

Report on

**Labour Contracting Society (LCS) in Public Procurement: A case study in
IWRMU at Local Government Engineering Department (LGED)**

By
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A report submitted to the **BRAC Institute of Governance and Development**
in partial fulfillment of the requirements for the Degree of
Masters in Procurement and Supply Management (MPSM)

BRAC Institute of Governance and Development
BRAC University
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Declaration

This declaration states that

1. As a student at BRAC University finalizing the MPSM Course, the report that I delivered is entirely original and represents my own writing.
2. The report is entirely original and does not include any content previously published or authored by others, except where it has been properly cited with complete and accurate references.
3. No part of the report is approved or is submitted for credit towards any degree other than this or certificate from any university or institution.
4. I cited every major source of support.

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Sub: Submission of Report Writing as a fulfillment of the MPSM course.

Dear Sir,

I am pleased to share with you my report, which is required for the completion of my master's degree in Procurement and Supply Management (MPSM). The report is titled "Labour Contracting Society (LCS) in Public Procurement: A Case Study in IWRMU at Local Government Engineering Department".

In order to prepare my report writing paper, IWRMU at the Local Government Engineering Department (LGED) provided me with data. I have focused on writing this paper as skilfully and realistically as I can. If any errors are discovered, kindly look forgiveness in the eye. When clarification is needed, I will be happy to provide it. I genuinely hope and believe that you will accept my report.

Sincerely yours,



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Masters in Procurement and Supply Management

BRAC Institute of Governance and Development (BIGD)

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August 17, 2024

Non-Disclosure Agreement

The undersigned student at the BRAC Institute of Governance and Development, BRAC University, and IWRMU, LGED, as the first party, have made and entered into this agreement. In partial fulfilment of the requirements for the Masters of Procurement and Supply Management degree, the first party has permitted the second party to prepare a report on "Labour Contracting Society (LCS) in Public Procurement: A Case Study in IWRMU at the Local Government Engineering Department (LGED)". The second party now has access to official data and information as well as close collaboration with the unit's authorities to prepare the report. In order to protect the first party's interests, the second party will utilize all types of data and information for academic purposes and won't reveal it to any other parties.

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Executive Summary

With the goal of fixing the purpose of providing employment for impoverished local people, the government introduced the ‘Labour Contracting Society’ (LCS), comprising a group of men and/or women of poor local people to perform work for a government agency or project under 76(3) of PPR 2008. Before PPR in 2008, LCS is a participatory approach for the implementation of construction and maintenance of works. Keeping objective in reducing poverty without any tender competition, this article has been used as direct procurement. This report is about the operation and maintenance work conducted through LCS, its challenges, and the way forward under IWRMU and LGED. The study was conducted through a literature review, a questionnaire survey, and KII interviews. The findings from the literature reviews, questionnaire survey, and KII interview findings are analyzed. The findings and analysis form the basis of recommendations for future measures. It is clear from the analysis of various pros and cons and opinions received that the sustainable approach, a mixed LCS approach with proactive monitoring, will be able to accomplish the goals of work implementation, including poverty reduction. Finally, it needs to be backed up for additional study.

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LIST OF ACRONYMS

ADP	Annual Development Programme
BWDB	Bangladesh Water Development Board
CBRMP	Community-Based Resource Management Project
CCRIP	Coastal Climate Resilient Infrastructure Project
CDSP	Char Development and Settlement Project
CLP	Community-Led Procurement
GPWM	Guidelines for Participatory Water Management
HILIP	Haor Infrastructure and Livelihood Improvement Project
IFAD	International Fund for Agricultural Development
ILO	International Labour Organization
IRWP	Integrated Rural Works Program
IWRMU	Integrated Water Resources Management Unit
JICA	Japan International Cooperation Agency
KII	Key Informant Interview
LCS	Labour Contracting Society
LGED	Local Government Engineering Department
MFS	Mobile Financial Services
MIDPCR	Market Infrastructure Development Project in Char Region
NWP	National Water Policy
O&M	Operation and Maintenance
PIC	Project Implementation Committee
PPR	Public Procurement Rules
SP	Sub-Project
SSSWRDP	Sustainable Small Scale Water Resource Development Project
SSWR	Small-Scale Water Resource
UP	Union Parishad
WARPO	Water Resources Planning Organization
WMCA	Water Management Cooperative Associatio

CHAPTER 1

INTRODUCTION

1.1 Background:

Water is the most vital natural resource, which is also a major driver of social and economic advancement. Its primary duty is to preserve the integrity of the natural world. Climate change and demographic drivers further exacerbate the pressure on water resources, to the point where a holistic approach toward water management is more practicable than a traditional, fragmented one. This Integration in Water Resources Management (IWRM) strategy is widely recognized as a viable path towards sustainable development and equitable, efficient, and adaptable management of the world's finite water resources, despite competing demands. To optimize water resource utilization through a systematic approach, LGED has implemented small-scale development of water resources sub-projects (SPs) in operational territories of 1000 hectares or fewer (LGED, 2000). This is conducted in regions of rural Bangladesh where there is a higher concentration of marginal, small, and landless farmers, and where land productivity is below average due to improper management of water resources leading to flood, inadequate drainage, other related challenges. LGED prepares a local water management plan with the participation of local stakeholders and beneficiaries by setting up an IWRM Unit.

IWRMU's fundamental role at LGED is to design and oversee the local water management infrastructure to improve farm and non-farm output, create jobs, improve socioeconomic circumstances, assist local government, reduce poverty, also become a catalyst to bring about change on a local level. So, infrastructure development and routine maintenance of the subproject are therefore strategic and crucial to making the best use possible of the water assets. A systematic and sustainable procurement process in return, boosts employment in rural regions, which lowers rural poverty and speeds up development. While the country's current food security status seems adequate, Bangladesh's future food security is in jeopardy due to the country's growing population and shrinking agricultural area (World Bank Group, 2009). Considering the future food crisis and poverty situation, participative methods for Integrated Water Resources Management (IWRM) play huge role in the right planning as well as implementation with cost optimization, on-time delivery,

consistent quality, and the right quantity, which will be achieved through sustainable collaborative partnerships.

The implementation of subprojects related to small-scale water resources (SSWRs) is a lengthy process that begins with the submission of a subproject proposal by Union Parishad and Upazila Parishad, which culminates in the project's ultimate selection, a feasibility assessment taking into account several variables (social, environmental, technical, and financial) as well as the development of an all-encompassing design and budget. Subsequently, the building of physical works of high quality follows, and the beneficiaries operate and maintain it after that. The selection of contractors and suppliers for the development and maintenance of the subproject due to the allocation of budget under the Annual Development Programme (ADP) is a difficult task in IWRMU. If an inappropriate and inefficient contractor or supplier is chosen to carry out the work, then the project's implementation may be delayed, requiring more time and money, which would have a detrimental effect on the GDP of the country. Therefore, choosing the appropriate suppliers and contractors is essential to a timely and successful implementation.

Under PPR 2008, there are various methods for choosing suppliers and contractors for carrying out projects. Construction work on SSWR subprojects typically consists of excavation for khals and embankments, hydraulic structure construction, and the construction of basic rural buildings for WMCA office-community use. Construction of irrigation canals and/or buried pipe irrigation systems, in addition to related water distribution structures, needs to happen in some subprojects (CAD subprojects). Certain subprojects may also involve the construction of rural roads, bridges, and culverts, as well as market development projects. IWRMU is performing periodic and emergency maintenance on these existing components of subprojects under ADP. Among the maintenance works, some are less technical but labour-intensive, and some are construction-related technical works. Excavation and re-excavation of khals and the construction or repair of embankments are considered exclusive earthworks.

Earthworks with locally available labourers for construction and rehabilitation of embankments and khals by local landless labourers are working by forming Labour Contracting Societies (LCS). Works for LCS are considered quality management and timely completion of the work. Better value for money, greater use of local labourers and contractors, which lowers rural unemployment, and higher-quality goods and services are all made possible by this LCS, a community-led procurement

(CLP), which gives local communities the ability to implement and oversee the procurement process. (The World Bank, 2009). It complies with PPR 2008 Rule 76, which requires matching with direct contracting with local communities in initiatives aimed at reducing poverty.

It complies with PPR, 2008 Rule 76, which requires matching with direct contracting with local communities in initiatives aimed at reducing poverty (Bangladesh Gazette, 2008).

The objective is to identify the contribution towards the sustainability of developmental activities through the active and dedicated participation of the key stakeholders in LCS works to implement the maintenance of the SSWR sub-project and its challenges.

1.2 Report Objective:

This report aims to:

To identify the significant contribution of the key stakeholders in LCS works to implement the maintenance of the handed-over SSWR sub-project.

To deliver some recommendations in dealing with labour contracting society.

1.3 Rationale:

Occasionally, public procurement can result in various delays, cost overruns, and poor-quality work, all of which contribute to the government's increased expenses, which eventually affect taxpayers and donors financially. This is due to inadequate project planning, changes in project scope, poor communication and coordination, insufficient budget allocation, payment delays, and a lack of skilled labourer (Ahmed Osama Daoud, Mohammed El Hefnawy, and Hossam Wefki, 2023). But on another note, in SSWR subprojects, earthwork in the excavation of khals should be completed during the dry season of the calendar year; otherwise, silt will be filled up by the next year, which will hamper measuring the quantity of the contract package. Otherwise, the organization's reputation, the customer's satisfaction, and the business's bottom lines are tied up with its performance.

The groundwater level is in progressive decline and acts as a primary driver because of growing demand for irrigation water (Hasan, M. R., 2018). Therefore, it is necessary to identify ways to improve the performance procurement system that will increase the amount of surface water used sustainably to increase agricultural productivity and future food production. At the present time,

there is a worldwide need for both sustainable food production during pandemics and food for everyone.

Under the participatory approach, local (key) stakeholders can understand the constraints and the potential benefits of the proposed works to be achieved from the subproject and provide recommendations to successfully implement the subproject components (Mathbor, 1990). Local laborers to work in development projects or beneficiaries without intermediaries so that their income would increase to create opportunities directly engaged in the earthwork or labour-intensive construction and maintenance works for inclusive development. Therefore, the anticipated effects on the environment might be within tolerable bounds if the subproject (environmental soundness) has strong support from the local community. Beneficiaries or recipients are prepared to Therefore, the anticipated effects on the environment might be within tolerable bounds if the subproject (environmental soundness) has strong support from the local community. contribute upfront to the project by taking full responsibility for O&M.

So, there is a need to analyse the implementation system and provide suggestions for improving this sustainable direct procurement system and implementation process in IWRMU, LGED.

CHAPTER 2

LITERATURE REVIEW

2.1 LABOUR CONTRACTING SOCIETY (LCS) and ITS GENESIS

The Labour Contracting Society (LCS) has been recognized as a pioneer in the struggle against poverty by integrating the impoverished directly when building and maintaining infrastructure. In essence, it is employed in wage-labour public works projects that are carried out by government and development organizations. By introducing LCS into various infrastructure projects, the goals are to: empower deprived males and females and put them in a position to get involved in wider areas of employment; eliminate intermediaries; assure the direct involvement of local residents in development initiatives and develop a sense of possession; build local people's ability and willingness through training for successful engagement in different infrastructure initiatives; and guarantee fair wages for labourers.

Before the inception of the Labour Contracting Society, traditional government-executed labour-intensive activities had obstructed the voicing of labourers' needs and participation in decision-making (ILO, 1999). Due to the poor and uneven pay for community service, many individuals' livelihoods have been impacted, which has led to their disempowerment and lack of involvement.

(ILO, 2018).

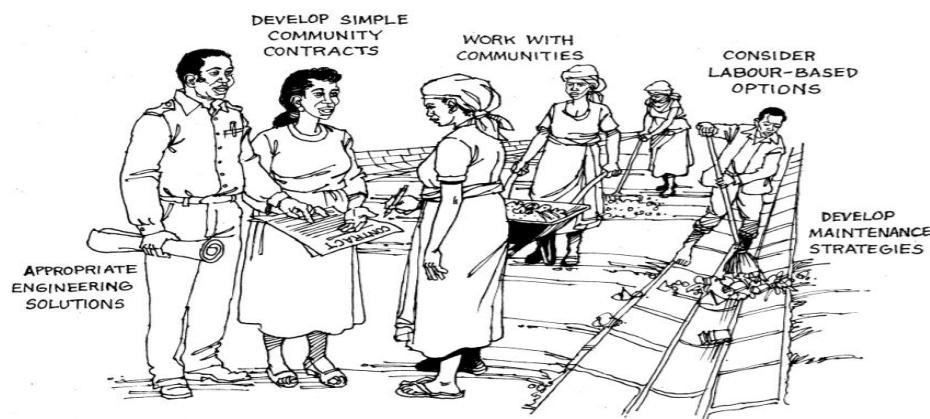


Figure 2.1 Over view report: organisation, contracting and negotiation in development programmes and projects-a study of current practice at the community level. (ILO, 1999)

However, the labour contracting society offers legal standing to the contracting parties, enabling the signature of community agreements that guarantee equitable compensation, enable impoverished men and women to improve their skills and capacities and guarantee the impoverisher's income during the slow period of employment. "Community contracts" have emerged as a key operational mechanism in several development aid project categories, including employment-intensive regional infrastructure projects, water supply management, and natural resource management. It offers certain inputs, and the projects benefit from this strategy in terms of sustainability, efficacy, and efficiency.

