about 64 percent influenced by superior officers, 29 percent by colleague and about only 21 percent by family member and relatives (Alam, Islam & Ahmed, 2011). The same study found that 44 percent political interference was made for taking bribe, 33 percent for to disturb/

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disrepute the opposite party, 6 percent for abuse of power and 8 percent for no good relation with police and political leader.

Administrative or Legal Loopholes in investigation

It is a fact that Bangladeshi laws still inherit colonial legacy. The investigation officer cannot perform their respective duties for legal bindings. Even in emergency cases, they cannot take any steps immediately without the order of the higher authority. Due to these problems of laws, victims suffer badly. There are a number of loopholes or inadequacy of legal provisions mentioned by the key informants of the study. Photographs and video evidences are not admissible in the court in most of the cases. DNA evidences are not mandated for relevant cases. Cases are not often judged and dealt with as per the laws, and the problem of investigation starts with problematic FIR as FIR is not written following legal instructions. There is no check or monitoring mechanism. The study identified that there is the lack of accountability of investigation officer for any mistake, failure and defect in investigation. Officers concerned are often not brought to account. The disqualified officer does not get any punishment from the superior authority and the brilliant officer does not get any reward from the government.

Conclusion and Recommendation

Bangladesh is a developing democracy and a major part of that development requires the government to fulfill expectations to enforce the law and to maintain certain constitutional guarantees of individual rights. But the hopes and aspirations the citizens of Bangladesh had for their police after independence have not been fulfilled, and this disappointment is only worsening in the current context of rising crime rates (Rahman, 2010). The rise of crime rates, particularly of violent crimes in Bangladesh has attracted the attention of politicians, the media and the police as well as regional and international organizations. Bangladesh seems to be tough on crime as reflected in its efforts to make more laws and increase in investment for police to combat crime. In Bangladesh, investigation and police work is affected by various problems and issues which are revealed by this study. Effective criminal investigation cannot be possible unless the identified problems are overcome and the issues are addressed. Based on the findings, the study recommends a number of policy measures and further research implications. The major conclusions and practical suggestions are presented below.Table-10: Time of Appeal to the court or police station

a. Address administrative and legal loopholes

The respondents of the study argue that our legal system is inadequate for investigation. They suggest for amendments in the Evidence Act and the CrPC. There are various issues associated with physical evidence as oral based evidence is used under the Evidence Act. But this act does not provide space for forensic evidence, videos or photographs etc. In respect of CrPC, case backlog are not cleared. To ensure accountability of IOs and to introduce public prosecutor, new laws are to be enacted. Certain laws are updated and offered opportunities for effective investigation. The Public Safety (special provisions) Act, 2000 the Suppression of oppression to Women and Children Act 2000 have provisions for speedy investigation and trial in order to combat crime. The first act keeps 30 days for completing investigation and 90 days for speedy trial and the second law limits to 60 days. Operational freedom from the political pressure needs to be ensured. The combined role of Investigative judge, prosecutor

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and doctor in protecting the crime scene area and detecting the criminal properly needs to be ensured by law. DNA test should be made at the request of arrestee where necessary. The number of cases should remain in a specific number under the respect of CrPC. Forensic DNA should be incorporated in the Evidence Act. The conscious people and the government agencies must create favorable environment so that the witnesses' people come forward against criminal person. To eradicate the existing problem from the investigation sector, the law enforcement agency should take remedial measures against any types of illegal activities immediately.

b. Build capacity of police officers for investigations

The number of investigation personnel must be increased. Policing is a stressful job. Bangladesh is a very populous democracy. Police citizen ratio is 1isto1300. A police has to perform a lot of responsibilities and to deal with caseload. But they lead lives with less facilities, privileges, remunerations and logistic support. If they are not well equipped, obviously professionalism would be hampered. If they are not happy with their job, they could not provide good service. If the fail to satisfy their family they might become corrupt. Reforms should include better compensation, prevention of politically motivated transfers of police officers, rapid and exemplary action against officers guilty of corruption and other crimes, training and modernization of the police force, and civilian oversight of police services.

The Police Reform Program (PRP) has undertaken various initiatives for police reform. Investigation is a priority area for UNDP sponsored PRP program. By now, the PRP has prepared awareness raising posters and programs for crime science management and the role of police officers. It has introduced a basic investigation skills building course for the investigation officers based in model police stations. This type of training needs to be expanded to all police stations and police officers who are potential IOs.

c. Expand trainings, establish modern training facilities and forensic investigation centers

The number of training should be increased to handle new dimensions of crime including cybercrime, terrorism, drugs, etc. Standards of police training should be upgraded. Modern forensic labs need to be in place for criminal investigation. New investigation centers of international standards should be established. Sufficient funds need to be reallocated. Expert academicians, lawyers and talented police officers should be appointed as teachers in the Police Academy and other police training establishments. Handsome money and allowance must be provided to the teachers of those institutions.

d. Establish accountability/independent oversight mechanism

Adequate monitoring/accountability mechanism for IOs for investigation must be ensured. To increase accountability, reduce corruption and political patronage in criminal investigation, independent oversight mechanism needs to be in place so that IOs get punishment for their misdeeds. Government should appoint Public Prosecutor permanently, limit the number of cases for IOs between 1 and 9, increase the supervision by the superior police personnel of the junior police officer, and ensure fair and merit-based recruitment system.

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Practicing Dual Budget Leading to Incongruent Macro-economic Performance in Bangladesh

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Abstract:

Practicing dual budgeting has several ramifications on macroeconomic policy performance of Bangladesh. The prevailing dual budgeting, accounting, and reporting systems do not provide basis for a comprehensive analysis in the budgeting of government operations or in the evaluation of their outcomes and results (Sarraf, 2005).World Bank (1998) claimed that dual budget is one of the most important reasons for the failure to link planning, policy, and budgeting, and for poor budgetary outcomes. Corroborating this view the Commonwealth of Australia (2008) claimed that integrated budgetary processes, which underpin the efficient allocation of resources, enable Government to identify and respond to changes in circumstances and government priorities. International Monetary Fund (1999) counsels its fiscal economists that a dual budgeting system may be based on inconsistent macroeconomic assumptions, budget classifications, and accounting rules. However, Bangladesh is still practising this dual budget disregarding its negative consequences. Although several studies of the determinant of macro policy performance have been conducted in developing countries, there has not been any study that incorporates the effects of practising dual budgeting in Bangladesh. Therefore, the present study attempts to fill this gap in the existing literature. The finding will provide policy guidelines for creating a macroeconomic policy environment providing enabling conditions and incentives for growth, with an integrated budgeting system .

