

“Decentralisation of Local Self-Government in India and Bangladesh: A Comparative Analysis”

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Abstract: *“Decentralization is the transfer of responsibility for planning, management, resource raising and allocation, and other functions from the central government and its agencies to field units of central government ministries or agencies, subordinate units or levels of government, semi-autonomous public authorities or corporations, or non-governmental or voluntary organizations” (Rondinelli,1986). Decentralization can create more decision-making activities through participation of local level irrespective of caste, creed and culture. As an instrument of decentralization Local Self-Government is working for managing local economy and development and consolidating the democracy at the sub-national and grassroots level of any country. It is an integral part of the central government of a country, recognized or created under law for the management of local affairs of a human settlement, promoting pro-people and participatory development at the field level. In a general sense, Local Self-Government is the formulation and execution of collective action at the grassroots level designed by the central as well as state government. The role of Local Self-Government varies from one country to another, but in every democratic society Local Self- Government has some part to play and in this context it is serving its role as a medium or a bridge between the system and the people. Moreover Local Self-Government is run by the local people, concerned with the local issues where local people can check the activities of the government and that the local people can participate in all the concerns and the functions of the government. In a country like India Local Self-Government is the third stratum of the government, the first two being the central and state government. The system of rural Local Self-Government in India is called Panchayati Raj which can play the important role in promoting people’s participation in the democratic process. The name of the three-tier Panchayati Raj structure is Zilla Parishad, Block Samiti and Gram Panchayat. In case of Bangladesh, Local Self-Government is the second stratum of the government followed by central government. The structure of three-tier rural Local Self-Government is also exists in Bangladesh with the name of Zilla Parishad, Upa-zilla Parishad and Union Parishad.*

The present paper was a descriptive in nature as it was based on secondary information; it discusses overall status and compares administrative and functional decentralisation of Local Self-Government in India and Bangladesh.

Keywords: *Decentralisation, Local Self-Government, India, Bangladesh*

1. Introduction

According to census 2011, out of the 121 crore Indians, 83.3 crore live in rural areas while 37.7 crore stay in urban areas. As on 2014, 10,57,61,094 crores rural population is lives in Bangladesh while 22,463,974 crore lives in urban areas. It reflects a large number of rural peoples are depends on rural areas irrespective of their life and livelihood in both the countries. As maximum population is based on village, so development of village and its dwellers are important. Here, Local Self-Government can play the important role for development of village and its people. Decentralization may create the scope of rural local bodies to serve the local people with the aim to make a healthy locality.

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central government of a country, recognized or created under law for the management of local affairs of a human settlement, promoting pro-people and participatory development at the field level. In a general sense, Local Self-Government is the formulation and execution of collective action at the grassroots level designed by the central as well as state government. The role of Local Self-Government varies from one country to another, but in every democratic society Local Self-Government has some part to play and in this context it is serving its role as a medium or a bridge between the system and the people. Moreover Local Self-Government is run by the local people, concerned with the local issues where local people can check the activities of the government and that the local people can participate in all the concerns and the functions of the government. As a name of decentralised institutions Local Self-Governments have come to play an important role for not only promoting democratic values but also accelerating the course of development. Being an elective in nature Local Self-Government promotes developmental works through participation of people mainly the involvement of grassroots level for their own social, political and economic growth. The decentralised institutions are also maintains a relationship between the state and grassroots level as they can create a link within demand and supply force. The role of decentralised institutions varies from one country to another but in every democratic society local self-government has some basic part to play.

2. Evolution the system of Local Self-Government

2.1. In India

In a country like India Local Self-Government is the third stratum of the government, the first two being the central and state government. The system of rural Local Self-Government in India is called Panchayati Raj which can play the important role in promoting people's participation in the democratic process. The name of the three-tier Panchayati Raj structure is District Panchayat, Intermediate Panchayat and Gram Panchayat.

Local Self-Government, as a system has existed in India since long period of time. Its form may vary from time to time but its spirit has always been seen in Indian village. In the medieval times, it was seen in the form of a Gram Sabha functioning through its executive committee viz Panchayat, a village body able to govern and sustain small communities of people. During the British period, the institution became the instrument of the ruling elite as it was intended to project the interests of the British Government. After independence it was in 1959 that the Local Self-Government system known as Panchayati Raj took its shape. The institution of Panchayati Raj is recognised as an important mechanism for decentralizing power and ensuring people's participation in development activities. There is a long history behind the constitutionalization of Panchayati Raj Institution as it was received special emphasis after the 73rd Constitutional Amendment Act in 1992 which made the provision of transfer of power to the panchayats through its state legislation.