This comprises the community organization taking on accountability for a variety of tasks and contributions covered by the contract, managing them, integrating the responsibilities into already-existing work schedules and demands, and meeting the terms of the contract (ILO, 1999).

Research work was conducted in 1982–83 under the Integrated Rural Works Program (IRWP) in Bangladesh to involve the poor in the implementation of infrastructure development to provide fair salaries and improvement in skills for the people it serves (LGED, 2004). In general, development schemes were implemented through project committees with the aim of alleviating poverty by creating employment opportunities for the poor. It was observed in the research work that the project committee is composed of local influential people, and the project committee carried out the development work through the rural poor. In this way, the quality of development work is usually not good. Moreover, the poor were not receiving their wages properly. In this context, it is necessary to establish labour-based organizations to safeguard the underprivileged's interests. Over aforementioned period, LGED and the International Fund for Agricultural Development (IFAD) were able to successfully formalize the LCS concept (IFAD, 2015). Concurrently, LGED created LCS Management Guideline in 2004 that was last revised in 2022, which complies with the use of the PPR of 2008 to reduce poverty through the use of the Direct Procurement Method (3 of Rule 76) for engaging and employing local communities (Bangladesh Gazette, 2008). Public procurement regulations allow them to be chosen to carry out projects without a competitive bidding process, with the aim of giving local residents who live in impoverished areas jobs associated with the work being conducted.

2.2 LCS Working Areas

This concept was also successful in the IFAD-financed Community-Based Resource Management Project (CBRMP), the Sunamganj Community-Based Resource Management Project, the Char Development and Settlement Project (CDSP) Phase IV, and the Market Infrastructure Development Project in Char Region (MIDPCR) in LGED (IFAD, 2015). Apart from completed projects, current projects that involve LCS include IFAD supported the Haor Infrastructure and Livelihood Improvement Project (HILIP), ADB-financed Coastal Climate Resilient Infrastructure Project (CCRIP), GoB-financed Sustainable Small Scale Water Resource Development Project (SSSWRDP) and JICA financed Small-Scale Water Resources Development Project-2 (SSWRDP) (IFAD, 2015). All these projects were implemented by Local Government Engineering Department (LGED). Moreover, RERMP is also continuing its work through LCS (JICA,2012) for off-pavement maintenance work under the operational (revenue) budget.

Currently, LCS is being used under various titles by various governments and non-governmental organizations for their development initiatives. CARE Bangladesh, BRAC, Oxfam International, the Cash for Work Program, the Department of Forestry, the Department of Disaster Management, the Department of Agricultural Extension, and the World Food Programme (WFP) are a few of them. LCS, the Landless Contractors Society, is also part of BWDB policy. The Guidelines for Participatory Water Management (GPWM) 2001 and the National Water Policy (NWP) 1999 emphasize that 25% of earthworks for any public water project will be implemented by LCS (Water Resources Ministry, 2001). This is repeated in the Participatory Water Management Rules of 2014, which mention that BWDB should offer Water Management Organizations (WMO) contracts for at least 25% of the earthworks of any public water project, with the actual work being done through LCS (Bangladesh Gazette, 2014).

To directly benefit the poor, a group of adults (men and women) with similar socioeconomic status and skill levels form and contract groups to perform untrained infrastructural labor, primarily excavations. This overcomes the traditional mode of contracting and benefits the poor directly. The group members are typically disadvantaged rural people from local communities who rely on physical labor as their primary source of revenue (LGED, 2004). It can work on both building fresh infrastructure and maintaining current infrastructure. The idea of planting trees and providing maintenance along rural road embankment slopes has also been introduced by it. Groups of low-

income women who own a portion of the trees look after the trees, therefore, the method helps the environment while simultaneously helping the impoverished. The LCS promotes hiring an organized labour group directly through direct contracting with the government agency in charge of rural work. In a broader sense, it is ‘social engineering’ i.e., ‘engineering for poverty alleviation, education, irrigation, agriculture, women's empowerment, tree plantations, etc.

2.3 Selection of LCS Members

2.3.1 Selection criteria of LCS Members

The LCS management guidelines are used by LGED in implementing LCS contracts.

The criteria for selection of LCS members, as set out in the guidelines are:

- Landless/ destitute inhabitants of the project area who maintain their livelihood through physical labour and do not possess more than 0.5 acre of land including their homesteads;
- Adult, physically fit and interested to work. Above 55 years old are discouraged.

Priorities in LCS

- Women specially widows, destitute or abandoned, and head of the female headed household.
- Men and women with national identity card who are poor living in the scheme area
- Member of the beneficiary organization of the project/programme.

2.3.2 Size of LCS Group

The number of members in an LCS depends on the volume and type of works to be completed, the experience of the labourers, local supervision capacity (of the upazila engineer's office) and the time frame for the works to be done. In case of earth works in road/ embankment/ khal/ beel/ pond/kill/ paved works, the group may be 15-25 in number, in case of small u-drain construction, slope works, rural market development the group ranges from 15-20 in number (LGED, 2022). In case of tree plantation work, an women member shall be recruited for each kilometer length. Water structure repair/maintenance the groups are consist of 10-15 in number. The LCS is a group registered with the Local Government Engineering Department (LGED), given training prior to commencement of the work.

2.4. Formation Process of LCS Members:

Each and every LCS group shall have one Chairperson and one Secretary who will be elected/ selected by the LCS members. The Chairperson and the Secretary shall have the ability to read and write and able to maintain the books of records of the LCS.

For selection of LCS, following steps are taken:

(a) Wide publicity in the work areas shall have to be made for the selection of LCS. The field level officer of the LGED and project including the Chairman and or the members of the Union Council will be involved for this publicity to form LCS.

(b) The field level officer of the LGED / project shall select the requisite number of LCS labours on the basis of selection criteria. The villages adjacent to the scheme areas are to be identified for selection of labours with the purpose of including them as the LCS members. For this purpose, list of helpless/distressed persons living in the scheme areas shall have to be collected from the Union Parishad.

(c) Field level officer of the LGED / project shall prepare one list on the basis of the inventory and the interviews taken and in accordance with the selection criteria will send the said list to the concerned selection Committee for finalization. But in any case, if LCS members are not found due to unknown reason/s within any project areas, labor can be recruited from any areas following selection criteria. A person convicted by any court or by any social arbitration will not be allowed to be a member of LCS.

(d) To finalize LCS group, a committee will be formed with the following members:

Upazila Engineer: Conveyor

One representative of the Union Parishad (Male): Member

One representative of the Union Parisha (Female): Member

Sub-Assistant Engineer, LGED (concerned Upazila): Member

Field level officer of the project: Member

LCS Organizer (Project): Member Secretary

(e) On finalizing the selection of LCS group, the Upazila Engineer will send a copy of the list along with the resolution of the meeting to the Executive Engineer, LGED for approval and will endorse a copy of it to the Chairman of the Union Parishad.

An extensive training on the Scheme will be initiated by Upazila Engineer (UE), LGED in co-ordination with UPC and concerned Sub-Assistant Engineer (SAE) of the project for LCS group describing equal rights of men and women, Leadership and team building, providing signatures, health protection at works, for the scheme plan, its time period, budget and the rate of labor wages and other facilities along with the responsibilities of the LCS (LGED,2022).

2.5 Types of LCS and Financial Limit of LCS Contracts:

2.5.1 Types of LCS

There are two types of LCSs. One for construction work and another for the maintenance work. Both construction and maintenance type of work will be implemented by LCS following LGED current practice. Moreover, LCS is categorized in different ways depending on the method of formation of LCS or the participation of the workers. Example,

Formal and Sub-formal LCS

If an LCS is organized and is affiliated to an existing voluntary or private organization, it is considered as a formal organization, otherwise it is considered as a sub-formal organization.

Men/Women Mixed LCS

Mixed LCS has been encouraged to recognize women's participation in development work and to eliminate wage inequality between men and women.

2.5.2 Financial Limit

The financial limits of LCS contracts are determined by taking into account of all smaller works and number of LCS member except large-scale and more technology-intensive works (LGED, 2022). Within 3-4 months of dry season, rural infrastructure and sub-project infrastructure works are implemented within specific financial limits.

The financial limit varies Tk. 20 (Twenty) - 30 (Thirty) lakh for rural infrastructure works and in case of water resources infrastructure works it varies between Tk. 10 (Ten) - Tk. 20 (Twenty) lakh but in case of sub-project infrastructure repair/maintenance it varies up to Tk. 5 (five) lakh and one LCS does not get more than one contract at a time (LGED, 2022).

In case of road maintenance, tree planting and their maintenance LCS workers are recruited on the monthly salary basis and in that case amount of work cannot be limited by the financial value. Moreover, it is observed that different development project and revenue headed programme followed different financial limit depending on their nature, size and volume of work. Example, in course of activities related to water resources infrastructure operation and maintenance a total cost of Tk.5.00 lac or less can be carried out through the LCS in supporting the poverty reduction effort by the Project.

Members of an LCS earn money in two ways: wages as laborers and profit as contractors, LGED fixed 10 per cent profit for LCS groups. The LCS has a bank account from which money can be drawn with joint signature of the president and the treasurer; individual members also have accounts in their names.

2.6 LCS Contract Award:

The Executive Engineer, district will award a contract to the LCS without any tender but the estimated amount should be approved by the concerned authority. No security money will be taken from LCS group. The contrast here is where the security deposit is taken from the contractors in case of tendering process.

A contract agreement to undertake the work shall be signed by concerned district Executive Engineer, LGED on behalf of the project and the Chairman and the Secretary of the LCS on behalf of the LCS group using the contract agreement on a non-judicial stamp of Tk. 300.00 for the works as mentioned in the Scope of work above. After signing of the contract agreement (Annex – 1), Executive Engineer shall issue a letter to the LCS Group for work to proceed.

2.7 LCS a use of Direct Contracting:

Under rule 76 of PPR-2008, there is a provision to engage landless communities to implement small works where direct labour is responsible and accountable for the works. The rule 76 of (3) and (4) of PPR-2008 (Bangladesh Gazette, 2008) stated that

(3) If specified in the project or program document and in accordance with the Operational Manual for the project or program, the procuring entity may enter into direct contracts with beneficiary organizations of projects or programs, landless communities, or rural organizations. The

procurement committees for the project or program will be responsible for securing the necessary small works, incidental materials, and directly employed labour.

(4) Through Project Implementation Committees, Labour Contracting Societies, Scheme Implementation Committees, or other committees, under whatever name they go by, local government institutions like Zilla Parishad, Upazilla Parishad, and Union Parishad may engage in direct procurement of small works, goods, and direct labour, subject to the procedures and financial constraints outlined in the guidelines continually released by the Local Government Division.

2.8 Poverty and Direct Procurement:

Although great progress has been made recently to combat extreme poverty, poverty is still a major issue in developed nations like Bangladesh. Moreover, as a result of the COVID-19 pandemic, there is a severe restriction on economic activity, and more and more people are going down the extreme poverty lane, becoming more vulnerable, as well as increasing inequality in society. In this situation, direct procurement, i.e., without competition, can create a balance in society through the participation of beneficiaries in the implementation process to identify how the procurement process can develop more resilient supply chains through an axis of action to improve farmers livelihoods and thereby their incomes. There is a debate on how competition benefits the underprivileged as small enterprises and consumers. Increased competition drives down prices while also promoting growth and innovation. However, these developments and price reductions by themselves won't always lessen poverty; in fact, they may even eliminate some jobs (OECD, 2013). Competitive or lower prices do not always show a major impact on individual or household consumption possibilities, but unemployment can create uncertainties in society and even be catastrophic (UN, 2020). Historically, procurement has focused on cost savings and ensuring supply chain efficiency, often forgoing longer-term strategies that create sustainable, profitable conditions for both buyers and suppliers (British Safety council, 2024).