Key words: Dual Budget, Development Budget, Non-development Budget, Budget Unification, Macro-economic Performance, Current and Capital Expenditures.

Introduction

The national budget of Bangladesh is the annual program of the government expenditure and income for a fiscal year. Like many other countries, the annual national budget reflects the government's development philosophy, priorities and approaches towards equity and social justice, deciding to provide the level of infrastructure and basic public goods in order to create an enabling environment for the private sector to act as the engine of economic growth through the national budget. Therefore, complete understanding of the budget planning and preparation system is essential, not just to derive expenditure projections but to confirm about the feasibility and desirability of specific budget proposals, from both a macroeconomic and microeconomic perspective. This can be a much easier

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way to control government expenditures at the "upstream" point of budget preparation than later during the execution of the budget (Potter & Diamond, 1999).

The national budget in Bangladesh is formulated in two segments, 'Development' and 'Non-development' known as dual budget. This is an essentially artificial division. These dual budgets processes have their origins in the public financial management structures established by the British colonial administration. Frequently, finance and planning ministries issue their own separate budget circulars and the dual approach to budgeting also take root in the line ministries. Although the intended objectives are the same, this leads to duplication and lack of coordination in resource allocation process and is considered a major impediment in the budget management system (GOB, MOF, 2011). This coordination gap between the finance and planning ministries may also have reflected differences between their ministers that, in some cases, exercise de facto control of investment decisions and their funding. Such settings make it difficult to introduce consolidated budget presentation and classification systems (Jacobs, 2009). Moreover, some substantial extra budgetary costs evolved from this policy practices. Therefore, it is urgent to remove this artificial division of the national budget and integrate these two budgets into a unified budget to ensure the best utilization of limited resources.

Bird's Eye View on the Budgeting System in Bangladesh

Constitutionally, Bangladesh uses the term 'Annual Financial Statement', to refer to the annual budget. The Finance Division (FD) of the Ministry of Finance (MoF) has the overall responsibility to prepare both the revenue and development budgets. The revenue budget wing is responsible for finalizing the revenue budget encompassing all the stages from collation and examination of ministerial submissions, summarization and passage through the parliament to the final publication (Rahman, A. 2012). The development budget wing converts the Annual Development Program (ADP), prepared by the Planning Commission (PC) under the Ministry of Planning (MoP), into the development budget. In some cases, at the end of the budget preparation cycle, the MoF would simply collate the two budgets into a single document that made up the "budget." Clearly, such a dichotomous budget practice impedes the integrated review of current and investment expenditures that is necessary in any good budget process (Schiavo-Campo, 2007). For example, the ministry of health would program its hospital construction program separately from its running costs budget and try to get the maximum amount of money for both, while not considering variants such as building fewer hospitals and buying more medical equipment and medicines.

Dual Budget and the Rationale for its Practice

Dual budget is the separation of recurrent and development budgets transpired along several dimensions such as separate central ministries managing processes and making different decisions, separate planning and budget allocation processes, separate budget documentation, execution, accounting, banking, and reporting processes. Several terms are in use, such as "recurring" and "nonrecurring", "revenue and capital", "current and capital", "operational and development" and "recurrent and development" budgets (Sarraf, 2005). This paper does not distinguish among these couple of terms and the terms are used synonymously.

This dual system came into practice when the policy makers found making a separate development budget significant and was aimed initially at establishing appropriate mechanisms for giving higher priority to development activity and instead, it was seen as the application of a golden rule that refers

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to the provision that the budget deficit must not exceed investment or capital expenditure that is, borrowing only for capital spending. Schiavo-Campo (2007) argued that in many developing countries, before the advent of the public investment programming approach in 1980s, MoF was responsible for preparing the recurrent budget and the MoP was responsible for the development budget. These two entities carried out their responsibilities separately based on different criteria, different staff, different bureaucratic dynamics, and different ideologies.

Budget for separate capital expenditure has evolved over the decades and its importance has increased or decreased over time. Premchand (2007) has identified six noticeable stages of changes in capital budgeting practices and thereby evolution of dual budgeting systems. The first stage is the Great Depression years during which efforts were mainly focused on designing ways to ensure economic recovery where public borrowing for financing capital outlays, except for emergencies was not favored. Thus, Sweden introduced this capital budget funded by public borrowing and used to finance the creation of durable and self-financing assets that would contribute to an expansion of net worth equivalent to the amount of borrowing. This practice found extended application in other Nordic countries in the following years. The second stage took place in the colonial government of India in the late 1930s where capital budget was introduced to reduce the budget deficit by shifting some items of expenditures from the current budget. It was admitted that the introduction of this dual budget system would offer a useful way to reduce deficits.

The third stage was the growing importance for capital budgets as a vehicle for development plans. The countries that became independent in the 1940s were heavily influenced by the Soviet model of central planning, formulated massive five-year plans, and considered capital budget the primary vehicle of economic development. The fourth stage, in order to ensure efficient and rational allocation, quantitative appraisal techniques came to be applied on a wider scale in the 1960s which established a trend of more rigorous application of investment appraisal and detailed financial planning, came to be a condition for the inclusion of projects in the capital or equivalent budget.