As mentioned in earlier that, the system of Local Self-Government has been changes from Pre-British to British and Post-Independence period. During the British period, the local government system passed through two distinct phases. The first phase commenced with from the advent of the British rule and lasted till the Constitutional Reform of 1919 and the second phase from 1919 to the end of the British rule. In second phase of British period the idea of Village Panchayat Act has been emerging in most of states of India and during this time the Gandhiji's vision of village panchayat has also been emerging. During Post-Independence period Community Development Programme (CDP) has been initiated as a first development initiative in 1952 but unfortunately the objective of CDP did not pay attention as it was followed top-down rather bottom-up approach. Realising this fact a study team headed by Balwant Rai Mehta suggested three-tier structure from village to the district bodies having organic linkage with each other and there should be genuine transfer of power and responsibility to them.

It was the time of re-birth of Panchayati Raj system in Independent India. The period of 1959 to 1964 was one of the emerging times of Indian history. Though panchayati raj institution has been started in maximum parts of the country but it was not took its real shape as 73rd Constitutional Amendment Act has yet not been created. Realising this fact former Prime Minister Rajiv Gandhi has taken initiative to strengthen the Panchayati Raj system and the amendment phase began with the 64th Amendment Bill in 1989 which was introduced in Parliament for constituting panchayats in every State of the village, intermediate and district levels. After completion of the regime of Rajib Gandhi and V.P. Singh, Prime Minister P.V. Narasimha Rao initiated the 73rd Amendment to the Constitution in 1991.

Finally, after including the necessary amendments, the Amendment was passed with near unanimity in the Lok Sabha on December 22, 1992 and the Rajya Sabha on December 23, 1992. The Bill got the President's assent on April 20, 1993 and the 73rd Constitutional Amendment Act came into effect from April 24, 1993. After the President's assent on this amendment the state government has initiated to frame 73rd Constitutional Amendment as per the state legislation. This historic amendment made the transfer of power of decision-making activities along with the transfer of funds, functions and functionaries in grassroots level for their own development.

2.2. In Bangladesh

Bangladesh emerged as an Independent country on December 16, 1971 with an area of 147,570 square K.M. As per census 2001, total population of the country is 124,355,263. The country lies in the North-Eastern part of South Asia. It is surrounded by India on the west and the north, by India and Burma on the east, and by the Bay of Bengal on the south. The parliamentary form of government now governs the country. The Prime Minister is now the chief executive of the country. For the convenience of administration, the country is divided into six administrative divisions each placed under a divisional commissioner. Each division is further subdivided into Zilas (Districts). There are 64 districts in Bangladesh.

The system of Bangladesh Local Self-Government is historic in nature. It is recorded in history that the villages were self reliant before the colonial rule. Every village had its own community based organization known as panchayat. All the adult members of the village society constituted it. So it is quite understandable that the present structure of local government in Bangladesh had its origin in British Colonial period. The first attempt at establishing local government institution was made during the later part of nineteenth century. The structure, functions and financial management of local government institutions have undergone many changes from the British colonial period to the present day.

The effort of decentralization of Local Self-Government has been started from Pakistan period, an unhealthy period of Local Self-Government. It has taken more than 50 years to form a stable decentralized Local Self-Government in Bangladesh. After so many changes from Pakistan period (1947-1971) to Bangladesh Mujib period (1971-1975) General Ziaur Rahman (1975-1981) to Ershad period (1982-1990), then Khaleda Zia period (1991-1996) to Sheikh Hasina period (1997-2001), again Zia period from 2001 to onward and finally Hasina period stabilize the system of Local Government in Bangladesh.