Labour contracting society takes the opportunity to involve itself in procurement practices by enabling farming to become resilient, profitable, meet quality standards, and ultimately increase farm incomes by applying cost-optimized farming systems. Proper use of local assets enables smallholder farmers to be profitable, increasing assets, reducing liabilities, and creating stable cash flow that will reduce food system vulnerabilities and provide value to businesses.

It is observed that most of the major decisions, even at the at the family or society level, are now taken jointly. The increased income and improved job opportunities through LCS have largely changed women's status in the household. Women's participation at the community level is still not extensive, though the engagement of LCS is raising awareness about key issues such as early marriage and violence against women. So, local level participation is actively required, even in development work through direct procurement, to balance society without a competitive procurement process.

2.9 IWRMU at LGED:

The development of water resources in Bangladesh began in the 1960s, and between 1995 and 1996, LGED worked with local stakeholders to recover the land for productive uses while maintaining and constructing embankments, excavating and re-excavating drains and canals, and digging new canals. All of these actions were done in accordance with the National Water Management Plan (NWMP).

During this time, the National Water Policy (NWP) and National Water Management Plan (NWMP) were developed by the government, which brought about significant reforms to the water sector. "Flood control, drainage, and irrigation (FCDI) projects having command areas of 1,000 hectares or less will be implemented by the Local Government," the NWP declares (WARPO, 2001). For implementation and monitoring of these works, LGED setup IWRM Unit in 2003.

IWRMU's overarching mandate is to direct and oversee LGED's operations in the water sector, with particular accountability for aiding in policy development, strategy and plan formulation, project preparation, interagency coordination, study undertakings, and long-term completed project support.

IWRMU's fundamental role is to develop and oversee the local water management infrastructure in order to boost farm and non-farm output, create jobs, enhance socioeconomic conditions, support local governance, lessen poverty, and act as a catalyst for change on a local level.

The IWRMU is engaged in improving and monitoring the maintenance of small-scale water resources infrastructure of different sub-projects with the help of local government institutions and community participation called Water Management Cooperative Associations (WMCA). After completion of one year subproject construction works Operations and maintenance parts initiated.

The IWRM unit of LGED (IWRMU) has become a professionally competent, efficient and effective public sector unit. The organogram of IWRMU that practiced in LGED is shown in figure below.

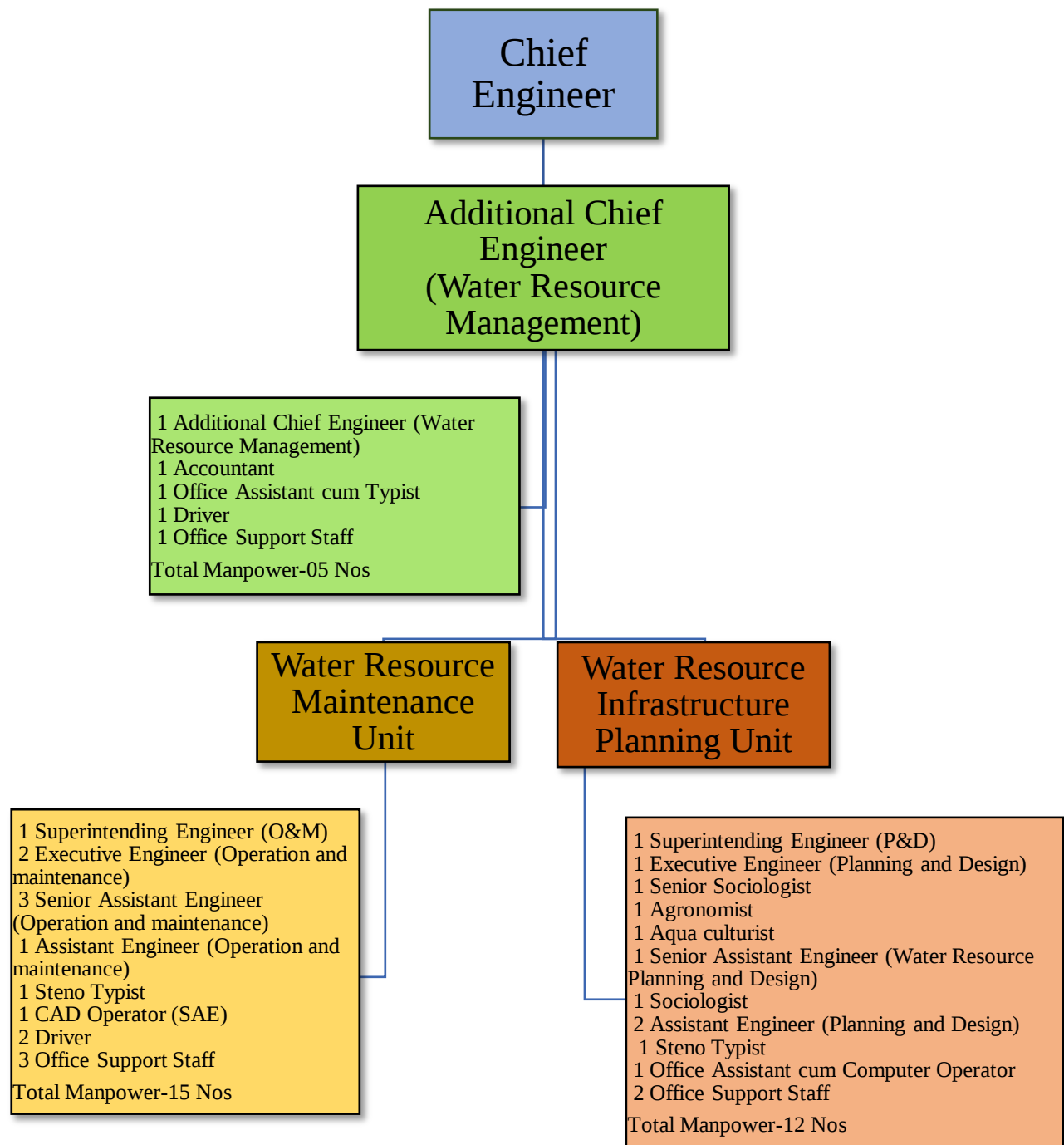


Figure 2.2: Organogram of IWRM Unit of LGED. (LGED Organogram 2018)

CHAPTER 3

The Study Area and Methodology

3.1 IWRMU Operation and Maintenance (O & M) Unit:

The operation and maintenance section of IWRM looks after management and maintenance of Small-Scale Water Resources infrastructure ensuring participation of local government institutions and local community under the umbrella of water management cooperative association (WMCA). O&M personnel are also responsible for providing technical and institutional support to local communities including WMCAs with the help of LGED field level officials for smooth running of the handed over sub projects. O&M activity includes financial support for operation and maintenance from the operational budget of the Government of Bangladesh. The O&M part also monitor activities of WMCAs as well as supports routine and periodic maintenance of the sub-projects.

So far 1123 number of completed subprojects are candidate for operation and maintenance. Under these subprojects re-excavated canals, khals, dam or embankments, sluices, regulators, water retaining structures (WRS), rubber dams, culverts, buried pipe, pucca drain and office of the WMCA etc are required for periodic maintenance for continuing proper operation. The WMCA looks after and maintain these properties by routine maintenance but, the periodic and emergency maintenance which require a large amount of involvement is not possible to maintain by the WMCA. Then, each year Government made allocation to maintain these properties. As WMCA is doing regular maintenance then, the concern authority decided to procure these maintenance works by involving WMCA with engaging Labour contracting society followed by PPR-2008 (IWRMU, 2022).

The Government of Bangladesh allocate operation fund for operation and maintenance activities of these infrastructures under revenue budget since 2009-10. The graphical presentation of fund allocation is shown below.

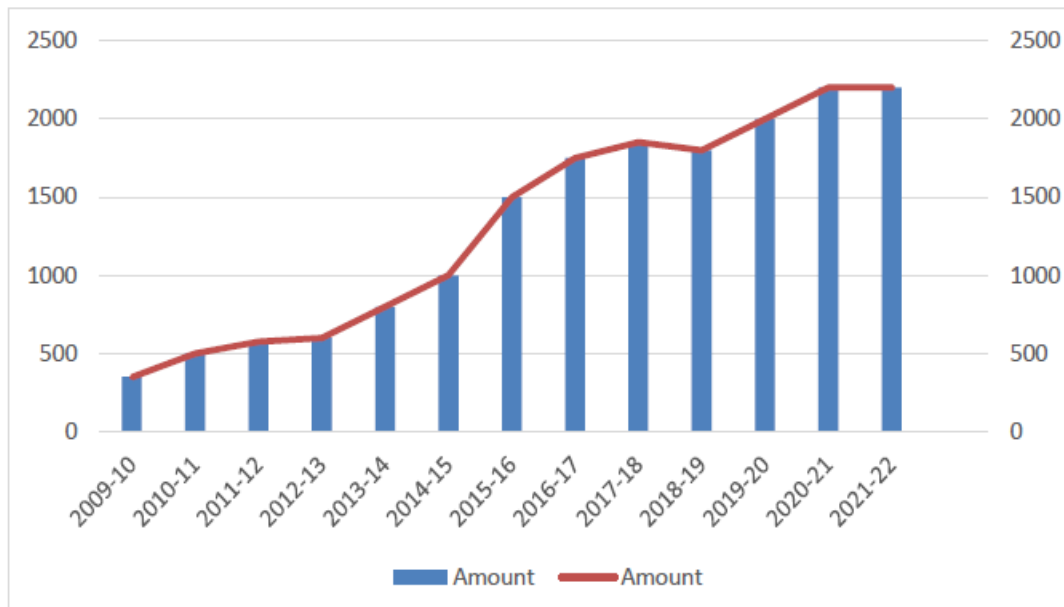


Figure 3.1: Amount of Allocation in Lakh vs Financial

Mainly this allocation covers the annual maintenance works of de-silting of canals, repair of embankment, repair of all types of structures and maintenance of office buildings for WMCA. Labor intensive repair works of these components without technology are mainly implemented in the same financial year through contracted LCS.

3.2 Strategy:

Information for study can be gathered in a variety of ways. Reliability, validity, and credibility should all be balanced while gathering data from several sources (Yin, 2004). This report was written using a qualitative methodological approach. Using a variety of data gathering and analysis techniques, qualitative research seeks to generate new understanding of how things function in actual business settings. In order to create a realistic picture of events so that recommendations might be taken into consideration, the study will combine questionnaires with assessments of the literature. It will use a questionnaire to gather secondary data (Annex-1).

A sequence of pre-selected questions with an open-ended inquiry will be used in a semi-structured KII interview. A semi-structured interview allows for some wiggle room in the questions' language and sequence. The interview's script and the questionnaire's sequence are prearranged. Literature evaluations will gather primary data in parallel with the aforementioned publications. The methods of supporting literature reviews will make use of observation studies.

3.3 Data Collection and Investigation

Data collection in this report focused on LCS Work related to implementation work for water management purpose and their impacts on local people. In particular, data on labour intensive work and other civil construction works related to irrigation and flood control on agriculture, aqua culture fisheries and maintenance of structural interventions were collected to identify constraints in implementation of water management practices and find out options to minimize the problems in the study area. In order to perform this study a comparative study of LCS work for three consecutive years data will be collected as per requirement of the study to address the objectives.

The methodological approach employed in this report is a combination of questionnaires, KII informants' interview and systematic literature reviews to produce a realistic picture so that recommendations could be considered.

3.3.1 Primary Data Collection-Literature Reviews and Observational Studies

Literature reviews will be used to gather primary data. Books, journals, current design manuals, periodicals, consultant reports, research reports, conference papers, internal organizational records, newspapers, and other paper-based sources will all be used for literature reviews. The main sources of primary data include LCS Guideline, Public Procurement Rules related to LCS and open tendering method, different project implementation guideline, Contract document related LCS Works etc. These data made it easier to comprehend the social and institutional aspects of (i) the competition between the parties involved in community decision-making, (ii) the impoverishment of the poor and marginalized gender classes, and (iii) the institutional conflicts that exist but are hidden among LCS members as well as between the WMCA, the locals, and implementing agencies.

3.3.2 Interviews

Based on the observations and experiences of the local community, key informant interviews (KII) will be undertaken to gather information on the impact of the LCS process in public procurement and revenue fund for operation and maintenance activities. The purpose of conducting interviews with LGED resource persons is to gather qualitative data regarding management practice issues and potential solutions.

The primary goal of the interviews with LGED representatives, the secretary of the WMCA, the chairman, and the secretary of the LCS will be to gather information on the LCS works in progress,

the project's goals and vision, and the procedures used in the water management system decision-making process. Notably, KII contributed to our understanding of the interactions between the local population, LGED, UP, LCS, and WMCA.