Fifth stage experienced a revival of the debate about the need for a capital budget in government. In the 1960s, it was said that the introduction of a capital budget could be advantageous with the growing application of quantitative techniques but did not gain much support. For the time being, there was a rising concern on the need for capital budgets. Sweden along with other Nordic countries had made ground breaking energies in the 1930s commenced a review of its budget system in the early 1970s. They found that extreme attention on capital budgets would need to be toughened by the recognition that overall credibility and creditworthiness of a government depend more on its macroeconomic policy stance than on a government's net worth. This shift in emphasis contributed to a decline in the use of the capital budget until the late 1980s.

In the last stage, there was a renewed impulse by the professional bodies and international financial institutions for the introduction of accrual budgeting and accounting from the late 1990s. These ideas found a foothold in the United States, where advocates held the view that the absence of a distinction between investment outlays and ordinary or current outlays led to unintended neglect of infrastructure or accumulated assets. Ensuring proper asset maintenance required a division of outlays into current and capital outlays, as a part of the daily budget management.

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From Dual to Unified Budgeting System: A Global Trend

Dual budgeting system originated in European countries in the 1930s in order to ensure that the borrowed resources of the government were used only for capital expenditures. This condition was relaxed just after Second World War and budgets were integrated. Several factors acted behind this change in approach as catalyst like massive postwar reconstruction work and increased recurrent expenditures, along with the acceptance of the Keynesian model of linking government spending and the size of the budget deficit and borrowing requirements to both fiscal and monetary determinants and the business cycle (Sarraf, 2005). Likewise, it shortly became vibrant that the need to reap a return whether financial, social, or economic applied to the entire spectrum of government spending. Further, the United Nations' System of National Accounts (SNA) and the IMF's Government Finance Statistics Manual (GFSM) prescribe how a government's consumption and investment activities should be separately recorded in the government budget and in accounting records and statistics. However, they do not call for a dual budgeting system. Separate data on government consumption and investment can be maintained within a unified government budget (ibid).

Currently both developed and developing countries use government borrowing, along with gover nt revenues, to finance both recurrent and investment expenditure. What matters is the overall of the budget deficit, in the context of macroeconomic stability and sustainability in a non-infla y environment. Borrowing has no relation with the allocation of the borrowed funds to recur or capital expenditures, except where a loan agreement is associated with a specific capital ct (Sarraf, 2005). In recent years, the use of a "golden rule" which allows borrowing only for c al spending could be seen to justify a separate treatment of capital and recurrent expenditures. But er time, it came to be accepted that regardless of their financing sources, government's current spending and capital investment are considered together, and that these two types of expenditures together can produce results (Jacobs, 2009).

In the 1950s and 1960s, dual budgeting was common, and has since been widely discredited, as it has been shown to fragment the budget and weaken the central bargaining process (Simson & Aziz, 2011). It came to be normal in developed economies like Organization for Economic Cooperation and Development (OECD) for the section in the MoF that is familiar with a spending unit's activities to deal with both capital and current spending. For each spending program, the budgeting of capital and current expenditure is developed together.

One of the main reasons for practicing dual budgeting is that the budget execution and reporting occurred through capital or recurrent projects financed by donors, which usually required governments to keep separate accounts for domestic counterpart funds and to deposit such funds along with donor funds in special bank accounts, outside the purview of central treasuries or accountants-general.

Table 1: Dual budgeting practices in African countries

Is your Central Government budget split into a separate capital and operating budget?	Countries
Yes (but from fiscal year 2008/9, however the two budgets have been integrated)	Botswana, Burkina Faso, Kenya, Malawi, Morocco, Namibia, Nigeria, Sierra Leone, Swaziland, and Tunisia.

(Source: CABRI and African Development Bank, 2008)

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Though the African countries receive the largest portion of the world aid and loans there is also a trend towards budget unification for the countries that practiced dual budget recognizing negative consequences of dual budgeting. Of course, some other countries did not adopt dual budget at all.

However, most OECD countries have attained a high degree of integration of their current and capital budgets through a process of development in their public administration and budgetary systems that has taken place over many decades. It is the result of a growing realization by these governments that (i) the distinction between current and capital spending is often quite arbitrary or uncertain; and (ii) better resource allocation and management decisions can often be made within a unified budget (Jacobs, 2009). Some of the OECD countries like Japan, New Zealand, Norway, and the UK have developed highly sophisticated strategies for managing the government's stock of capital assets and new investment programs. This has also been heightened because of switching from cash-based to accrual-based accounting in some countries. So, there is a clear-cut trend globally toward the budget unification from the confusing dual budget that originally does not favor macroeconomic performance.

State of Dual Budget in Bangladesh: An Overview

Budgeting systems do exhibit differences depending on their historic origin. Given the common heritage of many countries, it is possible to identify four main patterns--francophone, Latin American, (British) Commonwealth, and transition economies (Potter and Diamond, 1999). For Bangladesh, dual budget process has its origin in the public financial and structures established by the colonial administration that distinguished clearly between the recurring expenditures involved in maintaining a narrow range of government services and the development expenditures needed from time to time to establish or new administrative functions. Limitations on local revenue-raising capacities meant that approval for major capital expenditures often required special budgetary provisions including referral to the home treasury or supervising colonial authority (Webber, D. 2007). The system of formulation of separate development budget also continued during the Pakistan regime to receive aid through a convenient process from the donor countries/organizations. However, this practice did not disappear when the British Colony and later the United Pakistan departed.

The continued separation of current and development budgets also appealed to the new administrations in that it enabled them to separate the ongoing costs of government and the associated raising of current revenues with ambitious new development plans and their associated financing needs. The donors have reinforced this separation over time through their traditional preference for funding of "development" activities, while at the same time shying away from the "consumption spending" usually associated with current expenditures (Webber, D. 2007). Occasionally, Bangladesh was dependent on external sources for a large volume of financing and expertise required for reform and reconstruction including the detailed budget planning and reporting requirements .Thus Bangladesh has a dual budget process providing a separation of activities that often relates more to historical systems, political objectives, potential sources of financing and institutional capacities than to the actual nature and purpose, including correct description, of the expenditures themselves. Therefore, Bangladesh is still firmly following this dual budgeting system.