The system of Bangladesh Local Self-Government is the second stratum of the government followed by central government. The structure of three-tier rural Local Self-Government is also exists in Bangladesh with the name of Zilla Parishad, Upa-zilla Parishad and Union Parishad. As a democratic republic Bangladesh has two spheres of government, national and local. Local government is enshrined in the constitution and the main legislative texts include several 2008 local government Ordinances, the Zila Parishad Act 2000 and the Hill District Local Government Parishad Act 1989. The Local Government Division within the Ministry of Local Government and Regional Development and Cooperatives is responsible for local government, with the exception of the hill district parishads, which are under the Ministry of Hill Tract Affairs.

There are 64 administrative districts and below this a tiered system of local government comprising single tier urban authorities comprising six city corporations and a number of town pourashavas; and three tiered rural local government comprising 64 zila (district) parishads, 469 upazila (sub-district) parishads, 4,484 union parishads, and three hill district parishads. All local governments have the power to levy taxes and rates and the range of functions for which each type of authority is responsible varies widely from amongst many other things public health and hospitals, education and social welfare for city corporations and pourashavas to implementation of development projects, public libraries and roads for Upazila and union parishads.

An important objective of the Local Self-Government system has been to bring elected representatives, executive functionaries and service departments of the government under a uniform functional umbrella. To this end, laws were enacted to 'transfer' selected central government departments to the jurisdiction of the LGI at the relevant tier. The Local Government (Upazila Parishad) Act 1998 and subsequent amendment in 2011 placed 17 government departments under the UZP and clear provision was made for compulsory reporting of activities by other departments not categorically transferred. Similarly, the Local Government (Union Parishad) Act 2009 made 13 field level extension officials of 7 ministries transferable to the UPs. However, despite these initiatives, functional integration is yet to be achieved as desired and directed in the legal framework.

3. Structure of Local Self-Government

3.1. In India

3.1.1. Gram Panchayat

Gram panchayat represents as a lowest tier of local self government in India. The states of Rajasthan and Andhra Pradesh were the first to adopt this system. By 1959, all the states had passed Panchayat Acts and subsequently panchayats were setup in all parts of the country. More than 2,17,300 village panchayats covering over 96 percent of the 5,79,000 inhabited villages and 92 percent of the rural population had been established. On an average, a panchayat covered a population of about 2400 in two or three villages. As on 2013 total numbers of Gram Panchayats are 2,37,539. Total numbers of elected representatives in Gram Panchayats are 27,41,973 (As on March 2013). As on 2008, total numbers of women representatives in three-tier panchayati raj institutions are 1038045 as it was represented 36.84 percent women participation in rural local bodies in India

3.1.2. Intermediate Panchayat

Intermediate panchayat represents as middle tier of rural local bodies in India. Initially there were 4526 Panchayat Samities at the Block/Tehsil level covering 88 percent of the blocks in the country. On an average a Panchayat Samiti covered about 48 Gram Panchayats. As on March 2013, total numbers of intermediate panchayats are 6325 and its total elected representatives are 1,64,271.

3.1.3. District Panchayat

District panchayat represents as a top tier of rural local bodies in India. Initially there were 330 Zilla Parishads covering about 76 percent of the districts in the country and each Zilla Parishad had on an average 13-14 Panchayat Samities and about 660 Gram Panchayats. As on March 2013, total numbers of districts are 589 and total numbers of elected representatives in District Panchayats are 15,137. Data of 2013 reveals 46.7 percent women representatives are participate in rural local bodies. Few states in India covered 50 percent reservation in women participation and these are Odisha, Rajasthan, Sikkim, Uttarakhand, Tripura, Bihar, Himachal Pradesh, Chattisgarh etc.

3.1.4. The Provision of Tribal Local Self-Government in India:

As we all know about India, a mixed populated country where 8.6 percent population are Scheduled Tribes. Specific scheduled areas are notified by the Government for particular Scheduled Tribes population. The Provisions of the Panchayats (Extension to the Scheduled Areas) Act, 1996 (PESA) came into force on 24th December, 1996. This Act extends panchayats to the tribal areas of the ten states namely Andhra Pradesh, Bihar, Jharkhand, Gujarat, Himachal Pradesh, Maharashtra, Madhya Pradesh, Chattisgarh, Orissa and Rajasthan. PESA extends to the tribal areas with the aim to preserve and conserve their traditional rights over natural resources. The PESA is enacted under the fifth schedule of Indian Constitution.