3.3.3 Secondary Data Collection-Questionnaire Survey

After understanding of current best practice and the opinions by professionals of the secondary data will be collected by questionnaires. Questions that were designed to match and elicit gathered from primary information formed the main structure of the questionnaires (Annex-2). It was necessary to plan and implement a carefully constructed approach as the questionnaires had to be sent by email. Bryman (2004) suggests that the questionnaire is a less time-consuming method when the study is carried out over a large group of people. Robson (2005) suggests that the questionnaire provides a relatively simple and straightforward approach to study of qualitative information that characterize attitudes, values, beliefs and motives.

3.3.4 Designing the Questionnaires

A set of structured questions was created, covering topics such as information about LCS works and tendering under IWRMU, as well as suggestions for overcoming obstacles and optimizing the benefits of LCS works. This defined questionnaire was sent to sub-project related upazila, districts, region level where IWRMU maintenance works are undertaken by the concern administrative units. With the objective to quickly obtain information about the respondent's experiences with the LCS process under IWRMU for the maintenance work of sub-project components, the questions were purposefully constructed in this manner. There are eleven main head questions of 1-2 are demographic, 3-4 are LCS related informative, 5-9 are LCS related closed end and 10-11 are challenges and expectations related open end questions.

3.4 Sample size and the duration of the research study:

The report will be finished in 03 (three) months, and as it is being done for academic purposes, there will be no separate funding for it. As time and resource is constraint probability sampling is not possible though it is more reliable sample, not biased. So, research will be conducted on non-probability sampling based on subjective considerations of own judgement.

3.5 Data analysis and processing:

The gathered information will be arranged, examined shown in graphical formats. Univariate and Bivariate analysis (comparison, pie chart, correlation etc.) will be performed following highlighted those data. Color contrast will be used for distinction. Following that, it will be summarized, interpreted, and ready for the final report. Recommendations will come after the findings. Detailed Flow charts are given below in Figure 3.2.

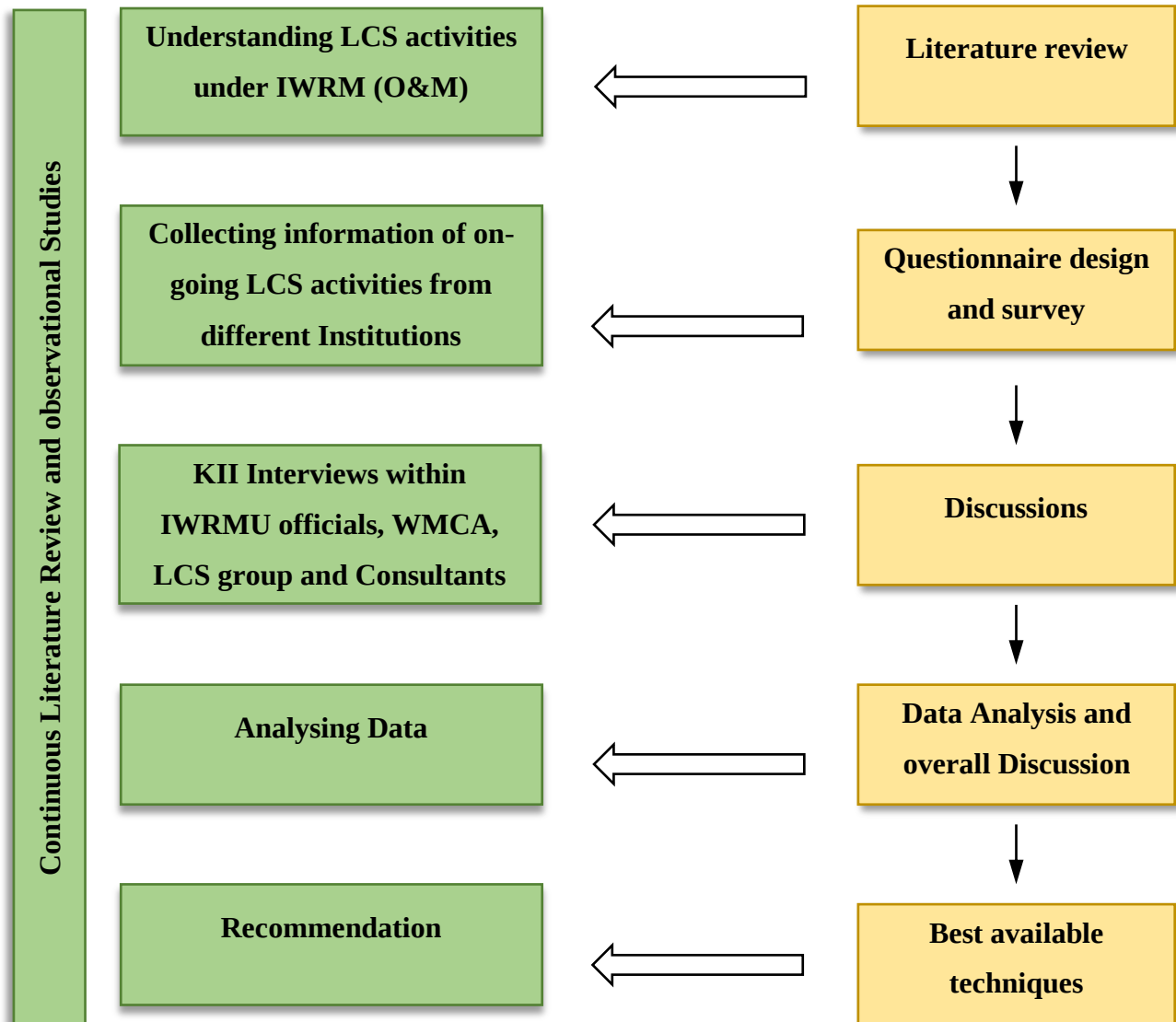


Figure 3.2: Flow Chart of the Proposed Report Writing

CHAPTER 4

Results with Discussions

4.1 General Discussion

4.1.1 Details regarding the questionnaire survey participants

The questionnaire was sent to five Superintending Engineer Region (SE), eight District Executive Engineers, eight Senior Assistant Engineers, twelve Upazila Engineers, eight Assistant Engineers, twelve Community Organizers, six Upazila chairmen, ten Water Management Cooperative Society chairmen, ten Water Management Cooperative Society secretary and ten Labour contracting Society member. All of them actively participated after several times reminders. All of them actively and partly worked with IWRMU maintenance works by using LCS and are also acquainted with tendering works through e-gp under e-gp guidelines and PPR-2008. The following chart illustrates the respondents' percentage composition.

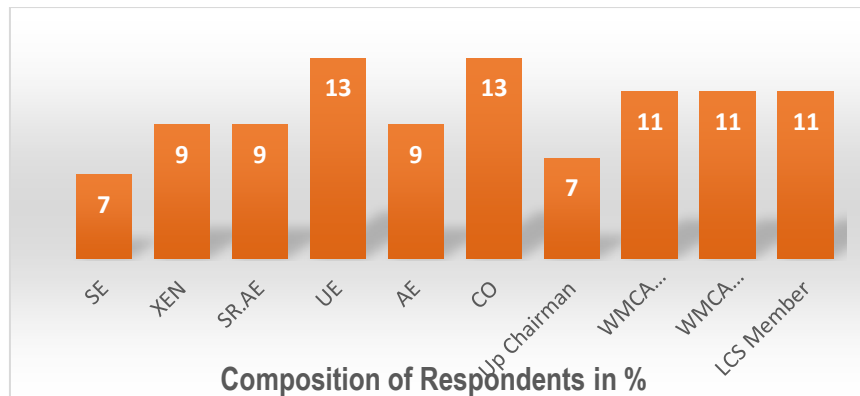


Figure 4.1: Chart-1- Composition of Respondents in %

4.1.2 Examination of the survey questionnaires

The following chart presentation style is used to convey all of the data that was obtained from the questionnaire, as it provides readers with a more readable and comprehended view than data tables. Readers can understand every chart on their own. Each viewer will find themselves capable to understand the survey scenarios in their entirety as a consequence.

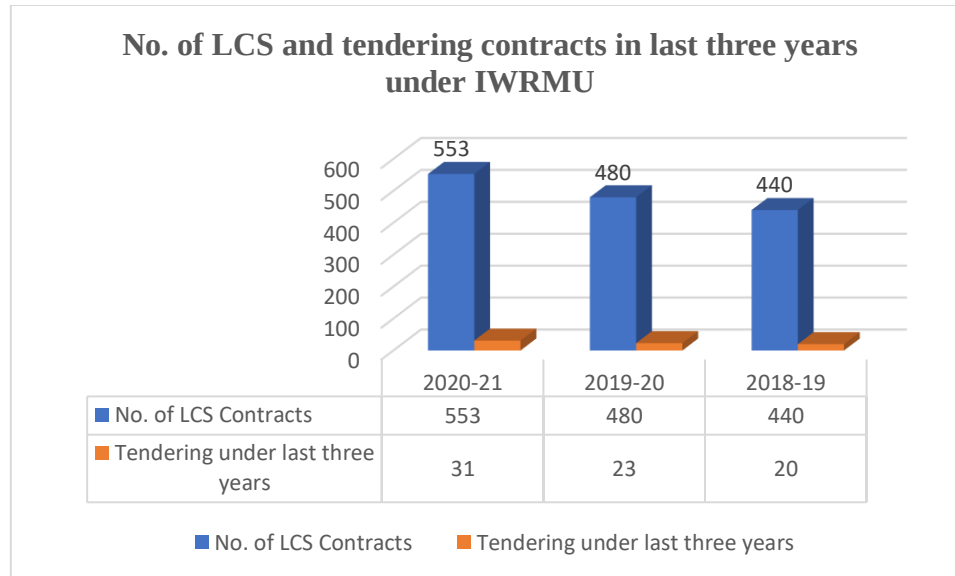


Figure 4.1.2.1: Chart-2- No. of LCS and tendering contracts in last three years under IWRMU

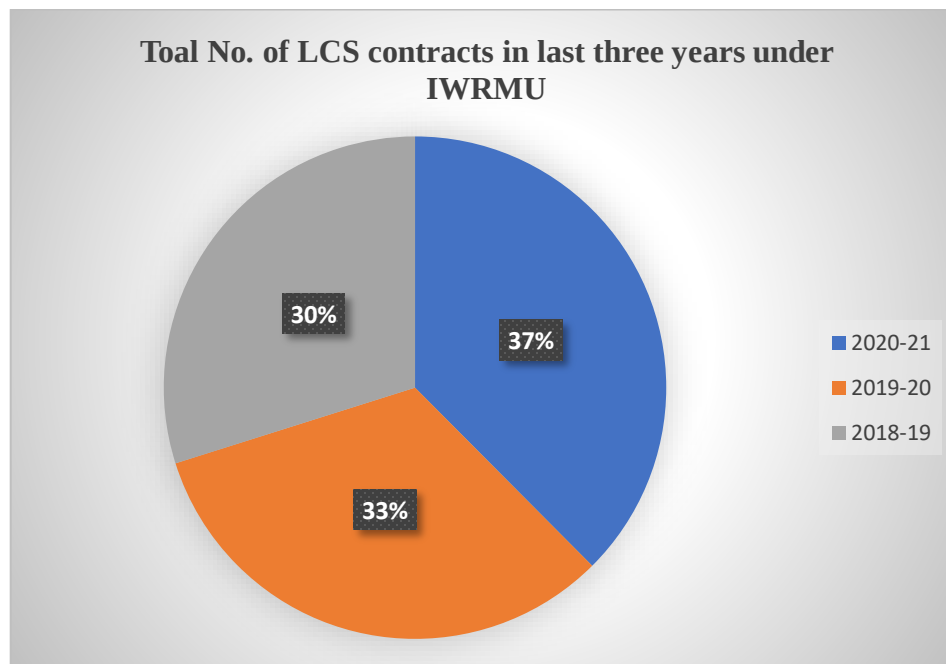


Figure 4.1.2.2: Chart-2- Toal No. of LCS contracts in last three years under IWRMU