Jacobs (2009) argued that the budget system of a country with a high degree of integration between current and capital expenditures exhibit several key features (See Box 1). But Bangladesh is yet to

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achieve any of these features. Presently separate development budget is practiced by all ministries/ divisions except defense budget (Army, Navy and Air Force budget) under the Ministry of Defense. All the development activities of Army, Navy and Air Force like all civil works and major procurements are financed from non-development budget (MOF, 2011).

Box 1: Features exhibiting degree of integration between current and capital expenditures

- √ A single (combined) annual budget law and appropriation process;
- √ Clear and unified responsibilities for budgetary preparation and implementation within the relevant public sector institutions;
- √ The existence of effective and widely employed investment appraisal techniques;
- √ A unified budget presentation, with supporting classification and accounting systems; a
- √ Budget planning and management techniques within individual spending agencies at encourage and enable good use of financial resources.

However, the concept of national budget is not merely limited to the accounts of incom nd expenditure; rather it is a vehicle for the implementation of economic, social and political v of the Government. Having an elected representative government that is supposed to be respo ve to the peoples' preferences and expectations, the government intends to use the national bu et as a tool for accomplishing the expectations and desires of the people. For this consideration he government is committed to make necessary reforms in the existing budget management system. The government has already taken some reform initiatives that favor budget unifications like application of Medium-Term Budgetary Framework (MTBF)to the maximum number of ministries/divisions. These initiatives include reliance on medium-term expenditure frameworks (MTEF), the preparation of poverty reduction strategy papers (PRSPs), the identification and monitoring of poverty reducing expenditures in developing countries' budgets and financial reporting systems, and the introduction of sector-wide and general budget support approaches along with traditional support for individual projects by most donors (Sarraf, 2005).

Moreover, presently government has initiated computerization of the budgetary process under a project entitled Reforms in Budgeting and Expenditure Control (RIBEC). A five-year database system is being made which will hopefully help in analyzing expenditure and revenue earning trends and other aspects of national budgets, thereby enabling the government to make efficient resource allocation. Although the process of bringing reforms in budget management in Bangladesh has already been initiated, there remain many important reform issues which need to be addressed. Positive scenery is that the MoF would like to remove this artificial division of the national budget and like to initiate the new idea of unified budget formulation.

Incongruent Macroeconomic Issues from Dual Budgeting in Bangladesh

Budget planning and preparation are at the heart of good public expenditure management. Potter and Diamond (1999) argued that public expenditure management systems require four forms of fiscal and financial discipline for full-fledged effectiveness:

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1. Control of aggregate expenditure to ensure affordability; that is, consistency with the macroeconomic constraints;
2. Effective means for achieving a resource allocation that reflects expenditure policy priorities;
3. Efficient delivery of public services (productive efficiency); and
4. Minimization of the financial costs of budgetary management (i.e., efficient budget execution, cash and debt management practices).

Centered on the above-mentioned objectives macroeconomic assessment of available revenues and financing, ideally, the expenditure budget should aim to be comprehensive, transparent, realistic, policy-oriented, and allow for clear accountability in budget execution. These concepts form a standard developed by Potter and Diamond (1999) by which the soundness of budget systems can be judged (see appendix 2).

In most of the OECD countries, Potter and Diamond (1999) claim, the comprehensiveness and the transparency are achieved by designing a budget system with three key characteristics. The first one is annuality means a budget is prepared every year; voted every year; and executed over one year. While maintaining the core concept of annual authorization, this principle has been modified at the preparation stage, Most OECD countries now develop the annual budget within a multiyear perspective through MTEF. The second is unity which means revenue, borrowing and expenditure should be considered together covering all government agencies and other institutions undertaking government operations, so that it presents a consolidated picture of these operations and is voted on, as a whole, in the parliament. The third is universality which means all resources should be directed to a common pool or fund, to be allocated and used for expenditures according to the current priorities of the government and earmarking of resources for specific purposes is thus to be discouraged. These three physiognomies are prerequisites to meeting the above mentioned goals of effective public expenditure management particularly exercising the macroeconomic constraint of affordability in total and ensuring efficiency in the allocation of resources. Now it may be rational to search for the answer to the questions in appendix 2 from the Bangladesh perspective based on the standardized levels practiced by developed nations.

Nonrealistic macroeconomic framework: The absence of proper macroeconomic analysis is particularly common in countries that have a "dual-budget" system. In other words, practicing dual budget is the major barrier to achieve these goals particularly first two (macroeconomic and allocation of resources)of the four main goals because there are some inherent weaknesses with practicing dual budget in terms of its nature, scale and significance(Potter and Diamond, 1999). In Bangladesh, the government budget is not unified rather it is dual with separate recurrent and development budgets that is reasonably based on inconsistent macroeconomic assumptions, budget classifications, or accounting rules. Each budget is compiled by a different ministry, where the macroeconomic constraint is not explicitly taken into account in the budget process, or the economic assumptions underlying the estimated costs of expenditure programs are weak or erroneous. The Public sectors of Bangladesh have limited capacity to direct aggregate resource flows and it relies excessively on the discretionary actions that inhibit growth by restraining private sector initiatives and encouraging

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wasteful rent seeking activities where the planning system still remains highly centralized, inhibiting participatory decision making. Here, the macroeconomic model used for the five year plans is rather simplistic, outdated and has long lost its usefulness as a flexible tool for medium term economic forecasting (Alam and Mozumder, 2011). Actually there is little macroeconomic analytical capacity in the budgetary authority and has no contact with those undertaking such analysis like research department at the central bank. Sometime under duality of expenditure the economic assumptions, used in estimating the cost of present and new policies are not accurate, consistent across line ministries, or sufficiently discriminatory between different economic categories of expenditure. For example, a sharp rise or fall in the interest rate has a much different impact on the stock market than on the incentive package for investors.