The provision of Sixth Schedule of the Constitution of India provides for the setting up of Autonomous Regional/District Councils in the four states of Assam, Meghalaya, Mizoram and Tripura. These provisions have been made in exercise of the enabling provisions given in Article 244 (2) and 275 (1) of the Constitution. As stated in Article 244 (2), the tribal areas as specified by this Article in the states of Assam, Meghalaya, Mizoram and Tripura are to be administered as per the provision of Sixth Schedule only. So provisions in the other parts of the Constitution, specially the part IX of the Constitution of India can have no connection with the administration of autonomous governance as autonomous decentralised institutions, also known as 'Special Purpose Vehicles' in India stated Mathur (2013), because these kind of institutions are created to provide a specific service to a specific group of beneficiaries for their overall development. Currently, ten Autonomous District Councils are functioning as a tribal rural local self-government in four states of North-East India under the Sixth Schedule of the Constitution of India. The Sixth Schedule is regarded as the mini-constitution within the main Constitution. It envisages the establishment of Autonomous District Councils (ADC) and gives them elaborate legislative, administrative and judicial powers. Name of the ten autonomous tribal local self Governments are: The Karbi Anglong District Autonomous Council, The Bodoland Territorial Areas District, Khasi Hills District Autonomous Council, Jaintia Hills District Autonomous Council, The Garo Hills District Autonomous Council, The Chakma

District Autonomous Council, The Mara District Autonomous Council, The Lai District Autonomous Council and Tripura Tribal Areas Autonomous District Council. Apart from Sixth Schedule there is a provision of Fifth Schedule for Scheduled Tribes as stated earlier, but the Governments under Sixth Schedule are enjoys greater autonomy for greater specific tribes.

3.2. In Bangladesh

3.2.1. Union Parishad

This is the lowest tier of local government currently covering an average population of 25,000. The union-level body has undergone many changes in nomenclature and is currently called union parishad. These became fully elected bodies in 1962. Among the various tiers of local government, Union Parishads have the longest institutional history dating back to 1870. This continuity in institutional life, however, is built on a very narrow functional and financial jurisdiction as well as administrative subservience to executive functionaries at upazila and district levels. The UP is thus currently made up of 13 members – 1 Chairman, 9 general members – 1 from each of the 9 wards, and 3 women members elected to reserved seats each covering 3 wards.

3.2.2. Upazila Parishad

Upazila (previously termed Thana) is the middle tier of central administration dating back to 1793. It currently averages a population size of a quarter million. Though suggested as a tier of local government by the Act of 1885, there was no attempt to develop an elected body at this level. Instead, policy attention took the form of building up a co-ordination function and institutionalize this through a Council which brought together union parishad chairmen and central functionaries located at this level. The Thana Council was presided over by the chief executive officer at this level, currently known as the Nirbahi Officer. The institutional development of the thana council got an important impetus from the Comilla Model of 1960s which significantly expanded rural development functions at this level. A major change was brought about in the status of the thana-level body, now renamed the Upazila Parishad, when provision was made for a directly elected chairman in 1980s.

3.2.3. Zilla Parishad

Zilla Parishad is the highest tier of Local Self-Government in Bangladesh. Within the institutional history of Bangladesh, the district has been the crucial building block of central government. Zilla Parishad plays its supervisory role under the control of the Chief Executive Officer i.e. the Deputy Commissioner with a narrow functional and financial jurisdiction. At present only Union Parishad in an elected local government body. There is no elected body at the Thana level and though Zilla Parishad is a local government at District level there is no elected body for their management.

3.2.4. The Provision of Tribal Local Self-Government in Bangladesh:

The Chittagong Hill Tracts Development Board (CHTDB) was established as an autonomous body by an Ordinance (Ordinance No. LXXVII of 1976) of the President of the People's Republic of Bangladesh in 1976 to undertake the responsibility of socio-economic and infrastructural development of the Chittagong Hill Tract in the background of inefficient road network, poor literacy rate, scarcity of safe drinking water, sanitation, inadequate health care facilities and many other drawbacks of this region. CHTDB look after the Chittagong Hill Tracts, formally a single unified district was divided into three separate district councils namely Khagrachari, Rangamati and Bandarban during the administrative reorganization in 1984. Chittagong Hill Tracts is the home of 11 (eleven) tribes namely Chakma, Marma, Tripura, Lushai, Tanchangya, Pankhua, Bawm, Kheyang, Khumi and Chak. As on 2010, total number of tribal peoples under Chittagong Hill Tracts are 8,97,828. In the year 1989 the Government of Bangladesh has constituted the act as Khagrachari, Rangamati and Bandarban Hill District Council.