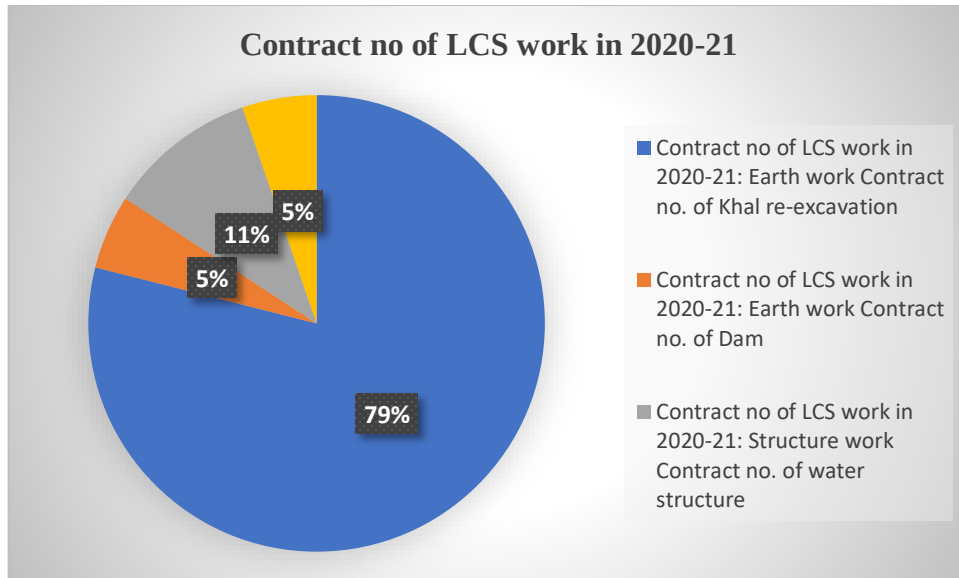


Figure 4.1.2.3: Chart-3- Contract no of LCS work in 2020-21 under IWRMU

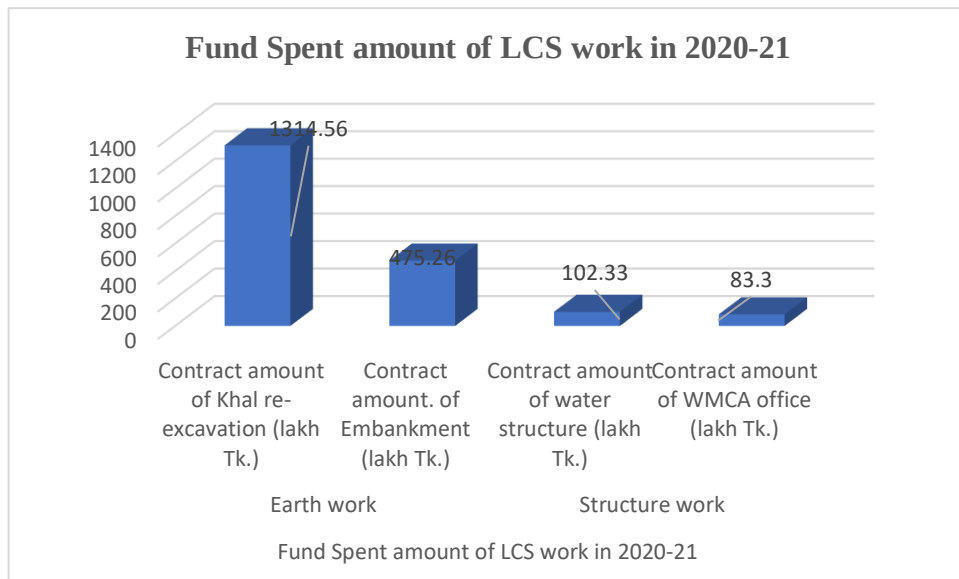


Figure 4.1.2.4: Chart-4- Works undertaken of LCS work in 2020-21 under IWRMU

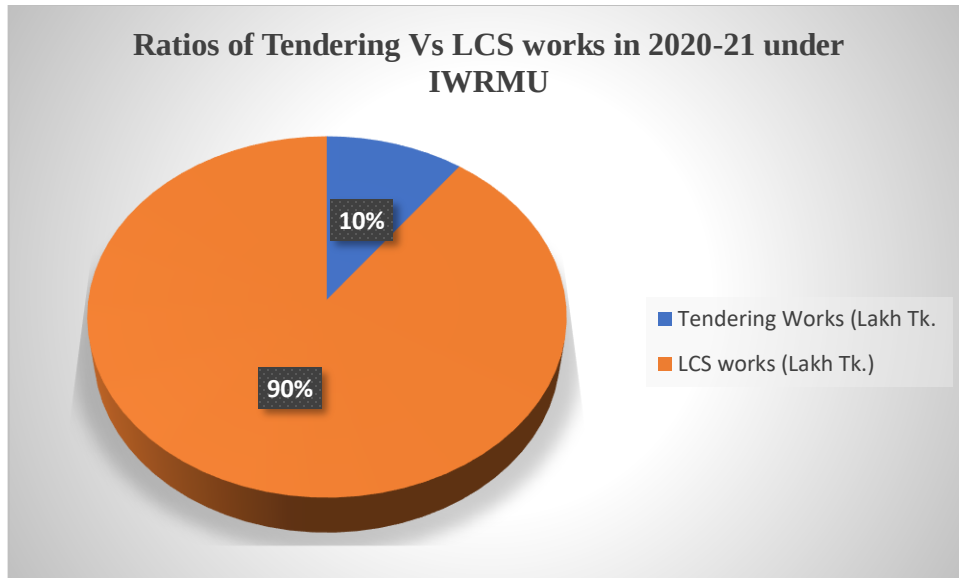


Figure 4.1.2.5: Chart-5- Ratios of Tendering Vs LCS works in 2020-21 under IWRMU



Figure 4.1.2.6: Chart-6- No. of Training/Workshop conducted before mobilization of Contracts in LCS under IWRMU

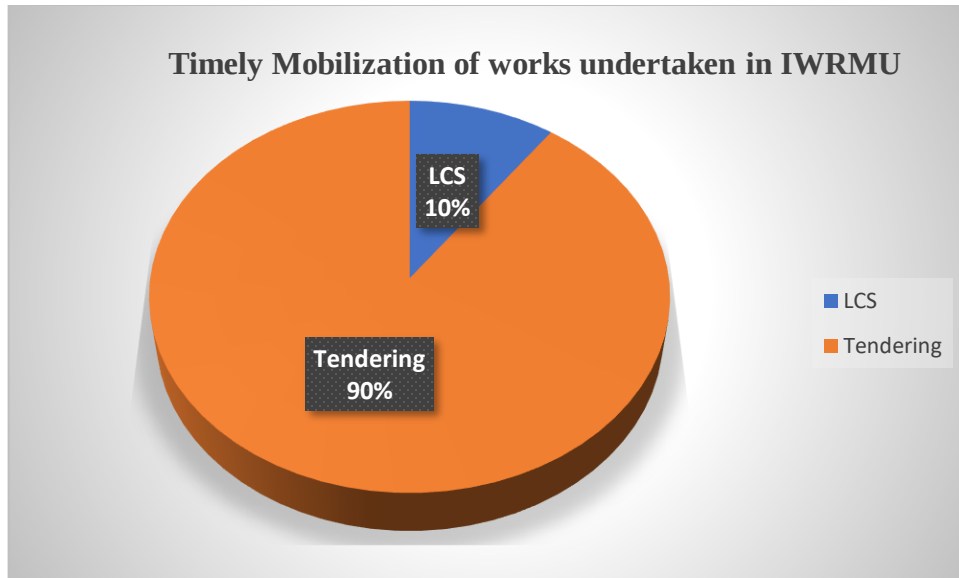


Figure 4.1.2.7: Chart-7- Timely Mobilization of works undertaken in IWRMU

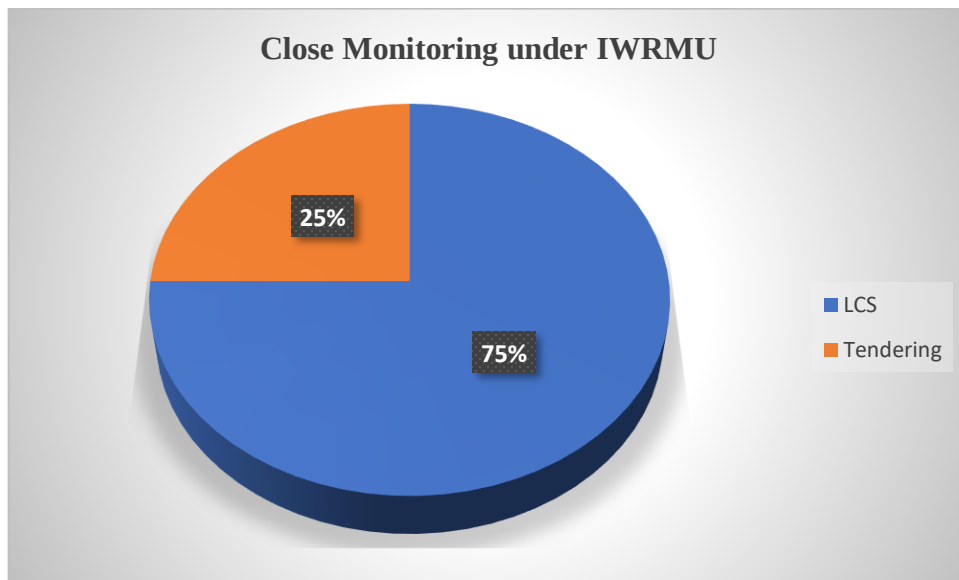


Figure 4.1.2.8: Chart-8- Mobilization of works in contracts Timely conducted under IWRMU

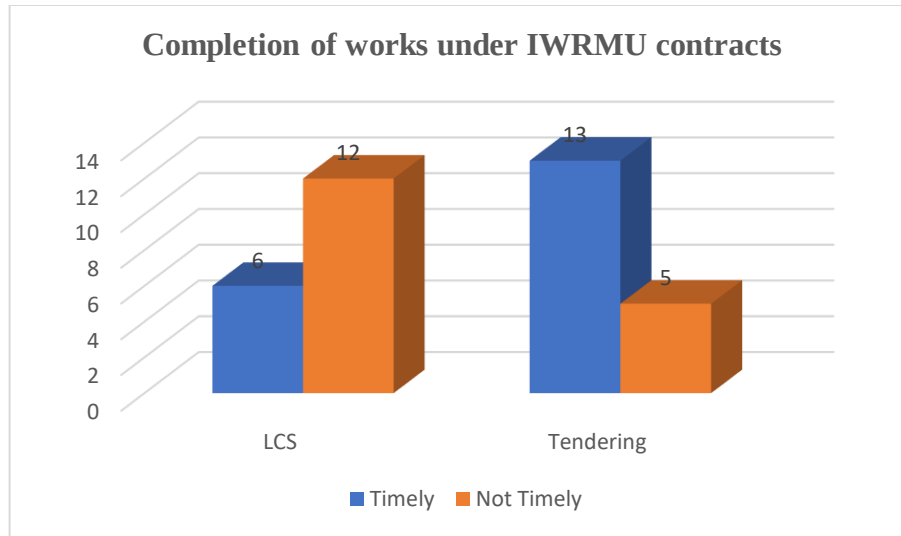


Figure 4.1.2.9: Chart-9- Completion of works under IWRMU contracts

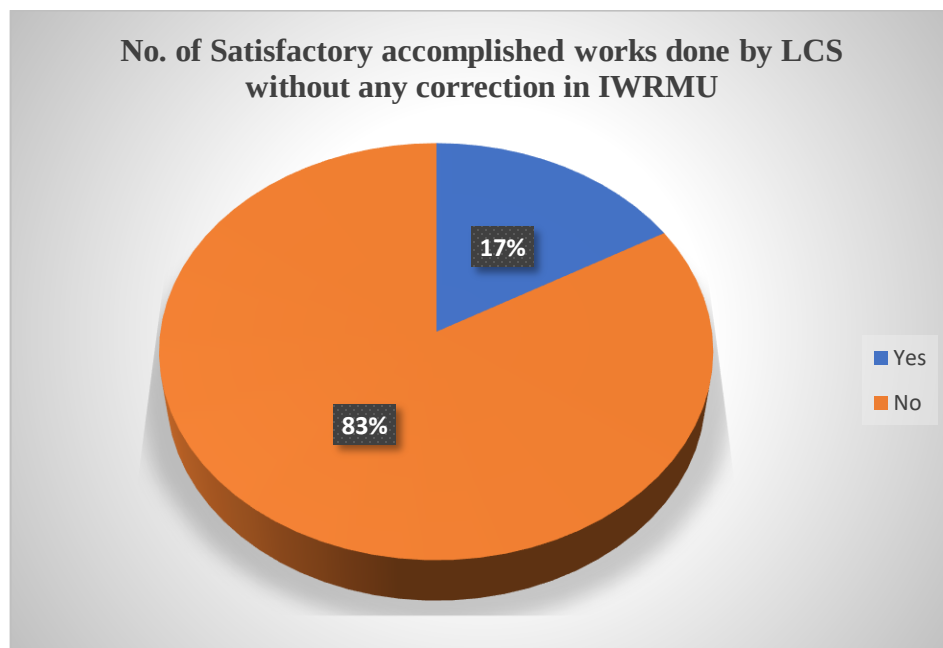


Figure 4.1.2.10: Chart-10- No. of Satisfactory accomplished works done by LCS without any correction in IWRMU

In the closed end parts of the questionnaire, most of the respondents replied orally after taking interviews by providing clues to gather inner views of the issues. This findings and secondary source findings are gathered, arranged in a summary manner and presented in the following paragraph.