No veracious estimation of revenue and expenditure: Under the present fragmented budget regime, the PC is responsible for selection and prioritization of projects, pruning of the irrelevant ones and assigning formal assessment of the resources required for their materialization. But more often than not, the cost estimates are unrealistic by the time they are handed down to the implementation agencies and the fund is actually made available by another agency-the MoF. This becomes an infeasible proposition both in terms of money and the assigned period. The PC can fiddle the tune, but the paying authority is the MoF who are the real arbiters of the fate of a project. The MoF tries to mobilize funds both internally and externally.

Internally, its Internal Resources Division (IRD) also known as National Board of Revenue (NBR), tries to extract as much juice as possible, mostly by fixing a higher ceiling for all sort of taxes and custom duties imaginable and by unabashed borrowings from the government-non-government banks and other financial institutes, issue of bonds by the central bank, which in its wake, constraints availability of funds for the private entrepreneurs on one hand and liquidity problem for the banks on the other. To counter the liquidity problem, the central bank often resorts to the most readily available way to come out from the straight jacket condition by resorting to indiscreet printing of money bringing inevitable inflation and as the inflation turns to a hyperinflation, again, there is sudden sucking off of the money from the money market to start liquidity problem afresh. Thus the vicious circle of liquidity crisis leading to excessive printing of money by the central bank at the behest of the government leading to inflation, leading to stifling of the money flow or liquidity problem. This results in a mismatch between the financial and monetary policy of the government.

The other way is to collect resources externally through the External Resources Division (ERD) which is the officially authorized agency to entice foreign direct investment (FDI), to genuflect before the donors to beg, borrow funds or to barter by exchanging our commodity sought (often along with the national dignity and honor with it) in exchange of what is sought by signing on the dotted line of conditionality. As a significant part of the Development Budget is still financed by foreign aid, timely release of the fund assured is a rare phenomenon and there is often an unbridgeable gap between what amounts was pledged and what is actually being doled out. The result is, local planners are hardly in full control of the expenditure planning. Thus, though the ADP is conceived by the concerned ministries, it has to be revised considerably in accordance with the actual availability of foreign resources and at the whims of their proconsuls visiting to check the progress and often, their dictates puts the ADP budget in a tangential course from its stated objectives, compromising the development priorities.

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Premature experience are not taken and analyzed: The projections for the outturn of the previous and current years' budgets are not prepared, or the experience to date is not analyzed, so that budget preparation becomes a simple incremental exercise based on the previous year's budget estimates because the budget is executed by a separate department rather than by the original budget authority. Budget for the coming year begins early in the current fiscal year before the provisional outturn for the previous year is known, and usually before any projected outturn for the current year has been made available, with the consequence that the MoF/MoP prepares the budget by reference to the previous and current years' initial budgets, and not to the provisional or projected budget outturn for the current and preceding years. They don't make projection based on time series data analysis and also do not take any stock under consideration although focusing on the current or next fiscal year's expenditures alone can be misleading. Expenditure planning should be extended beyond one year, to gain a full appreciation of the future spending implications of present policy decisions. If there is shock to the economy for example, in times of high unemployment, the budget preparation exercise can become seriously unrealistic. Uncertainty about likely employment levels can also excuse and thereby perpetuate a lax attitude to budget preparation: when the budget is subsequently executed, the results may include wasted administrative efforts spent switching resources from one budget line to another; excessive use of supplementary appropriations; loss of macroeconomic control over the total; poor allocation of resources among programs; and expenditure arrears.

No prioritization procedure is followed: The budget planning framework in Bangladesh fails to address important issues like: prioritizing and assessing technical and financial feasibility of implementation of a project within the initially set up time frame. But a sound budget preparation procedure should aim at making the government's priorities clear and at selecting, from the many budget requests by spending ministries, those which are really important to the government. Potter and Diamond (1999) argued that a budget strategy needs to be determined at a political level like Cabinet, which determines (1) the affordable total, (2) new policies to be accommodated, and (3) any changes in existing policy provision. Moreover, each spending ministry and the ministry responsible for budgeting should meet to discuss each ministry's estimates. To accommodate new policies, the budgetary authority must require each spending ministry to prioritize its requests. But in Bangladesh following dual budget, no satisfactory procedures exist for review of expenditure policies and program prioritization and with no linkage with the national planning. The ADP uses a rudimentary program budget format. The five year plan itself is a time consuming, expensive often esoteric exercise on possible sectoral strategies, which at the end of the term is found to be nothing but an incremental adjustment of what was done in the previous year, carrying burden of the unfinished, half-finished projects of yester years that claim the lion's share of the new ADP allocation because of cost overrun with the time overrun at the cost of the new projects. Moreover, decisions on priorities at the budget preparation stage are solely artificial because subsequent cash allocations or supplementary will render them redundant, amounts given by line item are deliberately loose or unclear, in anticipation of a real allocation during budget execution, and the priorities are set outside the formal budget framework, for instance, by the Office of the Prime Minister.

Overlapping administrative set up: Apart from these realities at the policy level, at the operational level, the dual operation of the banking division and that of the Central Bank, at the expense of the

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autonomy of the latter in so far as the framing and execution of the monetary policy is concerned, the diarchy acts as a drag rather than a compliment to the financial policy of the government. Further, overlaps between the PC and of the Development Wing of the MoF, makes the confusion worst confounded. The FD of the MoF also prepares the revenue budget, generally on an incremental basis, as well as the budget summary statements. The Expenditure Control wing scrutinizing the budget requests in detail. Since the objective is expenditure control rather than program performance, this process has contributed to a general decline in operating funds over the years. Because of such fragmentation of responsibilities and differing objectives for each part of the budget process, the sectoral ministries are discouraged from taking any pro-active role in fixing up expenditure priorities. Moreover, the employees working in development projects under the development budget suffer from lack of incentives because they get their salary and remuneration from the revenue budget. Thereby they feel less responsible for the success or failure of the project. On the other hand the employees, appointed for this particular project, also suffer from the same problem as they are not permanent in this position and there is no chance for promotion and thereby disregard their duties and responsibilities.