4. Comparison on Decentralization between India and Bangladesh

In a general sense, local government is as the formulation and execution of collective action at the grassroots level designed by the central government. As Bangladesh is the second stratum of local government it has direct control of central authority be it in an election, representation, function, administration, fund transfer and others. According to United Nations, 'Local government refers to a political subdivision of national or state which is constituted by law and has substantial control of local affairs including the power of imposing taxes, exact labor

for proscribed purposes. The governing body of such an entity is elected or locally selected. In case of India Local self-Government is the third stratum of government under national and state government. As a vast country India has 29 total states and 7 Territorial States which legislate the Act of rural local bodies under the safeguards of Indian Constitution. The present article is an outline of structural decentralization of Local Self-Government in India and Bangladesh.

4.1. Administrative Decentralization

TABLE 1: Present Structure of Decentralized Government in India and Bangladesh:

India	Bangladesh
Three tier Government	Two tier Government
Central Government	Central Government
State Government	Not Applicable
Local Self-Government	Local Self-Government

TABLE 2: The main Constitutional Safeguards and Legislation on Local Self-Government in India and Bangladesh:

India	Bangladesh
Rural Local Self-Government	Local Self-Government for special areas
73 rd Amendment, 1992	Article 59 & 60
Article 243 G of Indian Constitution	Ordinance No. LXXVII of 1976
Local Self-Government for special areas 5 th & 6 th Schedule of Constitution	Zilla Parishad Act 2000
Panchayati Raj Extension to Scheduled Areas Act (PESA), 1996 & Article 244(2) and 275(1)	Upazilla Parishad Act 2009
	Union Parishad Act 2009
	The Hill District Local Government Parishad Act 1989

Source: Constitution, India & Bangladesh

Table No. 2 represents the Constitutional Safeguards and Legislation on Local Self-Government in India and Bangladesh. As India is a third stratum Local Self-Government it has state intervention where as Bangladesh Governmental structure has no state concept so it can framed local government act under the direct control of central government.

TABLE 3: Comparable Administrative Units of Local Self-Government in India and Bangladesh

Country	Lowest-tier	Middle-tier	Upper-tier
India	Gram Panchayat	Panchayat Samiti/Community Development Block (C D Block)	District Council
Bangladesh	Union Parishad	Upazila Parishad/Thana Parishad	Zila Parishad

Source: www.panchayat.gov.in and <http://www.lgd.gov.bd/>

TABLE 4: Comparable Administrative Units of Tribal Local Self-Government in India and Bangladesh

Country	Total no. of Tribal Local Administrative Body
India (PESA & Sixth Schedule)	10+10=20
Bangladesh (Under Chittagong Hill Tracts)	1204

Source: Khan, (2001)

Table No. 4 depicts the picture of Tribal Local Self-Government in India and Bangladesh. As Local Self-Government in Bangladesh is a second stratum structure it can provide detailed description of tribal local bodies from Zilla Parishad to Union Parishad. On the other hand, central government of India could not provide detail number of tribal local bodies as it is depend on the mode of decentralization of rural local bodies through particular state legislature. Here, PESA extends in ten Indian states where as sixth schedule extends in four North-Eastern states namely Assam, Meghalaya, Tripura and Mizoram and out of four tribal concentrated states total ten hill districts were constituted.

TABLE 5: Total Number of Rural Local Bodies in India and Bangladesh

Country	Gram Panchayat/Union Parishad	Intermediate Panchayat/Upazilla Parishad	District Panchayat/Zila Parishad
India	2,37,539	6325	589
Bangladesh	4498	482	64