4.2 Findings data collected from of primary source and discussions

Primary data related to maintenance works of irrigation and drainage structures are collected from IWRM unit. The last three years implemented works data, how this works was implemented i.e LCS or tendering methods, how, this is monitored etc. were gathered and informed. After conducting a focus group discussion in IWRMU and KII interviews it is found that some challenges are there to implement the maintenance works for irrigation and drainage works of the sub-project in each year.

- 1) Financial year starts on July and rainy season continued up to November. In this period, it is not possible to make need assessment due to most of the assets are under water. So, implementation period squeezes, remain only seven months in which need assessment, allocation, estimate preparation, contract process, implementation and bill payment etc are involved. It means there is a time constraint in the total process.
- 2) As WMCA is doing regular maintenance then, the concern authority decided to procure these maintenance works by involving WMCA with engaging Labour contracting society followed by PPR-2008. For this, government made a guideline in 2004 to implement LCS following PPR-2008 called “LCS Management Guide line”. Considering constraint in different areas, now the management guideline updated called “LCS Management Guide line 2022”.
- 3) In Operation and Maintenance Guideline it is found that usually all types of earthwork related maintenance work should be implemented by LCS and a ceiling up to 5.00 lakh Tk. is fixed for structure works which to be implemented by LCS. Depending on present scenario, most of the labor-intensive works are conducted by machine due to labour crisis as for example Khal re-excavation by 70% mechanical equipment and 30% manually. These 30% works for dressing, tree plantation and turfing works through LCS.
- 4) The payment procedure and paper work for contract, daily attendance in works showing in paper, muster-roll preparation, advance adjustment, part payment etc. in LCS works make difficulties and create discourage to implement the LCS works.
- 5) LCS members are not involved during estimate preparation. So, there is a gap between the two parties. Moreover, estimate correction constraints due to short period of time.

CHAPTER 5

Major Findings with Discussion, Conclusions and Recommendations

5.1 Major Findings with Discussion:

The findings related to closed and open-ended questions described in the earlier chapter, KII interviews, literature reviews, and experiences gathered due to worked areas under this operation and maintenance unit illustrate that the experiences with the LCS modality were mixed under the IWRMU operation and maintenance section. The mixed experiences were in addition to certain weaknesses that are inherent to the LCS approach, such as training and basic facilities, late contracts that lead to extra work, missing peak season wages, extra work due to erosion, differences in estimates and market rates of items, wage rates of difference between men and women, payment modality, field level monitoring, etc. These issues are described below.

5.1.1 LCS Training

After selection and formation of the LCS group, the important issue is formal training so that selected labour can complete the specified work as a skilled worker within a limited time, which will be cost effective. Consequently, the ultimate goal will be achieved, which is to decrease general poverty. But formal training was discontinued because of the difficulties in mobilizing LCS group members for training, fund constraints for the training budget, etc. It was found that during the training period, the labourer did not receive any training allowances, only lunch and snacks, which were critical for the survival of poor people. Due to non-payment of daily wages, they are discouraged from this training. Considering this, the formal training was replaced by on-the-job training, counting as working days, and payment was made accordingly. The LCS training was provided to the groups, followed by the LCS management guidelines.

It included some general briefing on the role of LCS, payment methods, stipulated technical issues, technical demonstrations, and finally the construction of a model section. But LCS members, especially women, are often less experienced in doing physical work, so they take more time. There is less tendency to follow the formal process of extension of work time as per PPR-2008, even though they require more instructions to properly start up the work, whereas their performance is compared to that of contractors with a few concessions made to poverty alleviation.

5.1.2 Work Interruption

During khal re-excavation or silt removal activities, sometimes it is found that landowners (lease holders or false) or some brokers, i.e., vested groups, were disturbing to give land in proper time for excavation (for re-sectioning of embankments) or for depositing earth in their land (in the case of re-excavation of khals), as some of them are cultivating crops or enjoying financial benefits from fish culture. Consequently, due to work interruptions, mobilization gets delayed, which affects the progress and quality of the work. It was observed that the uplifted soil was obstructed to keep some distance from the bank of the canal. As a result, the soil on the banks gets filled into the canal after a short monsoon. On the other hand, contractor performance is better as they are integrating into society with their social influences.

5.1.3 Major Earth works or Technology Dependent Works

Major (bulk) earthworks like embankment rehabilitation and earthworks in khal re-excavation where a wider section of the khal and/or deep cannot be done properly by LCS because a bulk of labour is required and the implementation work will be time-consuming. These earthworks are appropriate to be implemented by mechanical instruments involving a number of excavators. So, it requires more skill to consider special types of work to be followed by the tendering process, providing contracts awarded to specialized contractors while keeping a certain amount of security deposit. Moreover, rubber dam, regulator, and sluice repair are also specialized works that may not be possible for LCS groups. It requires a bulk amount of money to invest at a single time. So, this work is also required to be implemented by the tendering method.

5.1.4 Delay Payment

One of the major difficulties found was that the LCS workers were facing delays in payment for their completed work. Although they've already completed half of the work, they received one-fourth of the total payment, which was given in advance considering mobilization. It is found that the remaining payment is being delayed due to the preparation and submission of the muster roll, measurements taken by the officials, bill preparation, advance adjustment, and finally the issuing of the check and wage distribution register, which takes a long time. The member argued that these were creating problems and misunderstandings within the LCS groups. Besides, there were no alternative provisions for covering the expenses incurred by the President and the Secretary of the LCS Group without moving to the bank and the office. Consequently, they had to manage and

address these expenses through different means, i.e., borrowing loans or interest. The justification for this was that the socioeconomic backgrounds of all LCS members—sharecroppers, the poor, and the extremely poor—were essentially the same. So, the LCS members were often not satisfied with the payment schedules and lost interest in the work.

5.1.5 Profit Margin

The amount of profit element in LGED contracts for work is similar for contractors, considering 10% of the amount earned as LCS worker wages. This has been considered in the context of poverty reduction and social development for LCS groups, as they are local poor and vulnerable, including women-headed households, which aligns with 76(3) of PPR-2008. But it was observed and informed that the WMCA President/Secretary and related persons, those who were the intermediaries (middlemen), take advantage of the lack of minimum education and knowledge required by LCS members to implement the works. As a result, partial or no financial benefit (10% official profit) accrues to the labour contracting society. Consequently, due to the exclusion of financial benefits, the activities of the Labour contracting societies formed were about to cease. Again, there is a possibility of payment of partial wages to workers engaged in implementation work, as the bill of labour wages is paid in the name of the President or Secretary of the Labour Contracting Society. Moreover, there is a possibility of discrimination in the remuneration of male and female members.

However, in works involving the construction sector, there is scope for purchasing elements for materials (sand, cement, steel, etc.), where the profit element may be much more than 10% of the wage cost. Consequently, this gives the LCS group the potential the potential to earn money. On the other hand, there are significant risks: if the cost of materials increases, LCS, who are not experienced, will not be able to organize the purchase, transport, and storage of materials.

5.1.6 Timeframe of Works

The planned timeframe for the usual earthwork, re-excavation or silt removal of khals, and re-sectioning or rehabilitation of embankments is considered two months prior to the start of the monsoon rains. But if the contract is delayed for any reason and the work cannot be completed before the monsoon, the remaining work is carried over to after the monsoon, i.e., the next financial year. It is found that if the earthwork is left partially completed, the monsoon or flood damages the unfinished work, especially due to erosion of work on embankments and silting up of partially excavated khals. So, it is easily realized that the LCS group has to put in unpaid time and labour has

to undo the damage caused by the rains and floods, increasing the number of labour days without wages and reducing the efficiency of LCS group input and their average daily remuneration.

5.2 The Way Forward

There is no single and simple way to overcome the challenges above. It is clear that LCS work contributed to some poverty reduction, especially in agriculture. Pisciculture skill training also results in investments in productive resources being enhanced, increasing the chances of a permanent lifting out of poverty.

The following activities will help overcome the challenges:

- On-the-job training should be arranged for the LCS members in technical (estimate, measurement taken) and accounting (attendance on the muster roll, purchase of construction materials, VAT and taxes, profit and loss issues) related issues at the proper time for earthwork and paved maintenance work after the immediate formation of the LCS group, and this training-related expenditure should be incorporated into the estimate.
- Estimates should be prepared based on the present rate schedule. Estimates (construction materials, construction equipment, wages of skilled and unskilled labour etc.) should be approved based on the present market price of the concerned place for the LCS works. If the central rate schedule is not updated with the present price, 10% profit should be ensured for the LCS in the estimate, in which VAT and taxes should be included for the respective year. As if, in any way, there is a disinterest in the work of the concerned LCS.
- Due to the delay in the implementation of the work, the cost of the implementation of the work increases, so separate discussions should be held on the issues of the contract period and separate arrangements should be made for the handover of the work site at the field level. It should be careful that the LCS group has a proper understanding of subjects like cost control, time control, and quality control so that the monitoring of the work will be easier and the implementation of the work will be achieved according to the target.
- Making advance job arrangements and paying expenses in four instalments are difficult and time-consuming tasks. The profit from the task is relatively little when purchasing small construction materials because the unit price is high and transportation costs are associated with it. Moreover, difficulties arise in obtaining high-quality construction materials. This issue can

be resolved by offering early the chance to pay in full in advance for all costs associated with the purchase of construction materials and equipment.

- To prevent pilferage while paying for expenses through the WMCA President/Secretary and concerned individuals in the engineering office, cross-checks should be established, and LCS members can receive their bills and wages by opening accounts with Rocket, Bikash, Cash, and other payment methods.

5.3 Limitations

The report writing was focused on ongoing LCS works under IWRMU, LGED. It narrates briefly how LCS work is implemented in the operation and maintenance section of the IWRMU at LGED under the operational budget every year. The report tries to identify the challenges faced during implementation under the handed-over subproject.

The report does not deal with the indirect effects and climate issues of the LCS group.

The report does not deal with the indirect effects and climate issues of the LCS group.

Physical investigations were not possible in this topic due to management and time constraints. Consequently, in depth data collection was not possible. The response rate to the questionnaire survey could have been higher in case of WMCA and LCS group but if it had been possible to contact the concerned person physically then it will be more realistic. It is required to mentioned here that questionnaire was sent to different district and upazila Engineer office using email address only.

5.4 Wider Implications

This report will help to improve and solidify the awareness of the basic knowledge, understanding, and initiatives of researchers and concerned professionals with respect to the potential impacts of the implementation of small-scale infrastructure development and maintenance through LCS.

Additionally, it will assist in

- Evaluate the importance of the various risks that arise during implementation.
- Determine the planning and adaptation strategies to be used during the infrastructure development and maintenance phases.

- Create a plan for decision support for performing infrastructure development and maintenance stages for small-value works through LCS.
- Contribute to reducing poverty.

5.5 Recommendations

The labour contracting society has performed a collaborative and participatory approach aimed at promoting greater "empowerment" of the impoverished. This involves facilitating access to productive resources, remunerative employment, and basic social services for low-income communities and individuals, ultimately reducing poverty. Even though Bangladesh has made considerable progress recently in its struggle against extreme poverty, the issue still exists. Stronger open competition through the tendering process results in lower prices that can stimulate innovation and growth, but lower prices and growth alone will not reduce poverty. That is the basic reason to introduce 76(3) of PPR-2008 to perform work through LCS.

This report specifically investigates how operations and maintenance of water-related infrastructure are implemented through the LCS Group, its challenges, and how we can move forward to reduce poverty and thereby improve society in all respects. Although it is evident from literature and practice that some of the recommendations proposed in this report will be familiar to many, nevertheless, they are premised on the results of tried and tested methods. The report proposed the following activities as recommendations:

Immediate Action:

On-the-job training on technical and administrative issues should be conducted for both LCS members and respective officials in a timely manner.

The scheme approval process and contract should be performed timely so that no delayed issues can hinder the progress of the work.

Payment modality and advance adjustment process should be simpler so that no intermediaries can take any financial benefit from their wages.

Monitoring should be done on a regular basis, and WMCA and LGED officials should be proactive in monitoring that will ensure the quality of work.