Extra budgetary fund burying the comprehensive objectives: Extra budgetary funds refer to government transactions that are not included in the annual budget presentation, used to divert spending to one or more "off-budget" accounts. A wide variety of extra budgetary arrangements is used, including funds set up under separate legislation that are financed by revenue earmarked . In other cases, state-sponsored businesses such as Water Supply and Sewerage Authority (WASA)has independence in certain respects, but the government may ultimately be responsible for bailing out these businesses when they run into financial trouble. Extra-budgetary activities are not subject to the same level of scrutiny or accounting standards as programs in the annual budget (Ganguly and Panda, 2011).

The impact of dual budgeting system is that the budget execution and reporting occurs through capital or recurrent projects financed by donors, which usually required governments to keep separate accounts for domestic counterpart funds and to deposit such funds along with donor funds in special bank accounts, outside the purview of central treasuries or accountants-general. These special accounts, mainly in commercial banks, were governed by flexible spending rules and often bypassed the national budget systems, undermining the objectives of comprehensive government accounting, banking, and cash management coverage. Moreover, to ensure the availability of funds for recurrent expenditures of selected capital projects, government authorities created expedients such as extra-budgetary funds and trust accounts, whose transactions were subject to separate accounting and banking rules. This contributed to weaker reporting and delays in closing government accounts, due to the difficulty of reconciling government accounting records with government banking transactions

Table 2: Amounts of extra budgetary fund (in crore taka)

Year	2001-02	2002-03	2003-04	2004-05	2005-06	2006-07	2007-08	2008-09	2009-10	2010-11
Extra budgetary fund (Crore taka)	3008	1497	1977	1808	2940	1404	13653	4015	4984	10954
As percentage of GDP	0.38	1.10	0.50	0.59	0.49	0.70	0.30	2.52	0.65	1.40

(Source: Authors' calculation based on data from MoF, 2012)

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(Sarraf, 2005). However, extra budgetary funds are set up for inappropriate reasons, not consistent with principles of good governance. For instance, they may be designed to allow the prime minister or some parts of the executive branch to bypass the normal budget procedures.

All these go to make the Annual Financial Statement a glaring example of wastage and redundancy in use of whatever limited knowledgeable work force is there, just for a ritualistic performance by the Finance Minister. In the Parliament members are half-dazed, half-bemused by the hopes and assurance of an utopia for people in a dystopian nightmare riddled with corruption, inefficiency and incompetence in maintaining expenditure control over the investment program. Thus, the budgeting practice in Bangladesh does not provide any satisfactory answer to the questions in appendix 2.

Rationale for budget unification from dualistic practice

The weakness of dual budget justifies the significance of unified budget. Under single or unified budget all expenditures, irrespective of its nature and type, can be shown together in one budget. Many developed as well as developing countries are practicing this budget system smartly. The allocated expenditures in the budget are shown in two categories – current and capital expenditures that help to facilitate the utilization of aid/support from donor countries/organization although the total expenditures of a functional unit can be reflected in the unified budget. Rationale of budget unification can't be ignored at this stage where most of the world economies tend to unify their national as well as sub national budget.

Foreign aid and irrationality of dual budget: Donors, traditionally, disburse aid funds either directly linked to specific projects (project aid), or through providing support to the recipient government's budget (budget support) while imposing conditionality on how to allocate the available resources (Cordella & Ariccia, 2001). Budget support is a form of program aid often referred to macro-support. Program aid is not linked to specific projects, but in practice it has frequently been tied to policy conditions (OECD 1991).

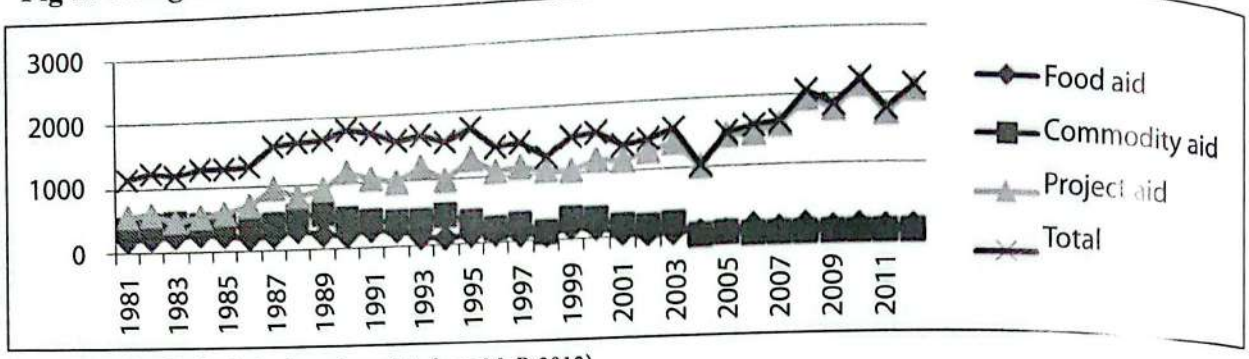
However, switching from project aid to budget support is supposed to result in better-coordinated development projects run by governments, reduced transaction costs, enhanced capacity in recipient countries, more aid predictability and more sustainable development results. Budget support would also place a great deal more ownership in the hands of recipient countries, compared to both project aid and earlier forms of program aid, which would therefore result in more effective implementation of development policies. These were considered in the declarations of Rome (2003), Paris (2005) and Accra (2008). Effective aid would have to be founded on the principles of ownership, alignment, harmonization, managing for results and mutual accountability. According to the Paris Declaration, in 2010 two thirds of all aid would have to be based on national plans. Among these programme-based approaches, budget support was viewed as an ideal modalityto achieve the principles of the Paris Declaration. Hence, the importance of formulation of separate development budget is gradually decreasing since the direct budget support by the development partners is gradually increasing (Webber, D. 2007). (Webber, D. 2007).

But the scenario in Bangladesh tells a different story. Most of the foreign aid received by Bangladesh comes in three forms: (a) food aid, (b) commodity aid, and (c) project aid. Although commodity aid and food aid were the dominant forms of aid followed the independence of Bangladesh but its reliance

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on these forms of aid gradually decreased. The share of project aid, on the other hand, steadily grew over the years, from 26% during 1971-1980 to 94% during 2000-2010. And this project based foreign aid is considered as one of the most important causes of practicing dual budget.