Source: www.panchayat.gov.in and <http://www.lgd.gov.bd/>

4.2. Functional Decentralization

As mentioned earlier Indian Local Self-Government is the third stratum structure and it has specific 29 functions enlisted through constitutional safeguards of Indian Constitution. These functions are again decentralized through the legislation of different state act in rural local bodies of India. The enlisted functions under Eleventh Schedule (Article 243 G) of Indian Local Self-Government are: agriculture, including agricultural extension, land improvement, implementation of land reforms, land consolidation and soil conservation, minor irrigation, water management and watershed development, animal husbandry, dairying and poultry, fisheries, social forestry and farm forestry, minor forest produce, small scale industries including food processing industries, khadi, village and cottage industries, rural housing, drinking water, fuel and fodder, roads, culverts, bridges and other means of communication, rural electrification including distribution of electricity, non-conventional energy sources, poverty alleviation programme, education including primary and secondary schools, technical training and vocational education, adult and non-formal education, libraries, cultural activities, markets and fairs, health and sanitation, including hospitals, primary health centres and dispensaries, family welfare, women and child development, social welfare including welfare of the handicapped and mentally retarded, welfare of the weaker sections particularly scheduled castes and scheduled tribes, public distribution system, maintenance of community assets.

TABLE 6: A profile of the Enlisted Functions of Decentralized Local Self-Government in Bangladesh

Union Parishad (Council)	Upazila (Sub-District) Parishad	Zila (District) Parishad and Hill District Councils
<ul style="list-style-type: none"> •Developing agriculture, forests, fisheries, livestock, education, health, cottage industries, communication, irrigation and flood protection • Family planning promotion • Developing local resources •Public property such as roads, bridges, canals, embankments, telephones and electricity lines •Reviewing the development activities of other agencies • Encouraging sanitation •Registration of births, deaths, blind people, beggars and destitute people • Administering the Census. 	<ul style="list-style-type: none"> •Developing agriculture, forests, fisheries, livestock, education, health, cottage industries, communication, irrigation and flood protection • Family planning promotion • Developing local resources •Public property such as roads, bridges, canals, embankments, telephones and electricity lines •Reviewing the development activities of other agencies • Encouraging sanitation •Registration of births, deaths, blind people, beggars and destitute people • Administering the Census. • Law and order • Prevention of crime, disorder and smuggling •Maintaining the civil status register. 	<ul style="list-style-type: none"> •Implementation of development projects • Public libraries •Roads, culverts and bridges not covered by upazila parishads, pourashavas or the central government •Gardens, playgrounds, open places and trees in public areas •Ferry ghats which are not maintained by upazila parishads, pourashavas or the central government • Rest-houses and inns •Encouraging and assisting upazila parishads. •Implementing the development plan assigned by the central government. <p>Discretionary services include:</p> <ul style="list-style-type: none"> • Education and culture • Social welfare • Financial welfare • Public health • Public works.

Source: Bangladesh Local Government Profile, 2011-12, <http://www.lgd.gov.bd/>

5. Conclusion

Local Self-Government plays an important role in village level with the aim to meet the need of the rural people. As a village dwellers, rural people are also depends on local rural bodies where they can easily communicate and share their problems. A group of village people were responsible to mitigate the problem of the village from the very past in each and every societies of the country. Panchayati Raj Institution is bench mark of local rural bodies in India and 73rd constitutional amendment is the safeguards to strengthen these local bodies. In case of Bangladesh there exists three-tier of local rural bodies namely Union Parishad, Upazila Parishad and Zila Parishad who look after the matter of grassroots level. In India the representatives of local bodies are all elected but in case of Bangladesh, only the representatives of Union Parishads are elected. It indicates the level of decentralization in Local Self-Government of Bangladesh. The effectiveness of Local Self-Government is more or less depends on its nature of decentralization. A decentralized Local Self-Government is

healthier than centralized local bodies to the village people. The structure of decentralized government in India and Bangladesh gives a comparative look as Indian Local Self-Government is a third stratum government followed by Central and State Governments. On the other hand, rural Local bodies of Bangladesh are a second stratum structure followed by central authority. As there is no state culture, the Local Self-Government of Bangladesh starts from district hierarchy. Total 64 districts are works under the control of Central Governments. Similarly intermediate and village panchayats are running under the chairmanship of district panchayat. As a resident of under developed country, the people of Bangladesh need a wide intervention of rural local bodies towards their life and livelihood. Article 59 and 60 briefly tells about the Local Self-Government in Bangladesh, while a special amendment has been constituted to strengthen the rural local bodies in India which indicates the importance of decentralization of Local Self-Government in particular country.

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