Future Action:

Estimates should be prepared using a participatory approach where the LCS group, WMCA, and LGED officials work together, taking into consideration the present market price of materials. It will help to get similar, equal wages, like agricultural wages, certainly in peak seasons when labour is scarce.

The selection and formation of the LCS group will be completed and updated on a regular basis, engaging UP and WMCA. There should be provision to appoint replacement workers for more than 7 days so the labour team can be fully formed due to ill health. The community organizer will verify the list of LCS members, considering the selection criteria following the LCS management guidelines for 2022.

Payment procedures for labourer's wages should be converted to be similar to daily-labourer-friendly, ensuring equal wages for male and female workers following mobile financial services (MFS).

The LCS contract did not include provisions for third-party settlement. So, there should be provisions for negotiations for the LCS group.

It has been observed that alternative employment opportunities have increased. Today, labourers earn more wages from agricultural and off-farm activities. So, to overcome these challenges, a mixed LCS approach as a poverty reduction instrument, which has a special focus on the empowerment of women, will be effective, and that will have a positive impact on society. In addition, a 10% profit margin as a surplus income from LCS work is to be used to purchase productive resources such as poultry, vegetables, and livestock for more permanent poverty reduction. This mixed approach will contribute to the economic and social empowerment of LCSs, especially female LCSs.

'Income Generating Training (IGA) training' will encourage the LCS group to promote investments in productive resources that increase production and income.

5.6 Conclusions

This report has highlighted how LCS Group is working on water-related infrastructure maintenance under a subproject at IWRMU, LGED. Generally, any construction or maintenance work is executed by inviting tenders following PPR-2008 to ensure competitiveness. The competitive tendering process ensures fairness, transparency, and getting value for money, but through this process, the poverty of a large section of society cannot be reduced. On the other side, groups of adults (men and women) who are primarily landless labourers or sharecroppers and who rely on manual labour working together in the labour contracting society (LCS) to complete small-scale or water-related infrastructure maintenance projects under PPR 76(3) as direct procurement are helping to reduce poverty.

The report narrates the implementation procedure of LCS and its challenges. It is found that there are some challenges in LCS member selection, group formation, estimate preparation, delay works, lower quality works, implementation, payment modality, etc. The report proposes to apply some simple techniques that can be solved above challenges if done sincerely. Furthermore, the report proposes immediate and future actions which will be helped to ensure empowerment of poor and pro poor LCS group. It is shown that the profit margin that LCS members receive from the contract can be used to purchase productive resources that will help reduce poverty. Additionally, they received expertise from extra training in income-generating activities (such as raising ducklings, maintaining vegetable plots, and pisciculture training) so they could use the agricultural technologies or spend their earnings in starting their own rural businesses. As a result, everyone will be more self-reliant, which will ultimately lead to sustainable self-employment and reducing of extreme poverty, helping to achieve Sustainable Development Goal (SDG) 1 (one) by 2030. This report might include the encouragement of the implementing authority to find more innovative ways of improving this LCS mix approach and will find room for conducting further study in these areas.

(Word Count- 9064)

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Appendix-A

Brac Institute of Governance and Development (BIGD), BRAC University

Survey Questionnaire

Study Topic: Labour Contracting Society (LCS) in Public Procurement: A case study in IWRMU at Local Government Engineering Department (LGED)

(This questionnaire is intended for research works. The goal of this study is to identify the challenges faced by stakeholders of LCS that require proper attention. Participants' honest responses are highly valuable to the researcher. The researcher guarantees that your provided information will remain confidential and will be used exclusively for academic purposes.)

Type of Respondent: Se/Xen/Sr.Ae/Ae/Ue/CO/UP chairman/Up member/WMCA Chairman/WMCA Secretary/LCS member (Please Tick)

1. Name: (optional)
2. Location:
3. LCS activities under IWRMU:

i) LCS Name:

ii) No. of LCS contracts in last three years:

Year	No. of LCS Contracts
2021-22	
2020-21	
2019-20	

iii) What kind of works for LCS contracts in 2020-21: Earth work/Structure/both (please tick)

iv) Describe Contract no of LCS work in 2020-21:

Earth work		Structure work	
Contract no. of Khal re-excavation	Contract no. of Dam	Contract no. of water structure	Contract no of WMCA office

v) Describe Contract amount of LCS work in 2020-21:

Earth work		Structure work	
Contract amount of Khal re-excavation	Contract amount. of Dam	Contract amount of water structure	Contract amount of WMCA office

4. Tendering activities under IWRMU in last three years:

Sl. No.	Earth work			
	Khal re-excavation		Dam	
	Contract no.	Contract amount (Lakh. Tk.)	Contract no.	Contract amount (Lakh. Tk.)
1				

ii) Describe Structure works under IWRMU in last three years:

Sl. No.	Structure Work			
	Water structure		WMCA office	
	Contract no.	Contract amount (Lakh. Tk.)	Contract no.	Contract amount (Lakh. Tk.)
1				

5. Is there any training/workshop conducted before mobilization of contracts in LCS works?

Please use √

Yes

No

6. Mobilization of works in contracts: Please use √

LCS

Timely

Not timely

Tendering Timely

works Not timely

7. Monitoring of works: Please use ✓

LCS	Close	
	Monitoring	
	Interval	
	Monitoring	

Tendering	Close	
works	Monitoring	
	Interval	
	Monitoring	

8. Completion of contracts: Please use ✓

LCS	Timely	
	Not timely	

Tendering	Timely	
works	Not timely	

9. Is the accomplished works done by LCS is satisfactory without any correction: Please use ✓

Yes	
No	

Describe briefly

10. Opinion about LCS works and Tendering works:

- What are the problems you faced during implementation of LCS works?
- What are the advantageous situations you observe during implementation of LCS works?

- c. What are the problems you faced during implementation of works by tendering process?
 - d. What are the advantageous situations you observe during implementation of works by tendering process?
 - e. Is there any problem in bill payment difficulties in LCS works? Please explain.
- 11.** How can you overcome the problems that faced by LCS works? Provide suggestions to be effective LCS works more favourable and sustainable.

Appendix-B



সংযুক্তি-২(খ)
পৃষ্ঠা-১

এলজিইডি ও এলসিএস'র মধ্যে চুক্তিপত্র

(পানি সম্পদ অবকাঠামো)

এ চুক্তিপত্র প্রকল্পের আওতায় উপ-প্রকল্পের কার্য সম্পাদনের জন্য নিম্নে বর্ণিত পক্ষদ্বয়ের মধ্যে অদ্য ইং তারিখে সম্পাদিত হল।

স্থানীয় সরকার প্রকৌশল অধিদপ্তরের (এলজিইডি) পক্ষে পদাধিকারবলে জনাব নির্বাহী প্রকৌশলী/উপজেলা প্রকৌশলী (তিনি নিজে বা তার স্থলে পদায়িত কোন কর্মকর্তা, যথাযথ ক্ষমতাপ্রাপ্ত কর্মকর্তা, স্থলাভিষিক্ত) অতঃপর নিয়োগকারী হিসাবে বিবেচিত -- **প্রথম পক্ষ।**

এবং

.....জেলার অন্তর্গত উপজেলার ইউনিয়নের অধীন উপ-প্রকল্পের আওতায় নং এলসিএস'র পক্ষে চেয়ারপারসন জনাব(নিজে বা তাঁর উত্তরাধিকারী, স্থলাভিষিক্ত) পিতা/স্বামীমাতাগ্রাম ইউনিয়ন..... এবং এলসিএস'র সেক্রেটারী জনাব (নিজে বা তাঁর উত্তরাধিকারী, স্থলাভিষিক্ত) পিতা/স্বামী মাতা গ্রাম ইউনিয়নঅতঃপর এলসিএস হিসাবে বিবেচিত -- **দ্বিতীয় পক্ষ।**

যেহেতু, নিয়োগকারী কাজটি এলসিএস'র মাধ্যমে সম্পাদন করতে আগ্রহী এবং এলসিএস দল টাকার চুক্তিতে দিনের মধ্যে উক্ত কাজ সম্পন্ন করার প্রস্তাব গ্রহণ করেছে;

সেহেতু, পক্ষদ্বয় সর্বসম্মতিক্রমে নিম্নোক্ত শর্ত সম্বলিত এই চুক্তিনামা স্বাক্ষরে সম্মত হল।

দফা-১ : এ চুক্তিপত্রে ব্যবহৃত শব্দ এবং অভিব্যক্তিসমূহ যাদের উদ্দেশ্যে করা হয়েছে শুধুমাত্র তাদের জন্যই প্রযোজ্য হবে।

দফা-২ : এ চুক্তিপত্রের অংশ হিসাবে নিম্নলিখিত দলিলসমূহ পঠিত ও পঠিত হবে :

- ক. কাজের দফা, পরিমাণ ও দর সম্পর্কিত দলিলাদি (Bill of Quantities)
- খ. টেকনিক্যাল স্পেসিফিকেশন এবং নির্মাণ পদ্ধতি
- গ. নকশা
- ঘ. এলসিএস সদস্যদের অনুমোদিত তালিকা
- ঙ. তহবিল চাহিদা পত্র

পৃষ্ঠা ৩২

- দফা-৩ : পূর্বোল্লিখিত দলিলসমূহ প্রত্যেকটি একে অপরের পরিপূরক এবং পারস্পরিক ব্যাখ্যায়িত তবে কোন সন্দেহ অথবা অসামঞ্জস্যের ক্ষেত্রে উপরোল্লিখিত ক্রম অনুযায়ী বিবেচিত হবে।
- দফা-৪ : নিয়োগকারীর লিখিত আদেশের ভিত্তিতে উল্লেখিত কাজ আরম্ভ করতে হবে এবং কাজ শুরু করার আদেশ প্রদানের ৭ (সাত) দিনের মধ্যে এলসিএসকে কাজ শুরু করতে হবে।
- দফা-৫ : চূড়ান্ত পরিমাপের উপর ভিত্তি করে চুক্তিকৃত কাজের পরিমাণ হ্রাস অথবা বৃদ্ধি হতে পারে। এলসিএস কর্তৃক কাজ শুরুর পূর্বে মাটির কাজের সঠিক পরিমাণ নির্ণয়ের লক্ষ্যে উপজেলা সার্ভেয়ার / উপ-সহকারী প্রকৌশলী এলসিএস'র চেয়ারপারসন ও সেক্রেটারীর উপস্থিতিতে গ্রি-ওয়ার্ক জরিপ সম্পন্ন করবেন। একই পদ্ধতিতে পোস্টওয়ার্ক জরিপ করতে হবে। সম্পাদিত কাজের উপর ভিত্তি করে চূড়ান্ত বিল পরিশোধ করা হবে।
- দফা-৬ : চুক্তি অনুযায়ী শুধুমাত্র তালিকাভুক্ত এবং প্রশিক্ষণপ্রাপ্ত শ্রমিকগণ মাটির কাজ করবে। তালিকা বর্হিভূত শ্রমিকদের কাজে নিয়োগ করা যাবে না। তবে অসুস্থতা, পারিবারিক সমস্যা, অথবা সামাজিক/ধর্মীয়/মানবিক প্রেক্ষাপটে কোন এলসিএস সদস্যকে একই জেভারের নিকট-আত্মীয় দ্বারা বদলী করা যাবে, তবে কোন অবস্থাতেই ৭ দিনের বেশী অনুমতি দেয়া যাবে না।
- দফা-৭ : এলসিএস সদস্যদের মধ্যে কোন সামাজিক দ্বন্দ্ব বা সমস্যা দেখা দিলে পাবসস, এলজিইডি বা এনজিও ফ্যাসিলিটের তা নিরসনে পদক্ষেপ গ্রহণ করবেন। উপজেলা প্রকৌশলীও এ ব্যাপারে সহায়তা প্রদান করবে।
- দফা-৮ : এলসিএস এর পাওনা অর্থ সর্বোচ্চ ৫ কিস্তিতে চেকের মাধ্যমে পরিশোধ করা যাবে। প্রথম কিস্তির টাকা মোট চুক্তিমূল্যের এক দশমাংশ হবে যা অগ্রিম হিসেবে প্রদান করতে হবে। এ অর্থ যন্ত্রপাতি (কোদাল, বুড়ি ইত্যাদি) ক্রয়ে ব্যবহৃত হবে। দুরমজ প্রকল্প থেকে সরবরাহ করা হবে। সমুদয় অর্থ নিয়ে প্রদর্শিত কিস্তিতে উল্লেখিত হারে পরিশোধ করতে হবে :