Fig 2: Categorized disbursed foreign aid to Bangladesh from 1981 to 2012 (US$ Million)



(Source: Authors' calculation based on data from MoP, 2012)

The data in fig. 2 makes the logic for practicing dual budget strong. But the question is how much Bangladesh depends on foreign aid. Cordella & Ariccia (2001) compare the effectiveness of additional budget support and project aid in poverty reduction programs and find that budget support is a better instrument to alleviate poverty than project aid when: (i) aid programs are relatively small with respect to the recipient's country resources; and (ii) recipient governments are relatively more socially committed. The contribution of foreign aid to Bangladesh GDP is less than 2% (while remittance's contribution is more than 11%). So the Bangladesh should ask the donor agencies to transfer aid in the form of budget support rather that project aid on grounds of Paris Declaration, as there is hardly any justification for dual budget to maintain foreign aid which is less than 2% of GDP.

Coordination and duplication: First, budget unification enhances coordination and thereby removes duplication. For example, presently the officers attached to the administrative work in different Ministries/Divisions undertake the responsibilities for formulating the non-development budget and the officers working in the planning cell in the same Ministries/Divisions are responsible to formulate the development budget. Again MoF formulates the non-development budget centrally while the MoP is entrusted with the responsibility to formulate the development budget. Therefore, it is clear that different officers of different Departments/Ministries are involved in formulating the non-development and development budgets at the central level, which results in a lack of coordination and duplication in the budget process (MOF, 2011). Single budget will act as a final solution to this problem.

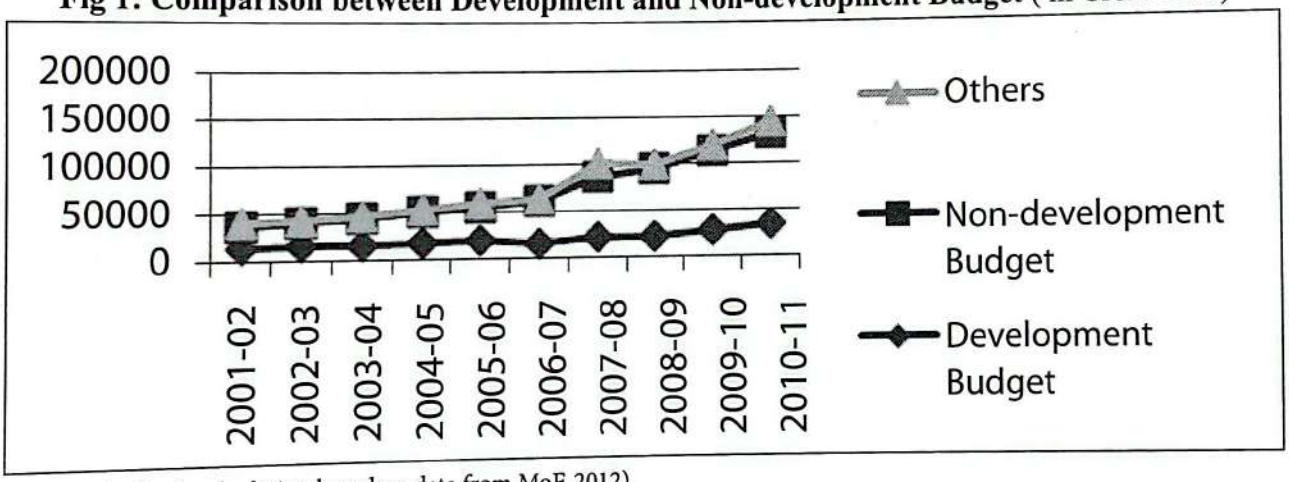
Realistic revenue projections and financeable fiscal deficit: One of the features of sound budget is that the realistic revenue projections and the financeable fiscal deficit must be decided before the budget preparation procedure begins, not at some late stage just before or, worst of all, after, its completion. Dual budget does not fix any top down total at first rather it fixes total considering bottom up demand, creating a large gap between affordability constraints and the total budget. This results in insufficient discipline to limit the size of the sustainable budget deficit at the beginning of the budget process. Consequently, the budget preparation procedure is principally driven by the requests from the ministries for increased spending in the name of bottom-up approach. Without a firm top-down

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limit, the MoF can only challenge proposals on technical or policy grounds, rather than in terms of affordability constraints and priorities. But fiscal adjustment is easier in a unified budget because the macroeconomic constraints and the acceptable deficits are defined first following top-down approach and the spending departments are given some guidelines to limit their requests.

Size of development versus non-development budget: Another rising issue in budget management is that the size of the non-development budget is gradually increasing but the size of the development budget is decreasing (see fig 1). This is because of the increase of interest payment over time consequent upon accumulated loans used for the development programs, increase of allocation for infrastructure maintenance and increase in wage payments for the personnel transferred from the completed development projects to the revenue budget. There are some functions which are similar in nature like stipend, purchase of vehicles and repair which are financed from both non-development and development budget and which is not in accord with the character of sound budgeting. Besides, many development activities, programs and projects are being financed from the non-development budget. For example, FD allocates budget every year under head "programs financed from the non-development budget". Some projects that are development in nature are not included in the development budget, like Social Safety Net Program (MOF, 2011).

Fig 1: Comparison between Development and Non-development Budget (in Crore Taka)



(Source: Author's calculation based on data from MoF, 2012)

Deviation between original allocation and actual expenditure: Moreover, the allocation for development budget is not utilized fully rather the sluggish pace of implementation leads the government to revise the size of ADP at the end of each fiscal year (see table 3). At the same time non-development budget falls short every year. This creates a deviation between the original allocation and the actual expenditure in each year budget (see appendix 1). The bottlenecks can also be understood by comparing the rate of ADP implementation between the first and last quarter of the corresponding fiscal year. Almost half of the total implementation completed in the last one or two months each year clearly dampen the quality of implementation and amplify the possibility of massive leakage. This scenario certainly implies that there is hardly any justification for formulating a separate development budget.