কিস্তি	কিস্তির পরিমাণ	মোট পরিশোধের ক্রমপুঞ্জিত পরিমাণ	সম্পাদিত কাজের পরিমাণ
প্রথম (অগ্রিম)	চুক্তিমূল্যের ১০%	১০%	-
দ্বিতীয়	চুক্তিমূল্যের ২০%	৩০%	৩০%
তৃতীয়	চুক্তিমূল্যের ২০%	৫০%	৬০%
চতুর্থ	চুক্তিমূল্যের ২০%	৭০%	৮০%
পঞ্চম ও চূড়ান্ত	চুক্তিমূল্যের ৩০%	১০০%	১০০%

- দফা-৯ : প্রথম কিস্তির টাকা উত্তোলনের জন্য অগ্রিম অর্থ চাহিদা ফরম পূরণ করতে হবে। অন্যান্য ও চূড়ান্ত কিস্তির টাকা উত্তোলনের জন্য বিল চাহিদা ফরম পূরণ করতে হবে। বিল চাহিদা ফরম প্রাপ্তির ৫ (পাঁচ) দিনের মধ্যে উপজেলা প্রকৌশলী প্রয়োজনীয় ব্যবস্থা গ্রহণ করবে। পাওনা অর্থ/চেক এলসিএস চেয়ারপারসন/সেক্রেটারীর নিকট হস্তান্তর করতে হবে।
- দফা-১০ : চূড়ান্ত কিস্তির অর্থ পরিশোধের জন্য উপজেলা প্রকৌশলী এবং এলসিএস চেয়ারপারসন ও সেক্রেটারীর সমন্বয়ে যৌথ ভাবে পোস্টওয়ার্ক জরিপ সম্পন্ন করতে হবে। কোয়ালিটি কন্ট্রোল ইঞ্জিনিয়ার চূড়ান্ত বিল প্রত্যায়ন করবে। কাজ সমাপ্তির পর উপজেলা প্রকৌশলীর নিকট নোটিশ পেশ করার ৭ দিনের মধ্যে যৌথ পোস্ট ওয়ার্ক জরিপ সম্পন্ন করতে হবে। যৌথ পোস্টওয়ার্ক জরিপ সমাপ্তির ১৫ দিনের মধ্যে চূড়ান্ত পাওনা পরিশোধ করতে হবে।



সংযুক্তি-২(খ)
পৃষ্ঠা-৩

- দফা-১১ : মাটির কাজের প্রি-ওয়ার্ক এবং পোস্ট-ওয়ার্ক জরিপের ভিত্তিতে উপ-সহকারী প্রকৌশলী কাজের পরিমাণ হিসাব করে পরিমাপ বইয়ে নথিভুক্ত করবে।
- দফা-১২ : চেয়ারপারসন ও সেক্রেটারীসহ প্রতিটি এলসিএস সদস্য মাটির কাজে অংশগ্রহণ করবে এবং মহিলা ও পুরুষ সমানভাবে পারিশ্রমিক বাবদ অর্থ পাবে। কোন অবস্থায় কাজ করা ব্যক্তিরকে এলসিএস চেয়ারপারসন ও সেক্রেটারী বা অন্য কোন সদস্য পারিশ্রমিক গ্রহণ করতে পারবে না। এ নীতির বাস্তবায়ন নিশ্চিত করতে এলসিএস সেক্রেটারী নির্ধারিত ফরম মোতাবেক একটি দৈনিক হাজিরা রেজিস্টার পূরণ করবে এবং এ রেজিস্টার অনুসারে পারিশ্রমিক বন্টন করা হবে। এলসিএস চেয়ারপারসন ও সেক্রেটারী সকল কিস্তির অর্থ বন্টনকালে সদস্যদের পরিশোধ ফরম পূরণ করবে। এলসিএস সদস্যদের চূড়ান্ত কিস্তি পরিশোধের সময় হাল নাগাদ হাজিরা ও গৃহীত অর্থ সমন্বয় করতে হবে। অর্থ পরিশোধ সপ্তাহ-ভিত্তিক হবে।
- দফা-১৩ : এলসিএস চেয়ারপারসন ও সেক্রেটারী উপ-প্রকল্প কার্যস্থল বা পাবসস কার্যালয় বা এ ধরনের কোন সাধারণ স্থানে কমিউনিটি অর্গানাইজার/এনজিও ফ্যাসিলিটেটর এবং পাবসস এর উপস্থিতিতে এলসিএস সদস্যদের পাওনা অর্থ বন্টন করবে। এনজিও ফ্যাসিলিটেটর এলসিএস সদস্যদের মধ্যে অর্থ পরিশোধ/বন্টন পর্যবেক্ষণ করবে।
- দফা-১৪ : এলসিএস'র চেয়ারপারসন/সেক্রেটারী মাটি কাটার কাজে নিয়োজিত সদস্যদের মাঝে বিতরণকৃত সকল অর্থের হিসাবাদি নথিভুক্ত করে রাখবে, যা পরবর্তীতে অডিট করার সময় প্রয়োজনে পেশ করতে হবে।
- দফা-১৫ : উপজেলা প্রকৌশলী, সংশ্লিষ্ট কনসালটেন্ট দলের সদস্য এবং এনজিও ফ্যাসিলিটেটর এলসিএস'র চেয়ারপারসন কর্তৃক কাজের লেনদেনকৃত সকল অর্থের হিসাব নিরীক্ষা করবে।
- দফা-১৬ : যদি কোন কাজ একেবারেই করা না হয় বা আংশিক করা হয় অথবা স্পেশিফিকেশন অনুযায়ী না হয় তবে ১ম কিস্তির অগ্রিমসহ অংশবিশেষ অথবা সম্পূর্ণ টাকা এলসিএস ফেরৎ প্রদান করবে।
- দফা-১৭ : এলসিএস নিজ দায়িত্বে উপ-প্রকল্পের নাম, ভ্যাট ও আইটিসহ প্রাক্কলিত ব্যয়, কাজের পরিমাণ এবং এলসিএস'র চেয়ারম্যান এবং সেক্রেটারীর নাম সম্বলিত একটি সাইনবোর্ড কাজের স্থানে টাঙ্গিয়ে দিবে।
- দফা-১৮ : মাটির কাজের মান বজায় রাখার জন্য, বিশেষ করে, মাটি দৃঢ়ীকরণের উদ্দেশ্যে কাজে নিয়োজিত এলসিএস সদস্যদের জন্য প্রয়োজনীয় সংখ্যক (প্রতি ৫ জনের জন্য ১ টি করে) দুরমুজ নিয়োগকারী কর্তৃপক্ষ সরবরাহ করবে। কাজ শেষে এলসিএস সদস্যগণ ঐ সকল দুরমুজ নিয়োগকারী কর্তৃপক্ষকে ফেরৎ দিতে বাধ্য থাকবে। প্রদানকৃত দুরমুজ ফেরৎ না দিলে বর্তমান বাজার দরের হিসাবে চূড়ান্ত কিস্তির পাওনা থেকে সমপরিমাণ টাকা কর্তন করা হবে।
- দফা-১৯ : এলসিএস মাটি কাটার সাইটে পুরুষদের জন্য ১ টি এবং মহিলাদের জন্য ১টি লেট্রিন নির্মাণ করবে।
- দফা-২০ : মাটির কাজের ক্ষেত্রে বিশেষ অবস্থা ছাড়া কোন অবস্থাতেই ৩০ শে এপ্রিলের পর মাটি কাটার কাজ করা যাবে না।



সংযুক্তি-২(খ)
পৃষ্ঠা-৪

- দফা-২১ : কোন পক্ষ উপরোল্লিখিত শর্তসমূহ ছাড়াও নিম্নে বর্ণিত যে কোন শর্তের বরখোলাপ করলে নিয়োগকারী অথবা এলসিএস উভয়ই অত্র দলিলে সম্পাদিত চুক্তি বাতিল করতে পারবে :
- ক) কর্মসূচীতে উল্লেখ না থাকা সত্ত্বেও এবং/অথবা নিয়োগকারী দ্বারা অনুমোদিত না হয়ে এলসিএস কর্তৃক কাজ বন্ধ করা;
 - খ) চুক্তি মোতাবেক কাজ বাস্তবায়ন না হওয়ার ক্ষেত্রে নিয়োগকারী কর্তৃক এলসিএসকে কাজ বন্ধের জন্য সাময়িকভাবে নির্দেশ প্রদান করা এবং ঐ নির্দেশ ১৪ দিনের মধ্যে অনুসরণে ব্যর্থতার ক্ষেত্রে;
 - গ) নিয়োগকারী কর্তৃক এলসিএস'র কাজের কোন নির্দিষ্ট ক্রটি সমাধানে অপারগতার কারণে চুক্তি ভংগের বিজ্ঞপ্তি প্রকাশ এবং নিয়োগকারীর বেঁধে দেওয়া নির্দিষ্ট সময়সীমার মধ্যে এলসিএস কর্তৃক নির্দিষ্ট ক্রটি সমাধানে অকৃতকার্য হওয়া;
 - ঘ) যুক্তিসংগত কারণ ছাড়া এলসিএস কর্তৃক কাজ সম্পন্ন করতে দেরী হওয়া;
 - ঙ) সংশ্লিষ্ট উপজেলা প্রকৌশলী কর্তৃক সুপারিশকৃত বিল সুপারিশ প্রদানের তারিখ হতে ১ মাস এলসিএসকে যুক্তিসংগত কারণ ছাড়াই বিল প্রদান না করা;
 - চ) এলসিএস'র চেয়ারপারসন/সেক্রেটারী কর্তৃক একই কাজের বিনিময়ে মহিলা এবং পুরুষ শ্রমিকদ্বয়কে ভিন্ন ভিন্ন পারিশ্রমিক প্রদান করা;
 - ছ) এলসিএস গঠন সংক্রান্ত নির্দেশিকা লঙ্ঘন করে এলসিএস গঠন করা।

দফা-২২ : চুক্তি মোতাবেক কোন কাজ নির্ধারিত সময়ে না হলে, বা অসম্পূর্ণ থাকলে বা কাজের মান সন্তোষজনক না হলে কাজের বিপরীতে গৃহীত সমস্ত অর্থ এলসিএস ফেরত প্রদানে বাধ্য থাকবে। যুক্তিসংগত কারণের ক্ষেত্রে কার্য সম্পাদনের সময়সীমা বৃদ্ধি করা যেতে পারে; তবে তা কোন অবস্থাতেই ১৫ (পনের) দিনের বেশী হবে না। আলোচ্য দফার ব্যত্যয়ের ক্ষেত্রে নিয়োগকারী কর্তৃপক্ষ দেশের প্রচলিত আইন মোতাবেক ব্যবস্থা গ্রহণ করতে পারবে। এ ক্ষেত্রে সংশ্লিষ্ট জামিনদার নিয়োগকারী কর্তৃপক্ষকে প্রয়োজনীয় সহায়তা প্রদানে বাধ্য থাকবে।

Appendix-C

Photo Gallery

Some Photographs of Operation and Maintenance Activities under IWRMU at LGED



Some Photographs under O&M at IWRMU, LGED



Repair of WMCA Office & Structure at Moharashi (SP-351580) Rubber Dam under Jhenaigati Upazila District Sherpur.
(Package No: LGED/SHER/IWRM/2020-21/W-01)



Some Photographs under O&M at IWRMU, LGED

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২০২১-২২ অর্থবৎসরে সম্পাদিত কাজের কিছু বাস্তব চিত্র



পূর্বের অবস্থা



বর্তমান অবস্থা

স্থানের নামঃ নিতাই নদী বাঁধ,
উপ-প্রকল্পের নামঃ নিতাই নদী উপ-প্রকল্প (এস পি নং-৯৮০০৬)
উপজেলাঃ ধোবাউড়া, জেলাঃ ময়মনসিংহ

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২০২১-২২ অর্থবৎসরে সম্পাদিত কাজের কিছু বাস্তব চিত্র



পূর্বের অবস্থা



বর্তমান অবস্থা

স্থানের নামঃ মহিলারা বাঁধ,
উপ-প্রকল্পের নামঃ মহিলারা এফসিডি উপ-প্রকল্প (এস পি নং-১৫৩০৬),
উপজেলাঃ গৌরনদী, জেলাঃ বরিশাল

Some Photographs under O&M at IWRMU, LGED

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২০২১-২২ অর্থবৎসরে সম্পাদিত কাজের কিছু বাস্তব চিত্র



পূর্বের অবস্থা



বর্তমান অবস্থা

স্কিমের নামঃ বড়জোড় খাল,
উপ-প্রকল্পের নামঃ গালুয়া ডিআর উপ-প্রকল্প (এস পি নং-২২০২৫),
উপজেলাঃ রাজাপুর, জেলাঃ ঝালকাঠি



সাধারণ



সচেতনতা