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Table 3: ADP or development budget utilization (Crore Taka)

Fiscal years	Proposed ADP (PADP)	Revised ADP (RADP)	Implemented	Implementation As % of RADP	Implementation As % of PADP	RADP as % of PADP
2001-02	19000	16000	14090	88.1	74.15	84.21
2002-03	19200	17100	15434	90.0	80.38	89.06
2003-04	20300	19000	16796	89.0	82.73	93.59
2004-05	22000	20500	18771	91.6	85.32	93.18
2005-06	24500	21500	19473	91.0	79.48	87.75
2006-07	26000	21600	17917	83.0	68.91	83.07
2007-08	26500	22500	18450	83.8	69.62	84.90
2008-09	25600	23000	19700	86.0	76.95	89.84
2009-10	30500	28500	25917.5	91	85	93.44
2010-11	38500	35830	17509	48.9	45.47	

(Source: Authors' calculation based on data from IMED, 2012)

Economic code and economic analysis: : MOF (2011) argues that allocation is reflected based on detailed economic codes under the non-development budget. However, in the development budget, it is not possible to reflect the allocation under detailed economic codes since economic code-wise allocation is not given in the ADP. As a result, it is not possible to conduct any economic analysis on the entire budget. But, economic analysis of the whole budget would be possible if unified budget is prepared in an identical format. Moreover, dichotomy between development and revenue budget is ultimately harmful for the best utilization of resources. A facility is developed under ADP but no staff is provided for running it once the project is completed, as the project may not have been transferred to the revenue budget. So capacity remains unutilized. New roads are built but old ones are not provided with adequate funds for maintenance and thus scarce public resource is allowed to waste. For example, every year government passes a lot of projects for road, bridge and culvert construction with borrowed funds. At the same time some mainstream roads or others becomes unworkable but no funds are available for repairing and maintenance purposes. Such occurrences will be rare once the budget is unified.

Conclusion

It can be concluded logically that the weakness of the dichotomous budgeting justifies the significance of unified budgeting for proper fiscal management. As budget is a short run instrument for implementing long run objectives of equitable development through a non-exorbitant way of revenue collection and prudent policy of expenditure that ameliorates the condition of the most wretched by adopting a Rawlsian philosophy of equitable distributive justice as the development philosophy of the government. So any shortness of the budgetary policy warrants a serious rethinking of the budgetary procedure as practiced now and in justification of maintaining the present dichotomous budgeting. In fact, it has been argued by many economists like Bhagawati, J. N. (2011) that Planning, a hangover from the centrally planned economy, is a luxury for a developing economy where both human and physical resources are limited. Such redundancy can

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only be afforded by a developed economy like the USA where, development has never faltered for not having any such grandiose parallel outfit in the name of Planning. It is, therefore, argued that no more dual budgeting or urgently unified budget should be considered. Bangladesh should now place emphasis on policy reforms to create a macroeconomic environment by providing conditions and incentives for growth by integrating the long practice of dual budget. The budgetary allocation can focus on planning priorities rather than just approving new projects. Full utilization of limited resources is pertinent for all kinds of economy particularly a developing economy like Bangladesh .

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Appendix 1

Budget vs. Actual Comparison

Data for Year 2009-10					
Ministry/Department	**Adjusted Budget**	**Actual Expenditure**	**Difference (Bud & Act)**	**Absolute Deviation**	**Percent Deviation**
Education	6284.4	8316	2031.6	2031.6	3[illegible]%
Local Government Division	4883.4	5538	654.6	654.6	1[illegible]%
Defence	6397.8	9012	2614.2	2614.2	4[illegible]%
Primary and Mass Education	4671.1	5694	1022.9	1022.9	2[illegible]%
Health and Family Welfare	4496.9	4849	352.1	352.1	7[illegible]%
Agriculture	5120.2	7147	2026.8	2026.8	39.[illegible]%
Home Affairs	5257.2	6089	831.8	831.8	15.8%
Roads and Railways	3748.3	4317	568.7	568.7	15.2%
Food and Disaster Management	5254.5	4113	-1141.5	1141.5	21.7%
Power	1206.8	912	-294.8	294.8	24.4%
Water Resources	1022.6	213	-809.6	809.6	79.2%
Social Welfare	1134.2	1225	90.8	90.8	8.0%
Housing and Public Works	1132.4	1251	118.6	118.6	10.5%
Women and Children Welfare	1069.8	1097	27.2	27.2	2.5%
Energy and Mineral Resources	402.0	1008	606.0	606.0	150.8%
Environment and Forest	225.0	782	557.0	557.0	247.5%
Establishment	652.4	710	57.6	57.6	8.8%
Fisheries and Animal Resources	508.1	524	15.9	15.9	3.1%
Post and Telecommunication	391.1	467	75.9	75.9	19.4%
Foreign Affairs	353.0	516	163.0	163.0	46.2%
21 (= sum of rest)	23065.0	13496	-9569.0	9569.0	41.5%
Total Expenditure Deviation	77276.0	77276		23629.8	30.6%

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Appendix 2

Box2: The soundness of budget systems can be judged by the following questions under three heading:

Comprehensiveness:

- Is the coverage of government operations complete?
- Are estimates gross or does netting take place?

Transparency:

- How useful is the budget classification? Are there separate economic and functional classifications that meet international standards?
- Is it easy to connect policies and expenditures through a program structure?

Realism:

- Is the budget based on a realistic macroeconomic framework?
- Are estimates based on reasonable revenue projections? How are these made, and by whom?
- Are the financing provisions realistic?
- Is there a realistic costing of policies and programs and hence expenditures (e.g., assumptions about inflation, exchange rates, etc.)
- How are future cost implications taken into account?
- Is there a clear separation between present and new policies?
- How far are spending priorities determined and agreed under the budget process?

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- In addition, we request that all authors submit the following:
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